

SUPREME COURT

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OF INDIANA

FOR IMMEDIATE RELEASE

January 8, 2007

Contact: David J. Remondini

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NEWS ADVISORY CHIEF JUSTICE TO DELIVER 20th STATE OF THE JUDICIARY ADDRESS

Indiana Chief Justice Randall T. Shepard will deliver his 20th State of the Judiciary address to a joint session of the Indiana General Assembly on Wednesday, January 17, 2007 at 2:00 p.m.

The annual address in the chambers of the Indiana House of Representatives is required by Article 7, Section 3 of the Indiana Constitution and will last about an hour. The Chief Justice will discuss the Court's ongoing projects, accomplishments and future plans.

Advance copies of the speech will be delivered to the State House media just prior to the speech. Media organizations may receive a copy via email by contacting David J. Remondini at dremondi@courts.state.in.us.

Internet users will be able to watch a live webcast of the speech by going to www.in.gov/legislative/session/video.html and clicking on "Watch Video From the House." A video of the speech will be available on the Internet after the address. To view it after the speech or to read the full text, go to: www.IN.gov/judiciary/supreme/state_jud.html.



Chief Justice Randall T. Shepard

SUPREME COURT

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OF INDIANA

FOR IMMEDIATE RELEASE

January 24, 2007

Contact: David J. Remondini

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INDIANA SUPREME COURT TO VISIT BLOOMINGTON, IND. FOR ORAL ARGUMENT

The Indiana Supreme Court will hold an oral argument in the Moot Court Room of the Indiana University School of Law in Bloomington at 12 p.m. on Tuesday, January 30, 2007, Chief Justice Randall T. Shepard announced today.

The appeal being heard is *Richard Brown v. State*. Following a jury trial in the Marion Superior Court, Mr. Brown was convicted of three counts of class D felony criminal confinement and three counts of class D felony identity deception in connection with the appellant's telling victims they would win a prize if they would leave their clothing at the appellant's residence. The Court of Appeals reversed the confinement convictions and affirmed the others in *Brown v. State*, 848 N.E.2d 699 (Ind. Ct. App. 2006), *vacated*. Its opinion can be viewed at www.in.gov/judiciary/opinions/pdf/06070603.tac.pdf and www.in.gov/judiciary/opinions/pdf/11130601tac.pdf. The Supreme Court has granted a petition to transfer the case, thus vacating the opinion of the Court of Appeals, and has assumed jurisdiction over the appeal.

Attorney Joel Schumm, of Indianapolis, will represent Mr. Brown and Deputy Attorney General Kathryn Stein will represent the State of Indiana.

The argument will last about forty minutes, with each side having twenty minutes to argue its side of the case. The public and the news media are invited to attend.

Following the argument, the Court likely will conduct a question and answer session for the benefit of the audience.

NEWS MEDIA COVERAGE INFORMATION

The Indiana Supreme Court allows photography and recording of its arguments under certain conditions. The Supreme Court will allow two still news photographers and two video news photographers. No flash photography is allowed and photographers must use a tripod or monopod and remain in place for the entire argument. Radio reporters are also welcome. To make arrangements for media coverage, contact David Remondini, 317.233.8684 or at dremondi@courts.state.in.us.

If more than two still photographers and two video news photographers are present, the news organizations must agree to a "pool" arrangement for those news organizations that are present at the site but not allowed to bring their photographic equipment inside. Making the pool arrangements is the responsibility of the news media and the Supreme Court will not become involved other than to exclude all cameras in the event there is a dispute.



FOR IMMEDIATE RELEASE
February 21, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT INDIANA STATE UNIVERSITY

Case Originates in Marion County

The Indiana Court of Appeals will hear oral argument in the case *T.S. v. State* on Thursday, February 22nd at 11:00 a.m. at Indiana State University. A three-member panel of Judge John G. Baker, Judge Carr L. Darden, and Judge Margret G. Robb will hear the case on appeal from Marion Superior Court's Juvenile Division.

The Court is asked to determine whether a school police officer may constitutionally remove a student from class to question the student regarding information received indicating that the student has violated the law. Elizabeth Gabig with the Marion County Public Defender's Office will argue for the appellant, T.S.; Ann Goodwin, representing the Indiana Attorney General, will argue for the State. Each side will have 20 minutes to argue their case.

Following oral argument, the Court will answer questions about the judicial process in Indiana from students and the public.

This is the Court of Appeals' seventh visit to ISU in as many years, and the 176th oral argument heard "on the road" since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

The Indiana Court of Appeals is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Indiana Court of Appeals is final unless granted further review by the Indiana Supreme Court. The majority of appeals filed in Indiana are decided by the Court of Appeals.

The 15-member Court of Appeals issues some 2,500 written opinions each year, sitting in three-judge panels.



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FOR IMMEDIATE RELEASE
February 22, 2007

Contact: Lilia G. Judson
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COUNSEL PROMOTED TO CHIEF DEPUTY EXECUTIVE DIRECTOR OF STATE COURT ADMINISTRATION

David Remondini, longtime Counsel to the Chief Justice Randall T. Shepard, has been named to the newly created position of Chief Deputy Executive Director for State Court Administration, Chief Justice Shepard and Executive Director Lilly Judson announced.

Mr. Remondini, who has worked for the Chief Justice since 1995 after a 15-year career as a reporter for *The Indianapolis Star*, assumed his new duties on Feb. 22nd.

In the new position, Mr. Remondini will oversee the day-to-day operations of the [Division of State Court Administration](#) and its many projects and programs. He will report directly to Mrs. Judson.

During his tenure with the Chief Justice, Mr. Remondini has been responsible for overseeing the development of the Supreme Court's statewide pro bono effort, its project for self-represented litigants, the Conference on Legal Education Opportunity law school scholarship program, and the "cameras in the court" projects for the appellate and trial courts. He also supervised the startup of the Court's webcasting and "Courts in the Classroom" project and served as the Chief Justice's liaison to the news media, state and local bar associations and a host of other groups and organizations.

"Dave has had an enormous impact on the Court over the last 11 years. He has been involved in nearly every aspect of the Court's operations. I have appreciated his dedication and commitment both to the Court and to the people of Indiana. I will miss having him in my office every day. I am very glad he is not going too far away," said Chief Justice Shepard.

The Division of State Court Administration is the "paymaster" and benefits overseer for the state's judges and prosecutors. It also organizes the statistical output of Indiana's trial courts. The Division also manages a number of programs that provide direct support to the courts and the public, including court interpreter certification, the Court Appointed Special Advocate/Guardian Ad Litem program, the Civil Legal Aid fund and the Conference on Legal Education Opportunity program.

"I told the Chief Justice he is not losing his Counsel; he is gaining a much improved Division of State Court Administration. I am thrilled Dave is going to join our talented staff. His broad knowledge of the trial courts and the legal system will be a tremendous addition to our operations," said Mrs. Judson.

Mr. Remondini, 48, is a graduate of Ripon College in Wisconsin and earned his law degree from Indiana University School of Law at Indianapolis. He is a native of Weymouth, Massachusetts.

During the transition period, Mr. Remondini will continue to handle media relations for the Chief Justice.



David J. Remondini



**Indiana Judicial Nominating Commission
Indiana Commission on Judicial Qualifications**

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**FOR IMMEDIATE RELEASE
February 26, 2007**

**Contact: Meg Babcock
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CANDIDATES SOUGHT FOR INDIANA COURT OF APPEALS VACANCY

Attorneys and trial judges interested in applying for the upcoming vacancy on the Second District of the Indiana Court of Appeals must submit applications by April 4, 2007, Chief Justice Randall T. Shepard announced today. The vacancy is occasioned by the August 1, 2007 retirement of Indiana Court of Appeals Judge Patrick Sullivan.

"A position on the Court of Appeals is a uniquely satisfying experience. The court is on the cutting edge of the many legal challenges facing our society. I would encourage any interested attorney or trial judge to apply and to urge others to consider this opportunity," said Chief Justice Shepard.

Chief Justice Shepard chairs the Indiana Judicial Nominating Commission. The 7-member Commission includes three lawyers elected by their peers and three citizen members appointed by the Governor. The Commission will conduct initial public interviews of qualified candidates on April 23 and April 24 in Indianapolis, followed by second interviews on May 11, 2007.

A candidate must have been an Indiana attorney for ten years or a trial judge for five years and must live in one of the 19 central Indiana counties in the [second judicial district](#). The annual salary and allowances for a Court of Appeals judge is \$137,968.

The application is available on the judiciary website at www.in.gov/judiciary/notices/vacancy.html. Candidates should contact Meg Babcock, Counsel to the Commission, at (317) 232-4706 or at mbabcock@courts.state.in.us for more information about the process.



FOR IMMEDIATE RELEASE
February 28, 2007

Contact: Julia Orzeske
317.232.1943

CLE COMMISSION NAMES NEW OFFICERS; GAINS NEW MEMBER

The [Indiana Commission for Continuing Legal Education](#) has elected its officers for 2007, Chief Justice Shepard announced.

Susan G. Gainey, of Indianapolis, was named Chair, Gerald M. Bishop, Merrillville, was named Vice-Chair, Michael E. Tolbert, Merrillville, was named treasurer, and the Hon. Nancy Eshcoff Boyer, of Fort Wayne, was named secretary.

In addition, the Supreme Court appointed Attorney Charles K. Todd of Hagerstown, to the CLE Commission. Mr. Todd is a sole practitioner and has an office in Cambridge City. He has a general practice and focuses on Estate Planning, Estate/Probate Administration, Real Estate, Business Matters and Municipal Representation. He replaced Robert Houston, of Scottsburg. Mr. Todd 's term will expire at the end of 2011.

The Commission has 11 members. They receive no salary for their service and each serves a term of five years. Primarily, the Commission is responsible for approval of the individual educational opportunities that Indiana 's attorneys are required to receive and for approval of the sponsors who present the educational seminars. Additionally, the Commission sets standards for training courses for Indiana 's registered mediators and regulates attorney specialization in the state.

The officers serve one-year terms.



FOR IMMEDIATE RELEASE
February 28, 2007

Contact: Maura Pierce
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COURT OF APPEALS CHOOSES NEW CHIEF JUDGE

The Indiana Court of Appeals today selected John G. Baker as the Court's next Chief Judge, replacing James S. Kirsch, who did not seek another term. Judge Baker's three-year term begins on March 1, 2007.

Judge Baker, a native of Aurora, joined the Court of Appeals on June 2, 1989. He was appointed to the Court by then Governor Evan Bayh. His biographical information is attached.

Judge Baker said the greatest challenges in the next three years will be to manage the Court's increasing caseload and to continue the Court's tradition of disposing of cases in a timely fashion.

The Indiana Court of Appeals is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Indiana Court of Appeals is final unless granted further review by the Indiana Supreme Court. The majority of appeals filed in Indiana are decided by the Court of Appeals.

In 2006, the 15-member Court of Appeals issued 2,509 written opinions, sitting in panels of three. For more information, see the Court's website, <http://www.in.gov/judiciary/appeals/>.

CHIEF JUDGE JOHN G. BAKER **BIOGRAPHICAL INFORMATION**

John G. Baker is originally from Aurora in Dearborn County and now resides in Boone County. Previously he lived in Monroe County for 35 years. Since June 1989, he has served as a Judge of the Indiana Court of Appeals representing the First District and has authored more than 3,000 majority opinions. Prior to becoming an appellate court judge, he served as county court and superior court judge for 13½ years in Bloomington, disposing of more than 15,000 cases.

Judge Baker graduated from Culver Military Academy and received his A.B. degree from Indiana University in 1968 in History and his J.D. from the Indiana University School of Law -Bloomington in 1971. He received his LL.M. in Judicial Process from the University of Virginia in 1995. Before assuming the trial bench, he was a partner in the firm of Baker, Barnhart and Andrews in Bloomington and was a Captain in the U.S. Army Reserves.

Since 1980, Judge Baker has taught as an adjunct professor at Indiana University's School of Public and Environmental Affairs and for three years the School of Law in Bloomington. In addition, Judge Baker has served on the faculties of the Indiana Judicial College, Indiana Continuing Legal Education Forum, and the National Institute of Trial Advocacy.

His professional associations include the American, Indiana State, Monroe County and Indianapolis Bar Associations. For the latter, he served as Vice-President in 1995. He has been a member of the Indiana Judges Association's Board of Managers continually since 1979 and served as its President from January of 1987 through June of 1989.

Judge Baker has been active in community and civic affairs as well. In addition to his church, YMCA, and other similar organizations, Judge Baker has been active in Boy Scouts of America since his youth and was awarded the rank of Eagle Scout.

Judge Baker, who was retained on the Court by election in 1992 and 2002, lives near Zionsville with his wife, Margaret (Peggy) Paul Baker. They have five children and, so far, four grandchildren.



FOR IMMEDIATE RELEASE
March 1, 2007

Contact: Dr. Elizabeth Osborn
317-233-8682

BENJAMIN HARRISON DAY TO BE CELEBRATED IN STATE HOUSE

President Benjamin Harrison Day will be celebrated Monday, March 5, 2007 in the Indiana State House and feature a re-enactment of a famous Indiana Civil War trial that remains relevant today, Indiana Chief Justice Randall T. Shepard announced today.

The event is the fifth annual State House celebration honoring the only Hoosier to serve as U.S. President. Harrison also served as the Reporter of the Indiana Supreme Court. March 4, 2007 is the 118th anniversary of President Harrison's inauguration.

Monday's events are sponsored by the Indiana Supreme Court's "Courts in the Classroom" program, the State House Tour Office, the President Benjamin Harrison Home, and the Indiana University School of Law-Indianapolis, Alumni Association.

Approximately 300 students from Zionsville Middle School, Owen Valley High School, Crispus Attucks Medical Magnet High School, South Ripley Jr./Sr. High School, Canterbury School, the Master's Study, and Heritage Builders will be participating in a courtroom re-enactment of a famous U.S. Supreme case with Indiana roots, *Ex Parte Milligan*. Stan Harris, *We the People*. State Coordinator, will moderate a brief discussion with the students on how *Ex Parte Milligan* is relevant in today's world.

Milligan, a resident of Huntington, Indiana, was sentenced to death by a military tribunal for his outspoken opposition to President Lincoln's Civil War draft. Several famous Hoosiers, including Benjamin Harrison, Oliver P. Morton, Alvin Hovey and Thomas Hendricks participated in Milligan's Indiana civil trial after the U.S. Supreme Court overturned the findings of the military tribunal.

Winners of the statewide poster contest related to the life, presidency or ideals of Benjamin Harrison, will also be recognized on Monday. Joseph Trimmer, an Indianapolis area eighth grader who is home schooled, and Molly Albers, a sixth grade student from St. Louis School in Batesville, Indiana are this year's winners.

The Courtroom program is open to the public but seating will be extremely limited. It will be webcast live and also archived for later viewing. Information about the webcast, the *Ex Parte Milligan* script and other teacher background information is available from the Courts in the Classroom website. Visit www.in.gov/judiciary/citc and click on "Benjamin Harrison Day 2007." For more information about Benjamin Harrison, visit www.presidentbenjaminharrison.org.

 Photo of President Benjamin Harrison

SUPREME COURT

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OF INDIANA

FOR IMMEDIATE RELEASE
March 5, 2007

Contact: David J. Remondini
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BLE EXECUTIVE DIRECTOR MARY GODSEY TO "TAKE" HER FINAL BAR EXAM

Mary Place Godsey, the longtime executive director of the Indiana Board of Law Examiners and a national leader in the field of bar admissions and lawyer testing, will direct her final bar exam this July and then complete her career with the Indiana Supreme Court's Board of Law Examiners, Chief Justice Randall T. Shepard announced today.

Ms. Godsey began her career with the appellate courts in a position formerly called the Secretary to Court for the Appellate Court. Later she worked as a secretary for former Chief Justice Norman Arterburn and started law school. After Chief Justice Arterburn retired, she served as a secretary and as a law clerk for former Justice Alfred Pivarnik until 1982, when she began at the Board of Law Examiners as the first attorney to be named executive director.

"Mary Godsey has been a marvelous rock of stability and character amid the ever changing challenges facing attorney testing and accreditation. In Indiana her impact has been wide-ranging. I would estimate that the bar exam applications of well over half of Indiana 's attorneys came under Mary's careful and deliberate scrutiny. Our state's legal profession does a better job for the people it serves because she has dedicated her career to that goal," said Chief Justice Shepard.

During her tenure the Indiana Bar Examination has evolved from a 28-question essay, to a 20-question essay and into its current form that includes the nationally recognized Multi-State Bar Examination and Multi-State Performance Test.

The Board of Law Examiners has a long history in Indiana. In July 1931, the Supreme Court adopted rules regulating admission to the practice of law in Indiana. Under these laws an applicant was required to take an examination to determine his professional fitness. A Board of Law Examiners was appointed to conduct examinations and a Committee on Character and Fitness was established.

Today, the State Board of Law Examiners is responsible for the admission of attorneys, the certification of legal interns and the formation and renewal of professional corporations, limited liability companies and limited liability partnerships for the legal profession. The Committee on Character and Fitness now numbers over 300 lawyers and interviews personally all applicants to the bar.

Ms. Godsey's office is also responsible for the admission of attorneys licensed in other states who wish to gain a permanent Indiana license. In addition, Ms. Godsey supervised a program to enable southern lawyers displaced by Hurricane Katrina to temporarily set up a practice in Indiana . Her office folded technology and the Internet into its operations. The release of the bar exam results twice a year typically generated a cacophony of phone calls in Ms. Godsey office. But after her office began posting the results online, the phone calls dropped to a whisper on the days the results are released.

In July the Board of Law Examiners will hold its final examination with Ms. Godsey in a leadership role. She will conclude her career at the Board of Law Examiners at the end of August 2007.

Attorney Linda L. Loepker, the Director for Office and Employment Law Services with the Supreme Court, will begin work March 12th as deputy executive director. After August 31, she will become executive director of the Board of Law Examiners.

For more information about the Board of Law Examiners, visit: <http://www.in.gov/judiciary/ble>

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FOR IMMEDIATE RELEASE
March 7, 2007

Contact: David J. Remondini
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CHIEF JUSTICE RANDALL T. SHEPARD TO BE SWORN IN FOR FIFTH TERM

Evansville, Ind. - The Hon. Randall T. Shepard will be sworn in Tuesday, March 13th by Vanderburgh Superior Court Judge Mary Margaret Lloyd for a record fifth five-year term as Indiana's Chief Justice.

The public swearing in ceremony will be held at 4 p.m. in the County Courts Building in Evansville in Room 110, one of the courtrooms where the Chief Justice presided when he was a Vanderburgh Superior Court Judge, from 1980 until 1985.

While serving as a Superior Court Judge, Governor Robert D. Orr appointed him an Associate Justice of the Indiana Supreme Court. He was previously elected Chief Justice by the Indiana Judicial Nominating Commission in 1987, 1992, 1997 and 2002.

Tuesday's ceremony reprises Chief Justice Shepard's first swearing in ceremony as the leader of Indiana's judiciary.

In 1987 he was sworn in for his first term as Chief Justice by Governor Orr in the Old Vanderburgh County Courthouse. The Chief Justice had served five years as president of the Conrad Baker Foundation, which was formed to save the Old Courthouse after the county moved out of it in the 1970s. The restored Old Courthouse is now once again being used for public offices.

Tuesday's ceremony is being held in conjunction with the court's regular District Meeting with the judicial officers from the 11 southwestern Indiana counties. The Evansville Bar Association will host a light reception outside the courtroom, beginning at 3:30 p.m.

Shepard is the immediate past president of the National Conference of Chief Justices and currently serves on a U.S. Supreme Court rules committee, the only state judge appointed by U.S. Supreme Court Chief Justice John G. Roberts Jr.

He is a graduate of Princeton University and Yale School of Law and earned a Master of Laws degree in the judicial process from the University of Virginia.





**Indiana Judicial Nominating Commission
Indiana Commission on Judicial Qualifications**

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**FOR IMMEDIATE RELEASE
March 7, 2007**

**Contact: Meg Babcock
317.232.4706**

JUDICIAL COMMISSION CHARGES JUDGE AFTER OWI CONVICTION

The Indiana Commission on Judicial Qualifications filed judicial disciplinary charges today against the Honorable John F. Hanley, Judge in the Marion Superior Court.

The Commission's attorney, Meg Babcock, announced that the charges allege Judge Hanley violated judicial ethics when he operated a vehicle while intoxicated. Judge Hanley was arrested on December 4, 2006 in Marion County and pled guilty to a Class A Misdemeanor on January 26, 2007. He is serving one year on probation and a 90-day suspension of his driver's license.

The Commission's charges state that Judge Hanley violated rules for judges which hold them to high standards of conduct and require them to preserve the integrity of the judiciary, to respect and comply with the law, and to act at all times in a manner which promotes the public's confidence in the integrity of the judiciary.

Judge Hanley may file an answer to the charges within 20 days. The Supreme Court then will appoint a panel of three judges to preside over an evidentiary hearing and report their findings to the Supreme Court unless the Commission and Judge Hanley submit an agreement for discipline to the Court.

Judge Hanley is represented by Lowell A. Shroyer, 317.783.3069.

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The charging document is available at www.in.gov/judiciary/jud-qual.

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FOR IMMEDIATE RELEASE
March 13, 2007

Contact: David J. Remondini
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"I owe my career to the people of Evansville and it seemed right that I should return home to be sworn in for my fifth terms as Chief Justice," said Chief Justice Shepard.

Tuesday's ceremony was held in conjunction with the court's regular District Meeting with the judicial officers from the 11 southwestern Indiana counties. The Evansville Bar Association hosted a light reception outside the courtroom prior to the ceremony.

Chief Justice Shepard is the immediate past president of the National Conference of Chief Justices and currently serves on a U.S. Supreme Court rules committee, the only state judge appointed by U.S. Supreme Court Chief Justice John G. Roberts Jr.

He is a graduate of Princeton University and Yale School of Law and earned a Master of Laws degree in the judicial process from the University of Virginia.





FOR IMMEDIATE RELEASE
March 21, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT VALPARAISO LAW SCHOOL

The Indiana Court of Appeals will hold oral argument in the case *Barber v. State* on Friday, March 23rd at 11:00 a.m. CT at Valparaiso University Law School. A three-member panel of Judge Nancy H. Vaidik, Judge Michael P. Barnes, and Judge Terry A. Crone will hear the case on appeal from Marion Superior Court.

The Court is asked to decide whether there was sufficient evidence to convict the defendant for reckless homicide and failure to stop after an accident resulting in death, and whether the defendant's sentence was proper. Arguing for the appellant, Mr. Barber, is Ruth Johnson of the Marion County Public Defender Agency; Deputy Attorney General Cynthia Ploughe will argue for the State. Each side is granted 30 minutes to present their case.

Following oral argument, the Court will answer questions about the judicial process in Indiana from the public and from Valparaiso Law School students.

This is the Court of Appeals' fifth visit to Valparaiso University Law School, and the 179th oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

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FOR IMMEDIATE RELEASE
March 21, 2007

Contact: Kevin Smith
317-232-2540

HEATHER L. SMITH TO REPLACE DAVID SCHANKER AS DEPUTY CLERK OF THE INDIANA SUPREME COURT, COURT OF APPEALS, AND TAX COURT

Heather L. Smith has been appointed Deputy Clerk of the Indiana Supreme Court, Court of Appeals, and Tax Court, announced Kevin S. Smith, Clerk of the Supreme Court, Court of Appeals, and Tax Court, today. Ms. Smith replaces David R. Schanker, who held the position for over seven years before accepting appointment to become the Clerk of the Wisconsin Supreme Court and Court of Appeals. Ms. Smith will start work April 2, 2007.

Ms. Smith has been a staff attorney for the Indiana Court of Appeals since February of 2003, where her responsibilities included review of motions and petitions and drafting orders. Previously, she worked as a hearing officer at the Indiana Department of Revenue, as legal counsel in the trust department of Union Federal Bank of Indianapolis, and as a real estate attorney for Duke Realty Corporation. During and following law school, Ms. Smith served as an intern and law clerk for the Indiana Court of Appeals, working for the Honorable George B. Hoffman, Jr., and the Honorable James S. Kirsch.



Ms. Smith graduated *cum laude* with a B.A. in economics from Spelman College in Atlanta, and received a J.D. from the Indiana University School of Law, Indianapolis.

"Heather's amiable, professional demeanor, her keen intellect and understanding of the appellate rules and appellate procedure, and her dedicated, 'can do' spirit have earned the respect of the Clerk's Office staff and the judges and attorneys with whom she has worked," stated Kevin S. Smith. "We are thrilled to have Heather coming on board."

The Deputy Clerk works at the direction of the Clerk and, among other things, manages the day-to-day operations of the [Clerk's Office](#).



FOR IMMEDIATE RELEASE
March 22, 2007

Contact: Maura Pierce
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COURT OF APPEALS HOLDS ORAL ARGUMENT AT THE UNIVERSITY OF SOUTHERN INDIANA IN EVANSVILLE

Case Originates in Lake County

The Indiana Court of Appeals will hold oral argument in the case *Sergio Campos v. State of Indiana* on Thursday, March 29th at 2:00 p.m. CT at the University of Southern Indiana's Health Professions Center Mitchell Auditorium. A three-member panel of Judge Melissa S. May, Judge Nancy H. Vaidik, and Judge Michael P. Barnes will hear the case on appeal from Lake Superior Court.

The Court is asked to decide several questions regarding procedure and constitutional law in this search and seizure case. Among the questions the Court will examine are whether a passenger who does not own the car in which he is stopped has standing to challenge a police search that uncovers drugs he owns; whether police, after completing a traffic stop for speeding, may then tell a driver a search of his car is "necessary" when no additional evidence of a crime is apparent; and whether police officers may secretly record conversations between people waiting in a police car when they have not been given their *Miranda* warnings that they have a right to remain silent.

Following oral argument, the Court will answer questions about the judicial process in Indiana from the public and from USI students.

This is the Court of Appeals' sixth visit to the University of Southern Indiana, and the 181st oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

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FOR IMMEDIATE RELEASE
March 28, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT FRANKLIN COLLEGE

Case Originates in Hamilton County

The Indiana Court of Appeals will hold oral argument in the case *State v. Karl Jackson* on Thursday, March 29th at 10:00 a.m. in the Branigin Room of the Napolitan Student Center at Franklin College. A three-member panel of Chief Judge John G. Baker, Judge Carr L. Darden, and Judge Margret G. Robb will hear the case on appeal from Hamilton Superior Court.

The Court is asked to decide under what circumstances a person may be convicted of driving with a license suspended for the status of being a habitual traffic violator. Arguing for the appellant, the State of Indiana, is Deputy Attorney General Christopher Americanos; attorney Lawrence Hansen of Fishers will argue for the appellee, Karl Jackson.

Following oral argument, the Court will answer questions about the judicial process in Indiana from the public and from Franklin College students.

This is the Court of Appeals' fifth visit to Franklin College, and the 180th oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

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The 15-member Court of Appeals issues some 2,500 written opinions each year, sitting in three-judge panels.



FOR IMMEDIATE RELEASE
April 9, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT IVY TECH'S LAFAYETTE CAMPUS Case Originates in Miami County

The Indiana Court of Appeals will hold oral argument in *American Arbitration Association and North Miami Education Association v. North Miami Community Schools and Donald G. Davis* on Tuesday, April 10th at 10:00 a.m. in Ivy Hall on the Lafayette campus of Ivy Tech Community College. A panel of Judge Patricia A. Riley, Judge Carr L. Darden, and Judge Margret G. Robb will hear the case on appeal from Miami Circuit Court

In this case involving labor law, the Court is asked to decide whether the trial court appropriately granted the Miami School Corporation's motion for a preliminary injunction, enjoining the parties from participating in arbitration proceedings. Arguing for the appellant, the North Miami Education Association, is Richard Darko of Dann Pecar Newman & Kleiman in Indianapolis; attorney Donald Fern of Fern, Grund & Grund in Peru, Indiana will argue for the North Miami Community Schools.

Following oral argument, the Court will answer questions about the judicial process in Indiana from the public and from Ivy Tech students.

This is the Court of Appeals' sixth visit to Ivy Tech's Lafayette campus, and the 182nd oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "[traveling oral arguments](#)" typically include law schools, colleges, high schools, and county courthouses.

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FOR IMMEDIATE RELEASE
April 9, 2007

Contact: Dr. Elizabeth Osborn
317-233-8682

SUPREME COURT TO HOST CLE EVENT COMMEMORATING THE 100TH ANNIVERSARY OF INDIANA'S EUGENICS LAW

The Indiana Supreme Court will host a program on the still-controversial topic of involuntary sterilization in an historical context and the complexity of the ongoing debate over issues related to eugenics.

The presentation will be held on Wednesday, April 11, 2007 in the Indiana State House and focuses on issues related to the history of eugenics laws in Indiana.

In 1907, Indiana adopted the first eugenical sterilization law in the world. Subsequently, similar laws were passed in more than thirty other states and nearly a dozen countries around the world. Indiana's statute was overturned by the Indiana Supreme Court in 1921, but a new law was enacted in 1927 following U.S. Supreme Court endorsement of eugenic sterilization in *Buck v. Bell*. Attention was focused on sterilization again in 1978 when, in *Stump v. Sparkman*, the U.S. Supreme Court upheld judicial immunity for an Indiana judge whose ex parte order led to the sterilization of a 15-year-old girl.

The panelists include: Paul Lombardo, J.D., Ph.D, Professor of Law, Georgia State University; Eric M. Meslin, Ph.D, Center for Bioethics, Indiana University School of Medicine and Peter Marcus, M.D., M.A., Indiana University School of Medicine, Department of Obstetrics & Gynecology. Chief Justice Randall T. Shepard will deliver introductory remarks.

The event will be held from 3:00 p.m. to 4:15 p.m. on Wednesday, April 11, 2007 in the Indiana Supreme Court Courtroom. It will also be webcast live.* To view the program, please go to www.in.gov/judiciary/webcast and click on "Special Events."

The sold-out event is free, but standby reservations are still being accepted. Webcast viewing outside the courtroom will be available for those not able to reserve a seat. Light refreshments will follow.

A total of 1.3 CLE credit hours have already been approved for the program, which is part of the ongoing Indiana Supreme Court Legal History Lecture Series. The CLE number for this presentation is 100639.

For more information, please contact Dr. Elizabeth R. Osborn, Assistant to the Chief Justice for Court History and Public Education at eosborn@courts.state.in.us or 317.233.8682.

*Those viewing the event webcast will not receive CLE credit.



FOR IMMEDIATE RELEASE
April 11, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT SAINT MARY-OF-THE-WOODS COLLEGE

Case Originates in Elkhart County

The Indiana Court of Appeals will hold oral argument in *Charles E. Sopen v. State of Indiana* on Thursday, April 12th at 10:00 a.m. in the Cecilian Auditorium in the Conservatory on the campus of Saint Mary-of-the-Woods College. A panel of Chief Judge John G. Baker, Judge Edward W. Najam, Jr., and Judge L. Mark Bailey will hear the case on appeal from Elkhart Superior Court.

The Court is asked to decide whether a sheriff captain's entry into the defendant's residence and use of force contravened the Fourth Amendment to the U.S. Constitution and Article I, Section 11 of the Indiana Constitution. Arguing for the appellant, Mr. Sopen, is William J. Cohen of the Cohen Law Firm in Elkhart; Deputy Attorney General George P. Sherman will argue for the State .

Following oral argument, the Court will answer questions about the judicial process in Indiana from the public and from Saint Mary-of-the-Woods students.

This is the Court of Appeals' 25 th straight year hearing oral argument at Saint Mary-of-the-Woods, and the 183rd oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

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FOR IMMEDIATE RELEASE
April 13, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT SPEEDWAY HIGH SCHOOL Case Originates in Bartholomew County

The Indiana Court of Appeals will hear oral argument in *Justin James v. State* on Friday, April 13th at 1:00 p.m. at Speedway High School. A panel of Judge Patrick D. Sullivan, Judge James S. Kirsch, and Judge Margret G. Robb will hear the case on appeal from Bartholomew Superior Court.

The Court is asked to decide several issues regarding sentencing in this case of a 16-year-old convicted of multiple felonies. Arguing for the appellant, Mr. James, is Stacy Uliana of the Uliana Law Group in Indianapolis; Deputy Attorney General Matt Fisher will argue for the State .

Following oral argument, the Court will answer questions about the judicial process in Indiana from the public and from Speedway High students.

This is the Court of Appeals's first visit to Speedway High School, but the 184th oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses. The Court of Appeals was invited to Speedway High by history teacher Andre Young, a third-year student at Indiana University School of Law-Indianapolis.

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SUPREME COURT

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FOR IMMEDIATE RELEASE
April 13, 2007

Contact: Loreta A. Oleksy
317.232.2542

EIGHT COUNTIES RECEIVE FAMILY COURT GRANTS TOTALING \$74,000

Indianapolis – Eight Indiana counties have been chosen to receive Family Court Grants from the Indiana Supreme Court's Division of State Court Administration.

The Indiana Supreme Court's Family Court Project emphasizes a coordinated, holistic approach to addressing the needs of families with multiple court cases. Family courts coordinate cases and stress common-sense, non-adversarial problem solving.

Those receiving the grants are:

- Allen County - \$14,000
- Lake County - \$11,000
- LaPorte County - \$8,000
- Owen County - \$2,000
- Putnam County - \$2,000
- St. Joseph County - \$19,000
- Tippecanoe - \$9,000
- Vigo County - \$9,000

"The goal of family courts is to develop comprehensive, long-lasting solutions for families by coordinating the efforts of everyone involved. It benefits families and it benefits the judicial system," said Indiana Chief Justice Randall T. Shepard.

These grants are considered "seed money" and courts are expected to be self funding within a reasonable amount of time.

The Indiana Family Court Project began in 1999 as a cooperative effort between the General Assembly and the Indiana Supreme Court. There are currently 23 Indiana counties with family courts that have received more the \$1 million in grant funds since the program began.

The core component of the Family Court Project is coordination of multiple cases involving the same family. This avoids inconsistent orders and promotes more informed decision making. Options for coordination include:

- One Judge - One Family
- Information Sharing between Multiple Courts
- Facilitation and pre-trial conferences
- Affordable Alternative Dispute Resolution
- Family-focused service, assessment, or referral for high-risk families
- Expeditious and efficient processing of pro se cases

More information on the Indiana Supreme Court's Family Court Project is available online at: <http://www.in.gov/judiciary/family-court>



FOR IMMEDIATE RELEASE
April 19, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT HAMMOND CITY HALL

Case Originates in Lake County

The Indiana Court of Appeals will hear oral argument in Lake County Indiana Board of Zoning Appeals, et al. v. James C. Thorn and Pamela Thorn, et al. on Thursday, April 19th at 1:00 p.m. CT in the City Council Chambers at Hammond City Hall. A panel of Judge Patricia A. Riley, Judge Melissa S. May, and Judge Margret G. Robb will hear the case on appeal from Lake Circuit Court.

The Court is asked to decide whether the trial court properly granted a permanent injunction to the Thorns, developers of a subdivision called "Thornmeadow." The permanent injunction had the effect of ordering Lake County zoning authorities to issue building permits allowing development at the subdivision to continue. Arguing for the appellant, the Lake County Board of Zoning Appeals, is George C. Patrick of Crown Point; Kenneth D. Reed and John P. Reed of Abrahamson Reed & Bilse in Hammond will argue for the Thorns.

Following oral argument, the Court will answer questions about the judicial process in Indiana from local college students, members of the Lake County Bar Association, and the public.

This is the Court of Appeals's second visit to Hammond City Hall, and the 185th oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "[traveling oral arguments](#)" typically include law schools, colleges, high schools, and county courthouses. The Court is hearing a case in Hammond again this year at the invitation of Kris Sakelaris, Director of the Hammond Legal Aid Clinic.

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SUPREME COURT

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CHIEF DEPUTY EXECUTIVE DIRECTOR
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OF INDIANA

FOR IMMEDIATE RELEASE
April 24, 2007

Contact: David J. Remondini
317.233.8684

NEW VERSION OF AWARD-WINNING JURY POOL LIST NOW AVAILABLE

An updated version of the Indiana Supreme Court's Jury Pool Master List is now available to all Indiana counties free of charge.

The [Jury Pool Master List](#) is the most comprehensive and accurate ever available. The project has received both national and state recognition for including virtually all eligible citizens. Previously, only 60-80% of those eligible to serve were included on jury pool lists and now the number is more than 99%.

The Indiana Supreme Court received a Special Merit Citation from the American Judicature Society and the Indiana Civil Liberties Union's Sigmund Beck Award for this project which increased jury pool diversity.

"Our jury system can only work at its best if all eligible citizens are included in the process and have the opportunity to serve one of the most important functions in our legal system," said Indiana Chief Justice Randall T. Shepard.

The Jury Pool Master List was unveiled to judges at the September 2005 Judicial Conference. The impetus for this project was Jury Reform implemented by the Supreme Court in 2002 which required that juries be drawn from as broad a spectrum as possible and mandated the use of multiple sources.

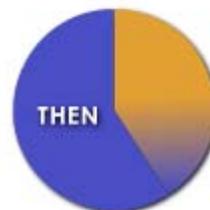
In addition to being the most diverse and inclusive list available, the new updated Jury Pool master lists are also the most accurate, reducing the amount of returned mail and saving counties time and money.

The list uses data from the state Department of Revenue and Bureau of Motor vehicles, so anyone who drives, has a state ID card or pays taxes is included. The updated list eliminates duplicates and corrects addresses and was also matched against Indiana State Department of Health records to remove the names of citizens who are underage or deceased. Those who are not U.S. citizens, according to records at the Department of Revenue and the Bureau of Motor Vehicles, were also removed from the list.

Project partners included:

- Indiana Supreme Court
- Indiana Division of State Court Administration
- Indiana Jury Committee
- Indiana Judicial Center
- Indiana Supreme Court Judicial Technology and Automation Committee
- Indiana Department of Revenue
- Indiana Bureau of Motor Vehicles
- Indiana Criminal Justice Institute
- Indiana State Department of Health
- Purdue University
- Jury Administrators from Allen, Henry, Hamilton, Huntington, Lake, Lawrence, and Marion counties

**MORE INCLUSIVE
JURY POOL**



The master lists are available to counties on CD-ROM and can also be formatted to send jury summonses and make mailing labels. Each county Jury Pool master list will be updated annually to ensure continued accuracy.

For more information, contact Michelle C. Goodman, Staff Attorney, Indiana Judicial Center at (317) 232-1313.

STATE OF INDIANA

SUPREME COURT

RANDALL T. SHEPARD, CHIEF JUSTICE



INDIANAPOLIS 46204-2798

304 STATE HOUSE
 (317) 232-2550FOR IMMEDIATE RELEASE
 April 25, 2007Contact: Dr. Elizabeth Osborn
 317-233-8682

Indiana Supreme Court to Host Free CLE Event Examining Desegregation Featuring Emmy-Award Winning Writer and Producer Sandra Robbie

In celebration of Law Day 2007, the Supreme Court Legal History Series and the [Indiana Commission for Continuing Legal Education](#) will host a free CLE event featuring Sandra Robbie—the Emmy Award-winning writer/producer of “[Mendez v. Westminster: Para Todos Los Niños \(For All the Children\)](#),” Chief Justice Shepard announced today.

This 1.3 hour program will be held on Wednesday, May 2, 2007 from 3:00 to 4:15 p.m. (EDT) in the Supreme Court Courtroom in the Indiana State House. To view a live webcast of the program, please go to <http://www.in.gov/judiciary/webcast/special.html>.*

Before *Brown v. Board of Education* (1954), there was *Mendez v. Westminster* (1947). Years in advance of the U.S. Supreme Court’s better-known *Brown* decision the Mendez family moved to Orange County, California, where their children were denied access to the local all-white public schools. The Mendez family fought the school’s discriminatory policy and won. Governor Earl Warren ordered the end of segregation in California’s schools shortly afterward. Seven years later, as Chief Justice, Warren authored the opinion in *Brown v. Board of Education* that declared all separate schools inherently unequal. In a follow-up case in 1955, he ordered America’s public schools to desegregate “with all deliberate speed.”

Sandra Robbie, the keynote speaker, is a Latina resident of the same community where the Mendez children went to school. As an intern at a local PBS affiliate, Robbie researched, wrote, and produced a documentary focusing on *Mendez* and received an Emmy Award in 2002. Following Ms. Robbie’s presentation and a viewing of the documentary, Indianapolis attorney Marisol Sanchez, a co-founder of the ISBA Latino Affairs Committee and an associate at Bose McKinney & Evans, will facilitate the discussion element of the session.

The free program is open to the public and is part of the ongoing Indiana Supreme Court Legal History Lecture Series.

For more information or to reserve a seat, please contact Dr. Elizabeth R. Osborn, Assistant to the Chief Justice for Court History and Public Education at eosborn@courts.state.in.us or 317.233.8682.

A video monitor and seating will be available outside the courtroom if all courtroom seats are taken.

*Those viewing the event webcast will not receive CLE credit.

A small icon of a document with a magnifying glass, followed by the text "Mendez Children".



**Indiana Judicial Nominating Commission
Indiana Commission on Judicial Qualifications**

30 South Meridian Street, Suite 500
Indianapolis, Indiana 46204-3568
(317) 232-4706
FAX (317) 233-6586

**FOR IMMEDIATE RELEASE
April 25, 2007**

**Contact: Meg Babcock
317.232.4706**

NOMINATING COMMISSION SELECTS SIX SEMI-FINALISTS FOR COURT OF APPEALS VACANCY

The [Indiana Judicial Nominating Commission](#) announced Tuesday that it selected six of the twenty applicants for the upcoming vacancy on the Indiana Court of Appeals to return on May 11, 2007 for second interviews. The decision was made after two days of public interviews. The six semi-finalists are:

1. Hon. Cynthia J. Ayers, Marion Superior Court (Civil Div. 4)
2. Hon. Cale J. Bradford, Marion Superior Court (Civil Div. 1)
3. Mr. Randall C. Head, Cass County Deputy Prosecutor
4. Hon. William J. Hughes, Hamilton Superior Court 3
5. Hon. Kenneth H. Johnson, Marion Superior Court (Civil Div. 2)
6. Hon. Robyn L. Moberly, Marion Superior Court (Civil Div. 12)

The 30-minute interviews on May 11, 2007 will be open to the public, after which the Commission will nominate to the Governor the three most highly qualified candidates. Within sixty days after the formal nomination, the Governor will appoint one of the nominees to succeed Judge Patrick Sullivan, who is retiring August 1, 2007 after nearly 38 years on the [Court of Appeals](#).



FOR IMMEDIATE RELEASE
April 27, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT FAIRFIELD HIGH SCHOOL, ELKHART COUNTY Case Originates in Marion County

The [Indiana Court of Appeals](#) will hear oral argument in *Tyhesha Lemon v. State of Indiana* on Thursday, May 3rd at 1:00 p.m. at Fairfield High School. A panel of Judge Paul D. Mathias, Judge Michael P. Barnes, and Judge Terry A. Crone will hear the case on appeal from Marion Superior Court.

The Court is asked to decide whether the State presented sufficient evidence to convict Ms. Lemon of battery resulting from an altercation with a private security guard attempting to make a citizen's arrest. A rguing for the appellant is Barbara Simmons of Oldenburg; Deputy Attorney General Christopher Americanos will argue for the State.

Following oral argument, the Court will answer questions about the judicial process in Indiana from Fairfield High School students, members of the bar associations in Elkhart County, and the public.

The Court of Appeals is visiting Fairfield High at the invitation of social studies teacher Marilee Keim. This is the Court's first visit to Fairfield High School, and the 187th oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "[traveling oral arguments](#)" typically include law schools, colleges, high schools, and county courthouses.

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FOR IMMEDIATE RELEASE
April 27, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT SWITZERLAND COUNTY COURTHOUSE Case Originates in Harrison County

The [Indiana Court of Appeals](#) will hear oral argument in *Derek Scott Geiger v. State of Indiana* on Wednesday, May 2nd at 10:30 a.m. at the Switzerland County Courthouse. A panel of Chief Judge John G. Baker, Judge L. Mark Bailey, and Judge Melissa S. May will hear the case on appeal from Harrison Superior Court.

The Court is asked to decide at least four issues of criminal law, including whether Mr. Geiger received a fair trial, whether Mr. Geiger's two convictions for impersonating a public servant violated the double jeopardy clause of the Indiana Constitution, whether the trial court erred when it ordered Mr. Geiger's sentence to run consecutively to another sentence, and whether his sentence is appropriate. A arguing for the appellant is Matthew Jon McGovern of Evansville; Deputy Attorney General Cynthia Ploughe will argue for the State.

Following oral argument, the Court will answer questions about the judicial process in Indiana from local students, members of the Switzerland County Bar Association, and the public.

The Court of Appeals is visiting Vevay at the invitation of Switzerland County Middle School Principal Nancy Stearns. This is the Court's first visit to Vevay, and the 186th oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "[traveling oral arguments](#)" typically include law schools, colleges, high schools, and county courthouses.

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**Indiana Judicial Nominating Commission
Indiana Commission on Judicial Qualifications**

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(317) 232-4706
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**FOR IMMEDIATE RELEASE
May 11, 2007**

**Contact: Meg Babcock
317.232.4706**

COMMISSION NOMINATES THREE CANDIDATES FOR INDIANA COURT OF APPEALS VACANCY

The Indiana Judicial Nominating Commission announced Friday its nominees for appointment by the Governor to the [Indiana Court of Appeals](#). After conducting a second round of public interviews of 6 of the original 20 applicants, the Commission nominated:

1. Hon. Cale J. Bradford, Marion Superior Court (Civil Div. 1)
2. Hon. William J. Hughes, Hamilton Superior Court 3
3. Hon. Robyn L. Moberly, Marion Superior Court (Civil Div. 12)

The Governor has 60 days after the Commission's certification of its nominations to select one of the nominees to succeed Judge Patrick Sullivan, who is retiring on August 1, 2007 after nearly 38 years on the Court of Appeals.



FOR IMMEDIATE RELEASE
May 14, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT PLAINFIELD HIGH SCHOOL, HENDRICKS COUNTY Case Originates in Marion County

The [Indiana Court of Appeals](#) will hear oral argument in *David Schlotman v. Taza Café D/B/A Gyro Joint* on Tuesday, May 22nd at 1:00 p.m. at Plainfield High School. A panel of Judge Edward W. Najam, Jr., Judge Melissa S. May, and Judge Paul D. Mathias will hear the case on appeal from Marion Superior Court.

Among other questions regarding negligence and evidence, the Court is asked to decide whether the proprietor of a carry-out restaurant has a duty to protect a patron who is attacked while eating his food at a table the proprietor has placed outside the restaurant. Arguing for the appellant, Mr. Schlotman, is Timothy Devereux of the Hensley Legal Group; John Mervilde of Meils, Thompson, Dietz & Berish will argue for the Gyro Joint.

Following oral argument, the Court will answer questions about the judicial process in Indiana from Plainfield High School students, members of the Hendricks County Bar Association, and the public.

The Court of Appeals is visiting Plainfield High at the invitation of U.S. history and government teacher Chris Cavanaugh. This is the Court's first visit to Plainfield High School, and the 188th oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "[traveling oral arguments](#)" typically include law schools, colleges, high schools, and county courthouses.

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The 15-member Court of Appeals issues some 2,500 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit <http://www.in.gov/judiciary/appeals/>.



FOR IMMEDIATE RELEASE
May 24, 2007

Contact: Loretta Oleksy
317.232.2542

SEVEN COUNTIES RECEIVE FAMILY COURT GRANTS TOTALING \$91,000

Seven Indiana counties have been chosen to receive Family Court Grants from the Indiana Supreme Court's Division of State Court Administration.

The Indiana Supreme Court's Family Court Project emphasizes a coordinated, holistic approach to addressing the needs of families with multiple court cases. Family courts coordinate cases and stress common-sense, non-adversarial problem solving.

Those receiving the grants are:

- Boone and Montgomery County Joint Project - \$13,000
- Marion County - \$40,000
- Southern Counties Project (Crawford, Martin, Orange and Pike counties) - \$38,000

"Family Courts work to develop comprehensive, long-lasting solutions for families by coordinating the efforts of everyone involved. Working together benefits families and benefits the judicial system," said Indiana Chief Justice Randall T. Shepard.

These grants are considered "seed money" and courts eventually become self funding.

The Indiana Family Court Project began in 1999 as a cooperative effort between the General Assembly and the Indiana Supreme Court. There are currently 23 Indiana counties with family courts that have received more the \$1 million in grant funds since the program began.

"The core component of the Family Court Project is coordination of multiple cases involving the same family," said Lilia Judson, Executive Director of the Division of State Court Administration, which administers the project. This avoids inconsistent orders and promotes more informed decision making. Options for coordination include:

- One Judge - One Family
- Information Sharing between Multiple Courts
- Facilitation and pre-trial conferences
- Affordable Alternative Dispute Resolution
- Family-focused service, assessment, or referral for high-risk families
- Expeditious and efficient processing of pro se cases

More information on the Indiana Supreme Court's Family Court Project is available online at: www.in.gov/judiciary/family-court.



SUPREME COURT

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FOR IMMEDIATE RELEASE

June 1, 2007

Contact: Adrienne Meiring

317.232.2542

SUPREME COURT AWARDS \$168,250 IN COURT INTERPRETER GRANTS

The Indiana Supreme Court has awarded \$168,250 in Court Interpreter Grants that will be used in 40 counties to help local trial courts break down language barriers faced by non-English speaking litigants, Chief Justice Randall T. Shepard announced today.

The Supreme Court received 36 applications this year, including two that involved multi-county blocks.

The awards are part of an effort by the Supreme Court to increase access to justice. The emphasis on court interpretation gained speed following a recommendation by the Supreme Court's Race and Gender Fairness Commission in 2000 to have Indiana join a national consortium that certifies qualified court interpreters. Since joining the consortium, 43 interpreters have been certified after passing a rigorous language examination process. Contact information for all of Indiana's certified interpreters can be found at www.in.gov/judiciary/interpreter/registry.html.

Indiana's legislature contributed to this effort by approving \$100,000 funding for the local grants during the last three legislative sessions. This year the Supreme Court contributed an additional \$68,250.

Awards ranged from \$250 for a single court in a county to \$30,000 to Allen County, which has a death penalty case for a Spanish-speaking defendant that will be tried this year. Awards were given based on need, use of certified interpreters, and demonstrated dedication to improving foreign language services in the courts.

In 2006, the Supreme Court issued \$139,500 in similar grants. The 2007 Grants will benefit the following counties:

- Allen
- Brown
- Cass
- Clark
- Clinton
- Dearborn
- Decatur
- Delaware
- Dubois
- Elkhart
- Floyd
- Grant
- Hancock
- Hamilton
- Hendricks
- Howard
- Jasper
- Jay
- Jennings
- Johnson
- Knox
- Lake
- LaPorte
- Madison
- Marion
- Marshall
- Monroe
- Montgomery
- Porter
- Rush
- Shelby
- Starke
- Steuben
- Tippecanoe
- Union
- Vanderburgh
- Vigo
- Wabash
- Warrick
- Wayne

SUPREME COURT

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DIVISION OF STATE COURT ADMINISTRATION
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INDIANAPOLIS, INDIANA 46204
(317) 233-8684 TELEPHONE (317) 233-6586 FAX



OF INDIANA

FOR IMMEDIATE RELEASE
June 6, 2007

Contact: David J. Remondini
317.233.8684

GAL/CASA PROGRAM RECEIVES \$49,000 GRANT

The Indiana Supreme Court's Guardian Ad Litem/Court Appointed Special Advocate Program which serves neglected and abused children whose families are in the court system has been awarded a \$49,000 grant from the National CASA Association.

Indiana's GAL/CASA was formed in 1990 and in 2006 was the first in the nation to be certified for meeting the high standards and operating procedures required by the National CASA Association.

"Last year, volunteers donated more than 340,000 hours advocating for Hoosier children in need. Unfortunately, there is still a waiting list. This grant, as well as additional appropriations that were approved by the state legislature, will help us reach our goal of giving all abused and neglected children a voice in the system," said Chief Justice Randall T. Shepard.

Currently there are GAL/CASA programs in 65 Indiana counties.

In 2006 the Indiana Supreme Court's GAL/CASA program:

- had 2,008 volunteers
- spoke for 12,886 children in new/ongoing Children in Need of Services (CHINS) cases
- spoke for 5,250 children in new CHINS cases
- spoke for 2,936 children in cases involving the termination of parental rights
- benefited from approximately 343,722 hours of donated services
- had approximately 5,326 children on a waiting list

The Indiana General Assembly recently raised the GAL/CASA budget from \$800,000 to \$2.9 million dollars because changes in state law require every child in a CHINS case to have a CASA volunteer appointed to exclusively serve the interests of the child.

"We are proud of the assistance this program offers at-risk children; of the dedicated volunteers that make it a success; and of the many state and local officials who are supporting this effort to make these children a priority," said Chief Justice Shepard.

For more information about GAL/CASA programs or to volunteer, contact the Indiana State Office of GAL/CASA at 1-800-542-0813 or www.in.gov/judiciary/galcasa.



FOR IMMEDIATE RELEASE
June 11, 2007

Contact: Loretta Oleksy
317.232.2542

FAMILY COURT GRANTS AVAILABLE APPLICATION DEADLINE AUGUST 1, 2007

The Indiana Supreme Court is accepting applications from courts interested in becoming part of the Family Court Project. The deadline is August 1, 2007.

The Indiana Family Court Project began in 1999 as a cooperative effort between the [Indiana Supreme Court](#) and the General Assembly. Currently, 23 Indiana counties have Family Courts and more than \$1 million in grants have been awarded since the program began. The Division of State Court Administration oversees the program.

Family Courts use common sense models to better serve children and families in the court system by coordinating all court activity.

"Family Courts coordinate multiple cases involving the same family which avoids inconsistent orders and promotes more informed decision-making. They also stress non-adversarial dispute resolution and identify needed services for high-risk families," said Chief Justice Randall T. Shepard. "This coordination serves both Hoosier families and the courts."

Applicants must provide a description of the proposed use of funds and a detailed budget. Local matching funds are not required. However, Family Court grant funds are intended to serve as seed money, so successful applicants are encouraged to develop other sources of funding as the grant is phased out over a period of four to six years.

Smaller counties are encouraged to share resources by forming multiple-county Family Court projects. Counties that want to form a multiple-county project should file one joint application.

Applications can be found online at: <http://www.in.gov/judiciary/family-court/>.

Questions about Family Court grants and the application process should be addressed to Family Court Project Manager Loretta Oleksy at 317.233.0784 or loleksy@courts.state.in.us.

STATE OF INDIANA

SUPREME COURT

RANDALL T. SHEPARD, CHIEF JUSTICE



INDIANAPOLIS 46204-2798

304 STATE HOUSE
13171 232-2550

FOR IMMEDIATE RELEASE
July 3, 2007

Contact: Jennifer Bauer
317.232.1313

NOMINATIONS SOUGHT FOR INDIANA JUDGES ASSOCIATION COMMENDATIONS FOR EXCELLENCE IN PUBLIC INFORMATION AND EDUCATION

The Indiana Judges Association is accepting nominations for its annual awards for "Excellence in Public Information and Education," Lake Circuit Court Judge Lorenzo Arredondo announced today.

Judge Arredondo, who chairs the Community Relations Committee of the Judicial Conference of Indiana, said the Committee selects the recipients on behalf of the Indiana Judges Association.

The IJA gives two "Excellence in Public Information and Education" awards each year. One award is presented to a member of the Indiana judiciary for special efforts in community relations. In addition, an award is presented to a member of the news media for efforts in responsible reporting on the Indiana judiciary.

Nominations for either award should include a letter outlining the reasons for making the nomination and any supporting information that will assist the committee in its decision-making. The selection will be based on the breadth and depth of the effort, quality of the effort, ingenuity and public response

Nominations must be received at the Indiana Judicial Center by 4:30 p.m. on Monday, August 13, 2007. The awards will be presented at the Indiana Judges Association luncheon on September 20, 2007 in Fort Wayne.

For further information or a copy of the nomination forms, please contact Jennifer Bauer at 317-232-1313. Nomination forms are also available online at www.in.gov/judiciary/center.



FOR IMMEDIATE RELEASE
July 16, 2007

Contact: Maura Pierce
(317) 234-4859

JUDGE PATRICK SULLIVAN RETIRES FROM THE COURT OF APPEALS

Judge Patrick Sullivan will conclude a 38-year tenure on the Indiana Court of Appeals in a retirement ceremony in the Supreme Court courtroom at 3:00 p.m. on Friday, July 20, 2007. Chief Judge John G. Baker will preside. Judge Sullivan's family, colleagues, former law clerks, and special guests will attend the ceremony, followed by a reception. (Seating is by invitation, but the media is welcome to cover the event.)

Judge Sullivan is the longest-serving judge in Court of Appeals history. He reaches the constitutionally-mandated retirement age of 75 in August, and his last day on the Court of Appeals will be Tuesday, July 31st. He will continue to serve the court and the citizens of Indiana as a senior judge beginning August 1st.

Judge Sullivan was elected to the Indiana Court of Appeals in 1968 and retained on the Court by election in 1972, 1982, 1992 and 2002. He is the only current member of the Court of Appeals to be popularly elected to the court prior to the advent of the retention selection system.

Before joining the Court of Appeals, Judge Sullivan served as a Deputy Attorney General from 1958 to 1961. From 1961 to 1965, he engaged in the private practice of law with Minton, Mosiman, Sullivan & Johnson in Indianapolis. He was a Senior Commissioner with the Marion County Probate Court from 1963 to 1964 and a judge on the Marion County Civil Trial Court from 1965 to 1969.

A native of Huntington, Indiana, Judge Sullivan served in the United States Navy for two years during the Korean War. He received his bachelor's degree in 1956 and his law degree, *cum laude*, in 1958, both from Washington and Lee University in Lexington, Virginia.

The Indiana Court of Appeals is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Indiana Court of Appeals is final unless granted further review by the Indiana Supreme Court. The majority of appeals filed in Indiana are decided by the Court of Appeals.

In 2006, the 15-member Court of Appeals issued 2,509 written opinions, sitting in panels of three. For more information, see the Court's website, <http://www.in.gov/judiciary/appeals/>.

Governor Mitch Daniels selected Judge Cale Bradford of the Marion Superior Court to take Judge Sullivan's seat on the court.



Watch Judge Sullivan's Retirement Ceremony



Indiana Court of Appeals
 Judge Patrick Sullivan



FOR IMMEDIATE RELEASE
August 3, 2007

Contact: Donald R. Lundberg
317-232-1807

NEW OFFICERS ELECTED TO SUPREME COURT DISCIPLINARY COMMISSION

The Indiana Supreme Court Disciplinary Commission has elected three new officers, Chief Justice Randall T. Shepard announced today.

Anthony M. Zappia, of South Bend, was elected Chairperson of the Commission. Mr. Zappia is in his second term on the Commission having been appointed in 2001 and re-appointed to a second five-year term, expiring in 2011. He attended the University of Notre Dame where he received his B.A. in 1972, cum laude, in the School of Economics, and earned his law degree in 1976 from Valparaiso University. Mr. Zappia is the senior member of the 4-person law firm of Zappia Zappia & Stipp. His principal areas of practice are personal injury, criminal defense, domestic relations and civil litigation. Mr. Zappia replaces J. Mark Robinson as Chairperson. Mr. Robinson, Managing Attorney of the New Albany Office of Indiana Legal Services, Inc., remains on the Commission.

Sally Franklin Zweig, of Indianapolis, was elected Vice-Chairperson of the Commission. Ms. Zweig was appointed to the Commission in 2001 and was re-appointed to a second five-year term, expiring in 2011. She obtained her undergraduate degree from Washington University in 1971 and received her law degree in 1986 from Indiana University School of Law at Indianapolis. Ms. Zweig is a partner in the law firm of Katz & Korin P.C. in Indianapolis.

Corinne R. Finnerty, of North Vernon, was elected Secretary of the Commission. Ms. Finnerty is in her first five-year term, expiring in 2008. Ms. Finnerty received her undergraduate degree from Indiana University in Bloomington. In 1981, she graduated magna cum laude from Indiana University School of Law in Bloomington, where she was selected for membership in the Order of the Coif. She practices law in the partnership of McConnell Finnerty Waggoner, PC in North Vernon.

The Disciplinary Commission is the agency of the Indiana Supreme Court charged with responsibility for investigating and prosecuting claims of lawyer misconduct. The Commission is made up of nine members appointed by the Supreme Court. Seven are lawyers from throughout Indiana who actively practice law and two are lay representatives.

In addition to the newly elected officers of the Commission and Mr. Robinson, the outgoing Chairperson, members who continue in their service include: Diane L. Bender, a sole practitioner in Evansville; Robert L. Lewis, principal in Robert L. Lewis & Associates, of Gary; Fred Austerman, President and CEO of Optical Disc Solutions, Inc. in Richmond; R. Anthony Prather, a partner in the Indianapolis office of Barnes & Thornburg; and Maureen I. Grinsfelder, Executive Director of the Fort Wayne Educational Foundation.



SUPREME COURT

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FOR IMMEDIATE RELEASE
August 15, 2007

Contact: Robyn M. Rucker
317.234.1376

INDIANA CLEO CELEBRATES TEN YEARS OF PROMOTING DIVERSITY IN THE LEGAL PROFESSION

The Indiana Conference for Legal Education Opportunity (ICLEO), which is designed to enhance diversity in Indiana's legal profession, is celebrating its tenth anniversary this summer.

At the urging of Chief Justice Randall T. Shepard, the Indiana General Assembly established this program to assist traditionally underrepresented groups pursue a legal education at one of Indiana's four law schools. The inaugural class of 29 students began their journey as ICLEO fellows in the fall of 1997.

Indiana CLEO fellows receive specialized preparation for law school, a cash stipend, and access to employment and networking opportunities. Over ten years nearly 300 Indiana CLEO fellows have been part of the program and many have moved into positions of leadership in law firms, government, and Indiana businesses.

"It is remarkable to see how this program has provided a better chance for students from challenged backgrounds to succeed in law school. And it is especially gratifying to see how well so many of them have done," said Chief Justice Shepard.

To help commemorate this landmark occasion, a series of anniversary events have been planned, including a mentoring session at the Indiana University School of Law-Indianapolis with Indiana CLEO alumni and a continuing legal education event on ethics co-sponsored by Indiana CLEO and the Indiana Continuing Education Forum.

This final event of the anniversary celebration will take place at the Indiana Historical Society, Wednesday, August 29th at 7:00 p.m. Current students, alumni and various friends and supporters of the program will reflect upon and celebrate the many accomplishments of the program and its participants.

The keynote speaker for the evening is Mr. Elliott Lewis. Mr. Lewis is a journalist from Washington, DC. He travels around the country presenting on various diversity and multicultural issues. He is also the author of a book entitled, *Fade: My Journeys in Multiracial America*.

For more information about Indiana CLEO or any of the events, contact Robyn M. Rucker at 317.234.1376 or rmr@courts.state.in.us.

Indiana CLEO website: www.in.gov/judiciary/cleo



FOR IMMEDIATE RELEASE
August 17, 2007

Contact: Maura Pierce
(317) 234-4859

JUDGE CALE BRADFORD FORMALLY JOINS THE COURT OF APPEALS

[Judge Cale Bradford](#) will formally join the [Indiana Court of Appeals](#) in a robing ceremony in the Supreme Court courtroom at 2:30 p.m. on Thursday, August 23, 2007. [Chief Judge John G. Baker](#) will preside. Governor Mitch Daniels will join Judge Bradford's family, colleagues, and special guests to administer the oath of office at the ceremony, which will be followed by a reception. Judge Bradford will be introduced by former Marion County Prosecutor Scott Newman. Seating is by invitation, but the media is welcome to cover the event.



Archived Video 
Judge Bradford's Robing Ceremony
Held 8.24.2007 at 2:30 PM EST

Judge Bradford was named to the Court of Appeals by Governor Mitch Daniels and took his seat on Wednesday, August 1, 2007. He joins Judge [Ezra H. Friedlander](#) and [Judge James S. Kirsch](#) in representing the Court's 2nd District, which includes Marion County. For more than 10 years, Judge Bradford served on the Marion Superior Court, including two terms as presiding judge.

Judge Bradford joined the bench following a career that encompassed the private practice of law as well as work as both a public defender and prosecutor. From 1990 to 1995, Judge Bradford was an Assistant U.S. Attorney for the Southern District of Indiana, just prior to serving in the Marion County Prosecutor's Office in 1995 and 1996, where he oversaw a staff of more than 100 attorneys.

A native of Indianapolis, Judge Bradford received a B.A. in labor relations and personnel management from Indiana University-Bloomington in 1982 and his J.D. from Indiana University-Indianapolis in 1986. He also attended the Thomas Cooley School of Law in Lansing, Michigan.

The Indiana Court of Appeals is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Indiana Court of Appeals is final unless granted further review by the [Indiana Supreme Court](#). The majority of appeals filed in Indiana are decided by the Court of Appeals.

In 2006, the 15-member Court of Appeals issued 2,509 written opinions, sitting in panels of three. For more information, see the Court's website, <http://www.in.gov/judiciary/appeals/>.



**Indiana Judicial Nominating Commission
Indiana Commission on Judicial Qualifications**

30 South Meridian Street, Suite 500
Indianapolis, Indiana 46204-3568
(317) 232-4706
FAX (317) 233-6586

**FOR IMMEDIATE RELEASE
August 20, 2007**

**Contact: Meg Babcock
317.232.4706**

CANDIDATES SOUGHT FOR INDIANA COURT OF APPEALS VACANCY

Attorneys and trial judges interested in applying for the upcoming vacancy on the first district seat of the Fifth District of the Indiana Court of Appeals must submit applications by November 1, 2007, Chief Justice Randall T. Shepard announced today. The vacancy is occasioned by the May 3, 2008 retirement of Indiana Court of Appeals Judge John Sharpnack.

"A position on the Court of Appeals is a uniquely satisfying experience. The court is on the cutting edge of the many legal challenges facing our society. I would encourage any interested attorney or trial judge to apply and to urge others to consider this opportunity," said Chief Justice Shepard.

Chief Justice Shepard chairs the Indiana Judicial Nominating Commission. The 7-member Commission includes three lawyers elected by their peers and three citizen members appointed by the Governor. The Commission will conduct initial public interviews of qualified candidates on November 12 and 13, 2007 in Indianapolis, followed by second interviews on December 12, 2007.

A candidate must have been an Indiana attorney for ten years or a trial judge for five years and must live in one of the 53 counties in the first geographic district of the Court of Appeals. The annual salary and allowances for a Court of Appeals judge is \$143,367.00.

The application is available on the judiciary website at www.in.gov/judiciary/notices/vacancy.html. Candidates should contact Meg Babcock, Counsel to the Commission, at (317) 232-4706 or at mbabcock@courts.state.in.us for more information about the process.

SUPREME COURT

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**OF INDIANA**

FOR IMMEDIATE RELEASE
August 20, 2007

Contact: David J. Remondini
317.233.8684

SUPREME COURT DISTRIBUTES \$750,000 IN CIVIL LEGAL AID FUNDS

The Indiana Supreme Court has distributed a total of \$750,000 to 12 legal organizations that work to represent low-income Hoosiers involved in civil court cases. Chief Justice Randall T. Shepard announced today.

"This funding will assist organizations that help ensure all Hoosiers have their day in court – regardless of household income, said Chief Justice Randall T. Shepard.

Organizations receiving funding include:

• Bartholomew Area Legal Aid, Inc.	\$ 9,847.05
• Community Organizations Legal Assistance Program	\$ 25,746.85
• Elkhart Legal Aid Service, Inc.	\$ 11,916.23
• Indiana Legal Services, Inc.	\$477,231.07
• Indianapolis Legal Aid Society, Inc.	\$ 46,845.96
• Law School Legal Service, Inc.	\$ 25,746.85
• Legal Aid Corporation of Tippecanoe County	\$ 5,452.81
• Legal Aid Society of Evansville, Inc.	\$ 11,869.85
• Legal Services of Maumee Valley, Inc.	\$ 26,268.70
• Neighborhood Christian Legal Clinic	\$ 57,059.08
• Protective Order Pro Bono Project	\$ 25,746.85
• Volunteer Lawyer Program of Northeast Indiana, Inc.	\$ 26,268.70

TOTAL \$ 750,000

Lilly Judson, executive director of the Division of State Court Administration, said that her office has administered the state fund for legal assistance in civil cases since 1997. She explained that distributions are based on caseloads and the number of organizations serving a particular county.

In January 2008, the Division of State Court Administration will distribute an additional \$750,000. During the last legislative session, the Indiana General Assembly increased the annual appropriation for the Civil Legal Aid Fund from \$1 million to \$1.5 million.

SUPREME COURT

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OF INDIANA

FOR IMMEDIATE RELEASE
August 28, 2007

Contact: David J. Remondini
317.233.8684

MEDIA ADVISORY

YOUR COVERAGE INVITED

- Who:** Indiana Supreme Court Chief Justice Randall T. Shepard
Indiana State Police Superintendent Dr. Paul Whitesell
Major Michael Nielsen, Boone County Sheriff's Department
Law Enforcement Officers piloting new electronic citation system
- What:** Demonstration of new electronic citation system that will record law enforcement officers' information electronically in the field, saving time and more quickly identifying dangerous drivers.
- Where:** Statehouse Rotunda
- When:** 10 a.m., Friday, August 31, 2007
- Background:** Indiana's Judicial and Executive branches have received more than \$2.4 million in federal grants to launch a statewide electronic ticket system called eCWS (electronic Citation and Warning System) that will give law enforcement officers the ability to produce electronic tickets in the field and relay that information to a central repository for law enforcement, prosecutors and the courts without additional data entry or the need to decipher handwriting.
- Current pilot officers include two Commercial Vehicle Enforcement Officers and a Trooper from the Indiana State Police, an Officer with the Fishers Police Department and a Deputy from the Boone County Sheriffs Department.

SUPREME COURT

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OF INDIANA

FOR IMMEDIATE RELEASE
August 31, 2007

Contact: David J. Remondini
317.233.8684

INDIANA RECEIVES \$2.4M TO LAUNCH e-TICKETS **Federal grant funding will aid law enforcement, courts and BMV**

INDIANAPOLIS – The Indiana Supreme Court's [Judicial Technology and Automation Committee](#) (JTAC), Indiana Criminal Justice Institute (CJI) and Bureau of Motor Vehicles have been awarded more than \$2.4 million for a statewide e-ticket program that will save thousands of hours for law enforcement officers and clerical staff processing citations.

The system, called eCWS (electronic Warning and Citation System) is currently being piloted by five law enforcement officers including local and state police.

The grants received to date include:

- | | |
|--|-------------|
| 1. USDOT – Federal Motor Carrier Safety Administration | \$1,382,000 |
| 2. National Highway Safety Administration | \$311,492 |
| 3. USDOT – Safety Data Improvement Program | \$408,740 |
| 4. Homeland Security | \$340,078 |

Total \$2,442,310

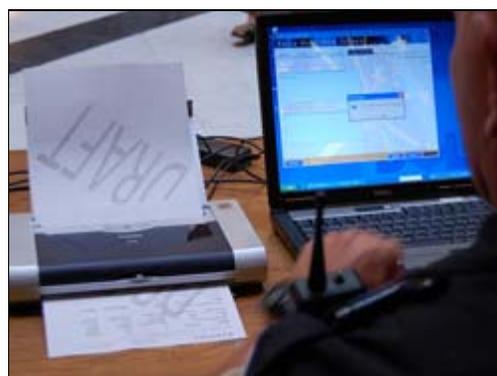
JTAC, CJI and prosecutors are working closely with state and local law enforcement, courts and clerks, and the Bureau of Motor Vehicles to automate the flow of this vital information.

“This project will reduce paperwork for officers in the field and local courts, freeing their time for more critical tasks,” said Dr. Paul Whitesell, Superintendent, Indiana State Police. “The partnership between the executive and judicial branches and our local and federal partners is making Hoosier roadways safer.”

Having accurate records produced in the field and shared quickly with others who need the information is a significant enhancement to the system.

“eCWS will improve the accuracy and legibility of data so these important records will be available electronically to courts and prosecutors,” said Chief Justice Randall T. Shepard.

[Learn more about the electronic Warning and Citation System](#)



The electronic Warning and Citation System creates printed tickets, eliminating problems with ticket legibility and saving law enforcement funds previously spent on expensive ticket books.



Dr. Paul Whitesell, Superintendent of the Indiana State Police, addresses the crowd at a press conference held today by the Indiana Supreme Court.



FOR IMMEDIATE RELEASE
September 6, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS ADMINISTRATOR NAMED TO NATIONAL OFFICE

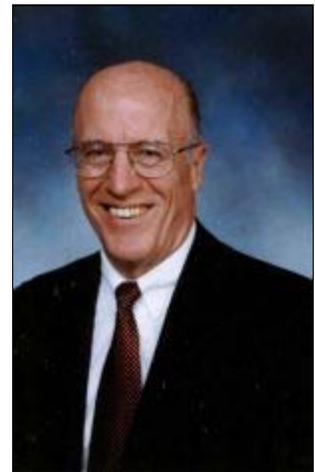
Steve Lancaster, the Administrator for the Indiana Court of Appeals, was selected as President of the National Conference of Appellate Court Clerks (NCACC) by the group's membership last month. He took office on August 9, 2007 at the conference's annual meeting in New Orleans. His term will last one year.

Members of the National Conference of Appellate Court Clerks are appellate court clerks and administrators throughout the United States at both the federal and state level. The 265-member organization seeks to improve the skill and knowledge of court clerks, promote effective court administration, and collect and disseminate information and ideas among its members. The New Orleans conference included attendees from 39 states, Puerto Rico and the Virgin Islands.

Mr. Lancaster, a native of Shelbyville, became the Court of Appeals Administrator in September 1995. He received his undergraduate degree from the University of Notre Dame in 1967 and his law degree from Indiana University School of Law in Bloomington in 1970. For 28 years, he served in the U.S. Army's Judge Advocate General's Corps, retiring as a Colonel.

The Indiana Court of Appeals is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Indiana Court of Appeals is final unless granted further review by the Indiana Supreme Court. The majority of appeals filed in Indiana are decided by the Court of Appeals. In 2006, the 15 judges on the Court of Appeals issued 2,509 written opinions, sitting in panels of three.

For more information, see the NCACC's website, <http://www.appellatecourtclerks.org/> or the website of the Indiana Court of Appeals, <http://www.in.gov/judiciary/appeals/>.



STATE OF INDIANA

SUPREME COURT

RANDALL T. SHEPARD, CHIEF JUSTICE



INDIANAPOLIS 46204-2798

304 STATE HOUSE
(317) 232-2550**FOR IMMEDIATE RELEASE**
September 12, 2007**Contact: Dr. Elizabeth Osborn**
317-233-8682

"CONSTITUTION DAY" EVENT HOSTED BY THE INDIANA SUPREME COURT

The Indiana Supreme Court's "Courts in the Classroom" program, in collaboration with the U.S. District Court for the Southern District of Indiana and the Indiana Department of Education, will host a one-hour educational program recognizing "Constitution Day" on Monday, September 17 from 10-11 a.m. in the Supreme Court courtroom, Chief Justice Randall T. Shepard announced today.

This program, and thousands of similar programs scheduled to take place around the nation during the week of September 17th are to commemorate the 220th anniversary of the signing of the U.S. Constitution on September 17, 1787. This program helps fulfill the requirements of a new federal law aimed at improving knowledge about the U.S. Constitution.

"The U.S. and Indiana Constitutions are vibrant and exciting documents. It is important that we emphasize the enduring vitality of these remarkable works and share their value with our people," Chief Justice Shepard said.

More than 140 high school students from Marion County (Pike, Lawrence North, Indianapolis Met, Pilgrims in Progress Homeschool Co-op, and Northwest) will participate in this "Constitution Day" event in the Supreme Court Courtroom.

The program will include readings from the Preamble and the Bill of Rights by the students and guests, brief remarks by Federal Magistrate Judge Tim A. Baker, Superintendent of Public Instruction Dr. Suellen Reed, and Secretary of State Todd Rokita, a discussion about the rights found in the U.S. and Indiana constitutions led by Chief Judge of the U.S. District Court for the Southern District of Indiana Larry J. McKinney, an interactive constitutional "treasure hunt" by the student audience (a pocket constitution will be provided to each student), and an opportunity to sign a large replica of the U.S. Constitution. Voter registration will also be available for those students who are already 18 or will turn 18 before Election Day.

This event will be webcast live from 10-11 a.m. on September 17th, and archived immediately following the program for use by teachers in their own classrooms. The webcast may be accessed from the following website:
<http://www.in.gov/judiciary/citc/special/constitution-day/2007.html>

For more information about Constitution Day and links to teacher resources on the Constitution visit the Indiana Department of Education website at http://www.doe.state.in.us/opd/social_studies/Const_day/welcome.htm.

 Drawing of Constitution Scroll



FOR IMMEDIATE RELEASE
September 18, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT ALLEN COUNTY COURTHOUSE

Case Originates in Allen County

The Indiana Court of Appeals will hear oral argument in *State of Indiana v. Charles Parham* on Wednesday, September 19th at 7:00 p.m. in the Allen County Courthouse. A panel of [Judge Paul D. Mathias](#), [Judge Michael P. Barnes](#), and [Judge Terry A. Crone](#) will hear the case on appeal from Allen Superior Court.

The Court is asked to decide whether the trial court properly suppressed evidence of a handgun found in a vehicle during a traffic stop for speeding and operating while intoxicated. Arguing for the appellant, the State of Indiana, is Gary Secrest, Chief Counsel of the Appeals Division, Indiana Attorney General; P. Stephen Miller of the Miller Law Firm in Fort Wayne will argue for Mr. Parham.

The Court is hearing oral argument in Allen County as part of the 2007 annual meeting of the Judicial Conference of Indiana. The conference is presented by the Indiana Judicial Center, based in Indianapolis.

If you would like to cover this event, please call Maura Pierce at (317) 234-4859. Information on rules for broadcast and photographic media coverage of Court of Appeals oral arguments is found online at <http://www.in.gov/judiciary/appeals/media.html>.

This case is the Court of Appeals' fourth visit to Allen County, and the 189th oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

The Indiana Court of Appeals is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Indiana Court of Appeals is final unless granted further review by the Indiana Supreme Court. The majority of appeals filed in Indiana are decided by the Court of Appeals.

The 15 judges on the Court of Appeals issue more than 2,500 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals and its Appeals on Wheels initiative, visit <http://www.in.gov/judiciary/appeals/>.

STATE OF INDIANA

SUPREME COURT

RANDALL T. SHEPARD, CHIEF JUSTICE



INDIANAPOLIS 46204-2798

304 STATE HOUSE
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FOR IMMEDIATE RELEASE
September 20, 2007

Contact: Debbie Baumer
317-232-2550

News Advisory:

CHIEF JUSTICE TO HOLD INFORMATION GATHERING SESSION / PRESS CONFERENCE IN EVANSVILLE

Indiana Chief Justice Randall T. Shepard will hold a press conference and information gathering session in Evansville on Wednesday, September 26, 2007 in his role as co-chairman of the Local Government Reform Committee.

Both events will be held in the Council Chambers, Room 301, in the Civic Center Complex - Administration Building. The press conference will begin at 9:30 a.m. local time and the public information gathering session will begin at 10 a.m. local time and last about one hour.

Last July Gov. Mitch Daniels appointed Chief Justice Shepard and former Governor Joseph E. Kernan as co-chairs of the Local Government Reform Commission. The bi-partisan commission will examine reforming and restructuring local government to find long-term solutions to the current property tax dilemma. The commission will report its findings and recommendations by late December in time for the 2008 session Indiana General Assembly.

"Our commission has already heard from a number of sources about the challenges facing our local governments. It is fortunate that next week's trip will give me the chance to hear what my friends in Evansville think needs to be done to make our government operations leaner, more efficient and more responsive."

Chief Justice Shepard will be returning to his hometown of Evansville. He served as the executive assistant to former Evansville Mayor Russell Lloyd, Sr. Later, while serving as a Vanderburgh County Superior Court Judge, Governor Robert D. Orr appointed him an Associate Justice of the Indiana Supreme Court in 1985. He became Chief Justice in 1987.



FOR IMMEDIATE RELEASE
September 24, 2007

Contact: Jennifer Bauer
317.232.1313

JUDGES HONORED FOR WORK IN COMMUNITY RELATIONS

Two trial judges were honored by the Indiana Judges Association for their outstanding efforts to educate the public about the working of the state's judicial system, Judge Tom Felts of the Allen Circuit Court announced today.

Judge Felts, president of the Indiana Judges Association, said the association solicited nominations from the judiciary and the public for its Commendations for Excellence in Public Information and Education Awards.

"These awards give us a wonderful opportunity to celebrate the very fine work done by judges across Indiana to help citizens gain a better understanding of the justice system," Judge Felts said.

Judge John Rader of Warren Circuit Court received the award for Excellence in Public Information and Education. He was nominated by Judge Susan Orr Henderson of Fountain Circuit Court for his efforts to educate the community about the judicial system and the workings of his court. He writes a weekly column featured in the *Review Republican* in Williamsport, Indiana.

Judge Christopher Burnham of Morgan Superior Court #2 was also honored with a Special Merit Award for his cooperative efforts in working with the media during the John R. Myers murder trial in 2006. Judge Burnham created an innovative media plan that allowed reporters to have immediate access to court rulings and evidence presented during the trial, allowing for a smooth trial and minimal disruption to the operation of the Morgan County Courthouse.

The awards were presented during the Indiana Judges Association luncheon in Fort Wayne on September 20, 2007.



FOR IMMEDIATE RELEASE
September 27, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT INDIANA STATE UNIVERSITY Case Originates in Madison County

The Indiana Court of Appeals will hear oral argument in *State of Indiana v. Rex David Delph* on Thursday, October 4th at 11:00 a.m. in the Hulman Memorial Student Union at Indiana State University. A panel of Judge [Patricia A. Riley](#), Judge [Margret G. Robb](#), and Judge [Cale J. Bradford](#) will hear the case on appeal from Madison Circuit Court.

The Court is asked to determine whether the trial court was correct in dismissing charges against Mr. Delph because of a failure to bring him to trial in a timely manner. Mr. Delph had been charged with two counts of murder, two counts of felony murder, and Class A felony arson following a fire at his home that resulted in the deaths of his wife and son. Arguing for the appellant, the State of Indiana, is Deputy Attorney General Cynthia Ploughe; Joseph Cleary of Hammerle, Allen & Cleary in Indianapolis will argue for Mr. Delph.

This case is the Court of Appeals' eighth oral argument heard in as many years at ISU, and its 192nd oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

The Indiana Court of Appeals is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Indiana Court of Appeals is final unless granted further review by the Indiana Supreme Court. The majority of appeals filed in Indiana are decided by the Court of Appeals.

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FOR IMMEDIATE RELEASE
September 27, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT SULLIVAN HIGH SCHOOL Case Originates in Madison County

The Indiana Court of Appeals will hear oral argument in *Jeffrey Douglas v. State of Indiana* on Wednesday, October 3rd at 10:00 a.m. at Sullivan High School in Sullivan, Indiana. A panel of Chief Judge [John G. Baker](#), Judge [L. Mark Bailey](#), and Judge [Nancy H. Vaidik](#) will hear the case on appeal from Madison Superior Court.

The case centers on the sentence given to the defendant, a registered sex offender who failed to notify authorities in Madison County of his relocation outside the county. The Court of Appeals is asked to determine whether the registration statute should apply because the triggering offense was added to the statute after his conviction, and whether the sentence is appropriate, given the nature of the offense and the character of the offender. Arguing for the appellant, Mr. Douglas, is Jason Childers of Anderson; Deputy Attorney General Zachary Stock will argue for the State of Indiana.

This case is the Court of Appeals' first visit to Sullivan County, and the 191st oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

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SUPREME COURT

30 SOUTH MERIDIAN STREET, SUITE 500
INDIANAPOLIS, INDIANA 46204
(317) 233-8684
(317) 233-6586 FAX
<http://courts.IN.gov>

YOUR COVERAGE INVITED
October 1, 2007

Contact: Leslie Dunn
1.800.542.0813

MEDIA ADVISORY

- WHO:** Indiana Supreme Court Chief Justice Randall T. Shepard
Governor Mitch Daniels
Indiana Retired Teachers Association executive director, Ralph Ayres
Rep. Dennis T. Avery - Evansville
Jim Clune, National CASA Association
IRTA GAL/CASA Volunteer, Carolyn Butts
Recipient of CASA services, Amanda
- WHAT:** Launch of new partnership between the Indiana Supreme Court's Guardian Ad Litem/Court Appointed Special Advocate Program and the Indiana Retired Teachers Association that will benefit abused/neglected children across Indiana.
- WHERE:** Indiana Supreme Court Courtroom
- WHEN:** 10 a.m., Wednesday, October 3, 2007
- BACKGROUND:** The Indiana Retired Teachers Association has chosen the Indiana Supreme Court's Guardian Ad Litem/Court Appointed Special Advocate program as its members' special volunteer project. They will link IRTA members across the state with volunteer opportunities with GAL/CASA. The IRTA has 23,000 members. Indiana law requires the appointment of a guardian ad litem or court appointed special advocate in child abuse and neglect cases so one party is focused exclusively on the child.
- WEBCAST:** This event will be webcast LIVE at 10:00am EDT on 10/3/07.

Watch the webcast: [Windows Media](#)



SUPREME COURT

30 SOUTH MERIDIAN STREET, SUITE 500
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FOR IMMEDIATE RELEASE
October 3, 2007

Contact: Leslie Dunn
1.800.542.0813

INDIANA RETIRED TEACHERS ASSOCIATION CHOOSES INDIANA GAL/CASA FOR SPECIAL VOLUNTEER INITIATIVE

Retired educators will work with at-risk children in the court system

Indianapolis – The Indiana Retired Teachers Association, whose members regularly contribute more than one million volunteer hours a year, has chosen the Indiana Supreme Court's GAL/CASA program as its new volunteer project.

Indiana Supreme Court Chief Justice Randall T. Shepard, Governor Mitch Daniels and IRTA executive director Ralph Ayres jointly announced the new initiative in the Supreme Court courtroom this morning.

"IRTA members are a natural fit for this project. These educators have worked with children their entire professional lives and have identified and worked with young people who have problems in learning and life," said Ayres. "This gives our members a chance to help young Hoosiers who need a strong advocate in a one-on-one setting."

"Since day one, we've made protecting Indiana's children, our most vulnerable citizens, a top priority," said Daniels. "Great teachers never stop caring about kids. This is a perfect match and another major step of progress moving Indiana forward."

GAL/CASA volunteers represented 17,482 children in Indiana courts last year.

"These children, through no action of their own, have been thrust into very turbulent, stressful situations. GAL/CASA volunteers provide an invaluable service by giving these children a champion interested in one thing – their welfare," said Chief Justice Shepard. "We are extremely fortunate to have the expertise of these retired educators available and thousands of children will benefit from their services."

Shepard also noted the strong support of the Indiana State Legislature which voted to increase GAL/CASA funding last session so more children could get assistance.

"The National CASA Association is excited and grateful to see this unique partnership forged between the Indiana Retired Teachers Association and Indiana's CASA Association. Teachers make great CASA volunteers," says Michael Piraino, CEO of the National CASA Association. "As advocates, teachers bring wisdom and experience gained from their work with children. With teachers, as with CASA volunteers, the kids come first."

For more information, or to volunteer, please contact GAL/CASA director Leslie Rogers Dunn, J.D., at



lrpgers@courts.state.in.us or call (317) 232-2542 or (800) 542.0813.

Watch the archived webcast of this event:[Windows Media](#)

SUPREME COURT

DAVID J. REMONDINI
CHIEF DEPUTY EXECUTIVE DIRECTOR
DIVISION OF STATE COURT ADMINISTRATION
30 SOUTH MERIDIAN STREET, SUITE 500
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OF INDIANA

FOR IMMEDIATE RELEASE
October 3, 2007

Contact: David J. Remondini
317.233.8684

SUPREME COURT TO HOLD ORAL ARGUMENT IN EVANSVILLE

The Indiana Supreme Court will hold an oral argument at the Evansville Civic Center Complex, Room 301, 1 Northwest Martin Luther King Boulevard, Evansville, Indiana 47708 at 4 p.m. EDT on Wednesday, October 10, Chief Justice Randall T. Shepard announced today.

The argument being heard arises in Daniel H. Raess, M.D. v. Joseph E. Doescher.

Following a trial on plaintiff Doescher's claims for intentional infliction of emotional distress and assault, the jury returned a verdict in favor of Doescher on the assault claim and awarded damages of \$325,000. The Court of Appeals reversed and remanded for a new trial, holding that expert testimony was improperly admitted and a related jury instruction tendered by Raess was improperly refused. Raess v. Doescher, 858 N.E.2d 119 (Ind.Ct. App. 2006), *affirmed on rehearing*, 861 N.E.2d 1216 (Ind. Ct. App. 2007). Doescher has petitioned the Supreme Court to accept jurisdiction over the appeal.

Attorneys Kevin Betz and Sandra Blevins will represent Doescher. Mary Watts, Karl Mulvaney and Kelly Eskew will represent Raess.

The oral argument will last about forty minutes, with each side having twenty minutes to argue its side of the case. The public and news media are invited to attend.

At the conclusion of the argument, the Court generally conducts a question and answer session for the benefit of the audience.

Chief Justice Shepard was a Vanderburgh Superior Court Judge from 1980 until 1985 when Governor Robert D. Orr appointed him an Associate Justice of the Indiana Supreme Court. He was elected Chief Justice by the Indiana Judicial Nominating Commission in 1987, 1992, 1997, 2002 and 2007.

NEWS MEDIA COVERAGE INFORMATION

The Indiana Supreme Court allows photography and recording of its arguments under certain conditions. Local PBS television station WNIN will be broadcasting the oral argument live. News media wishing to have audio recording equipment, still or video camera personnel present at the argument should contact Supreme Court Clerk/Administrator Kevin Smith (317-232-2540) no later than 4 p.m. on Tuesday, October 9th.

If more than two still photographers and two video news photographers are present, the news organizations must agree to a "pool" arrangement for those news organizations that are present at the site but not allowed to bring their photographic equipment inside. Making the pool arrangements is the responsibility of the news media and the Supreme Court will not become involved other than to exclude all cameras in the event there is a dispute.

Watch the ARCHIVED video of this oral argument



Daniel H. Raess, M.D. v.
Joseph E. Doescher

Requires Windows Media Player





FOR IMMEDIATE RELEASE
October 16, 2007

Contact: Deborah Neal
317.232.2542

THREE NEW COUNTIES JOIN PUBLIC DEFENDER REIMBURSEMENT PROGRAM

Three more Indiana counties have become part of the Indiana Public Defender Commission Program that seeks to provide quality legal defense for criminal defendants and lessen the financial burden on Indiana counties, Chief Justice Shepard announced today.

Howard, Wabash and St. Joseph counties have taken steps to join the other 54 Indiana counties that already receive reimbursements from the State of Indiana for the cost of defending indigent criminal defendants. Counties that establish local public defender boards and establish a comprehensive plan for delivering services are eligible to receive 40 percent to defend felony cases. This is in addition to the 50 percent reimbursement of the costs of death penalty cases that any Indiana county is eligible to receive.

In Howard County, County Commissioners passed an ordinance to form a public defender board in 2004 and asked the 11-member Indiana Public Defender Commission to approve its comprehensive plan in October 2006. During 2007, the Commission has approved \$249,702 in reimbursements for Howard County's public defense expenses.

In Wabash County, County Commissioners passed an ordinance to form a public defender board in 2006 and requested approval of its comprehensive plan in April 2007. During 2007, the Commission has approved \$11,663 in reimbursements for Wabash County's public defense expenses.

In St. Joseph County, County Commissioners passed an ordinance to form a public defender board in January 2007 and requested approval of a comprehensive plan in April 2007. It is expected to be eligible to receive reimbursements in December 2007, when it come into compliance with all Commission standards.

Since the Public Defender Commission was created by the legislature in 1989, it has delivered \$62.1 million to Indiana counties for the costs of indigent criminal defense. In 2007, the Indiana General Assembly increased the funding of the Commission's work from \$10 million to \$14 million.



FOR IMMEDIATE RELEASE

October 17, 2007

Contact: Maura Pierce

(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT FRANKLIN HIGH SCHOOL AS PART OF INDIANA HIGH SCHOOL PRESS ASSOCIATION ANNUAL MEETING

Case Originates in Monroe County

The Indiana Court of Appeals will hear oral argument in *Ava McSwane v. Bloomington Hospital and Jean M. Eelma, M.D.* on Friday, October 19th at 1:00 p.m. in the Franklin College chapel. A panel of Chief Judge John G. Baker, Judge Melissa S. May, and Judge Margret G. Robb will hear the case on appeal from Monroe Circuit Court; each side will have 20 minutes for argument. The oral argument will be held as part of the Indiana High School Press Association's annual meeting.

The Court is asked to determine whether a hospital or attending physician has a duty to intervene when domestic violence is suspected to protect a patient from an attack by the person to whom that patient is released after treatment. Additionally, the Court is asked to decide whether said patient's murder was a foreseeable consequence of any negligence on the part of the hospital or treating physician. Arguing for the appellant, Ava McSwane, is Steven A. Oliver of Boren, Oliver & Coffey in Martinsville; the appellees are represented by Holly Harvey of Bunger & Robertson and Jeremy Dilts of Carson Boxberger, both in Bloomington.

This case is the first the Court of Appeals has heard during the IHSPA's annual meeting, but its 193rd oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

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The 15 judges on the Court of Appeals issue more than 2,500 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals and its Appeals on Wheels initiative, visit <http://www.in.gov/judiciary/appeals/>.



FOR IMMEDIATE RELEASE
October 25, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS 20th CONSECUTIVE ORAL ARGUMENT AT VINCENNES UNIVERSITY

Case Originates in Marion County

The Indiana Court of Appeals will hear oral argument in *Terrance Hood v. State of Indiana* on Thursday, October 31st at 11:00 a.m. CT at the Shircliff Theatre at Vincennes University. A panel of Judge Carr L. Darden, Judge L. Mark Bailey, and Judge Margret G. Robb will hear the case on appeal from Marion Superior Court.

The Court is asked to decide whether the trial court erred by excluding evidence relevant to appellant's claim of self-defense, whether the State failed to disprove the appellant's claim of self-defense, and whether the appellant's sentence was appropriate. Arguing for the appellant, Mr. Hood, will be Kimberly Jackson of Jensen and Associates in Indianapolis; Deputy Attorney General Zachary Stock will argue for the State of Indiana.

Though the Court of Appeals started regularly hearing oral argument at venues across the state at its centennial in 2001, *Hood v. State* marks the 20th straight year the Court has heard a case at Vincennes University. The Court hears oral argument at venues outside Indianapolis to enable Hoosiers to learn about the judicial branch, inviting student questions about the judicial process following the argument. *Hood v. State* will be the Court's 196th oral argument heard "on the road" since early 2000, just prior to its centennial. Sites for traveling oral arguments typically include law schools, colleges, high schools, and county courthouses.

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FOR IMMEDIATE RELEASE
October 25, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT BENTON CENTRAL HIGH SCHOOL Case Originates in Marion County

The Indiana Court of Appeals will hear oral argument in *Andre Deshazier v. State of Indiana* on Tuesday, October 30th at 1:00 p.m. at Benton Central Junior-Senior High School. A panel of Judge James S. Kirsch, Judge Margret G. Robb, and Judge Michael P. Barnes will hear the case on appeal from Marion Superior Court.

The Court is asked to decide three issues: First, whether there was sufficient evidence to convict the defendant of carrying a handgun without a license. Second, whether the trial court properly sentenced him to 12 years for crimes committed in a relatively short time frame. Finally, the Court is asked whether the defendant was subjected to double jeopardy by being convicted and sentenced for two counts of resisting law enforcement. Arguing for the appellant, Mr. Deshazier, is Hillary Bowe Ricks of Indianapolis; Deputy Attorney General Kelly Miklos will argue for the State.

The Court is visiting Benton Central at the invitation of Benton Circuit Judge Rex Kepner. It is the Court's first visit to Benton County since it began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch, and invites student questions about the judicial process following the argument. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses. *Deshazier v. State* will be the Court's 195th oral argument "on the road" since 2000.

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FOR IMMEDIATE RELEASE
October 25, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT INDIANA UNIVERSITY SCHOOL OF LAW - BLOOMINGTON

Case Originates in White County

The Indiana Court of Appeals will hear oral argument in *Shafer & Freeman Lakes Environmental Conservation Corporation v. Justin Stichnoth and Corraine Stichnoth* on Monday, October 29th. The argument will take place at 12:00 p.m. in the Moot Court Room of the Indiana University School of Law in Bloomington. A panel of Judge Edward W. Najam, Jr., Judge Paul D. Mathias, and Judge Cale J. Bradford will hear the case on appeal from White Circuit Court. Each side will have 30 minutes for argument.

A tort law case, the two sides will argue issues pertaining to a suit brought after an accident resulting in injuries to Justin Stichnoth when he dove off a dock into Lake Shafer and hit his head on a dredge pipe. The Court is asked to determine whether the trial court erred in denying appellant's motion for summary judgment, and whether the trial court abused its discretion in denying appellant's motion to bifurcate the trial on issues of liability and damages, and in permitting certain expert testimony, among other issues. Arguing for the appellant, Shafer & Freeman Lakes Environmental Conservation Corporation, is Edward F. Harney of Hume Smith Geddes Green & Simmons in Indianapolis; the appellees are represented by William E. Winingham of the Indianapolis firm of Wilson Kehoe & Winingham.

This case is the Court of Appeals' seventh oral argument heard in as many years at the law school in Bloomington, and its 194th oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

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FOR IMMEDIATE RELEASE
October 25, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS ORAL ARGUMENT AT LAWRENCE NORTH HIGH SCHOOL Case Originates in Marion County

The Indiana Court of Appeals will hear oral argument in *D.L. v. State of Indiana* on Thursday, November 8th at 1:30 p.m. at Lawrence North High School. A panel of Chief Judge John G. Baker, Judge Edward W. Najam, Jr., and Judge Cale J. Bradford will hear the case on appeal from Marion Superior Court's Juvenile Division.

The Court is asked to decide two issues related to the search of a student on high school property in the fall of 2006. The first issue is whether the student waived his claim to object to the search under Fourth Amendment grounds. The second issue is whether the trial court abused its discretion in admitting evidence procured as the result of a pat-down search of the student, justified for the purposes of determining whether the student possessed his identification card. Arguing for the appellant, D.L., will be Elizabeth Gabig of the Marion County Public Defender Agency; Deputy Attorney General Scott Barnhart will argue for the State of Indiana.

This case is the Court of Appeals' first visit to Lawrence North High School, and the 197th oral argument heard "on the road," since the Court began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch; students may question the judges about the judicial process following the argument. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

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Indiana Judicial Nominating Commission Indiana Commission on Judicial Qualifications

30 South Meridian Street, Suite 500
Indianapolis, Indiana 46204-3568
(317) 232-4706
FAX (317) 233-6586

FOR IMMEDIATE RELEASE
November 5, 2007

Contact: Meg Babcock
317.232.4706

FIFTEEN CANDIDATES APPLY FOR SEAT ON INDIANA COURT OF APPEALS

Fifteen candidates have applied to fill an upcoming vacancy on the Indiana Court of Appeals. Effective May 3, 2008, [Judge John Sharpnack](#) is retiring from the court after nearly 17 years of service.

[The Judicial Nominating Commission](#) announced this morning that the following judges and attorneys from Indiana's First District have applied:

1. Mr. William W. Barrett, Greenwood
2. Hon. Elaine B. Brown, Dubois Superior Court
3. Hon. Christopher L. Burnham, Morgan Superior Court 2
4. Mr. Kit C. Dean Crane, Henry County Prosecutor
5. Hon. Jane Spencer Craney, Morgan Superior Court 3
6. Mr. Richard R. Fox, Floyds Knobs
7. Mr. Stephen J. Johnson, Executive Director, Indiana Prosecuting Attorneys Council
8. Mr. Jeffrey B. Kolb, Vincennes
9. Hon. Rebecca S. McClure, Boone Superior Court 2
10. Mr. Daniel R. Miller, Evansville
11. Mr. William H. Mullis, Mitchell
12. Mr. Leslie C. Shively, Evansville
13. Hon. P. Thomas Snow, Wayne Superior Court 1
14. Sen. Brent E. Steele, Bedford
15. Hon. G. Michael Witte, Dearborn Superior Court

The Commission's chair, Chief Justice Randall T. Shepard, along with the Commission's six other members, will conduct public interviews of the candidates on November 13, 2007. After second interviews of semi-finalists on December 12, 2007, the Commission will send to the Governor the names of the three most highly-qualified candidates. The Governor will appoint Judge Sharpnack's successor within 60 days of the nominations.

[View the November 13, 2007 Interview Schedule](#) 

STATE OF INDIANA

SUPREME COURT

RANDALL T. SHEPARD, CHIEF JUSTICE



INDIANAPOLIS 46204-2798

304 STATE HOUSE
317 232-2550FOR IMMEDIATE RELEASE
November 13, 2007Contact: Chief Justice's Chambers
317-232-2550

SUPREME COURT TO HOST CLE EVENT ON ISSUE OF SLAVERY AND THE INDIANA SUPREME COURT IN 19TH CENTURY AMERICA

A CLE event focusing on the role of the Indiana Supreme Court and the issue of slavery in the nineteenth century will be held in the Indiana Supreme Courtroom on November 15, Chief Justice Randall T. Shepard announced today.

The Indiana Supreme Court, with funding from the Cornelius O'Brien Lecture Series and the Indiana Commission for Continuing Legal Education, will host the event featuring Prof. Paul Finkelman—a nationally recognized speaker on topics related to slavery and the law.

This special CLE program will be held on Thursday, November 15, 2007 from 3:00 to 4:30 p.m. (EDT) in the Supreme Court Courtroom in the Indiana State House in downtown Indianapolis. It will also be webcast live.* To view the program, please go to <http://www.in.gov/judiciary/citc/special/finkelman>.

Following the enactment of a stronger federal fugitive slave law in 1850, some northern legislators and courts looked for ways to protect the rights of blacks in their communities. This task was especially difficult because in 1842 the U.S. Supreme Court struck down a Pennsylvania law about the recapture and return of fugitive slaves (*Prigg v. Pennsylvania*). The Court held that the federal government possessed exclusive jurisdiction in dealing with runaway slaves—jurisdiction that the states could not invade.

Despite much ambivalent public sentiment regarding the rights of blacks, the Indiana Supreme Court continued to work to uphold the state's constitutional prohibition of slavery and indentured servitude. Indiana's justices even used *Prigg* to invalidate an act of the Indiana legislature prohibiting any sort of aid to fugitive slaves in *Donnell v. State* (1852). Donnell was a Decatur County Hoosier who had been convicted of "inducing the escape" of a Kentucky slave.

Professor Paul Finkelman is the President William McKinley Distinguished Professor of Law and Public Policy at Albany Law School. He received a Ph.D. and M.A. from the University of Chicago and a B. A. from Syracuse University. Later, he was selected as a fellow in Law and Humanities at Harvard Law School.

The sold-out event is free, but standby reservations are still being accepted. Please email shachey@courts.state.in.us to reserve a seat. Webcast viewing outside the courtroom will be available for those not able to reserve a seat. Light refreshments will follow.

A total of 1.3 CLE credit hours have already been approved for the program, which is part of the ongoing Indiana Supreme Court Legal History Lecture Series. The CLE number for this presentation is 0105371.

For more information, please contact The Chief Justice's Chambers at shachey@courts.state.in.us or 317.232.2550.

*Those viewing the event webcast will not receive CLE credit.



**Indiana Judicial Nominating Commission
Indiana Commission on Judicial Qualifications**

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**FOR IMMEDIATE RELEASE
November 14, 2007**

**Contact: Meg Babcock
317.232.4706**

NOMINATING COMMISSION SELECTS SEVEN SEMI-FINALISTS FOR COURT OF APPEALS VACANCY

The Indiana Judicial Nominating Commission announced Tuesday that it selected seven of the fifteen applicants for the upcoming vacancy on the Indiana Court of Appeals to return on December 12, 2007 for second interviews. The decision was made after a day of public interviews. The seven semi-finalists are:

- Hon. Elaine B. Brown, Dubois Superior Court
- Hon. Jane Spencer Craney, Morgan Superior Court 3
- Mr. Stephen J. Johnson, Executive Director, Indiana Prosecuting Attorneys Council
- Mr. Leslie C. Shively, Evansville
- Hon. P. Thomas Snow, Wayne Superior Court 1
- Sen. Brent E. Steele, Bedford
- Hon. G. Michael Witte, Dearborn Superior Court

The interviews on December 12, 2007 will be open to the public, after which the Commission will nominate to the Governor the three most highly qualified candidates. Within sixty days after the formal nomination, the Governor will appoint one of the nominees to succeed Judge John Sharpnack, who is retiring May 3, 2008 after nearly 17 years on the Court of Appeals.



FOR IMMEDIATE RELEASE
November 15, 2007

Contact: Maura Pierce
(317) 234-4859

COURT OF APPEALS HOLDS 200th TRAVELING ORAL ARGUMENT AT TAYLOR UNIVERSITY

Case Originates in Wayne County

The Indiana Court of Appeals will hear its 200th traveling oral argument on Thursday, December 6th at Taylor University in Upland. The oral argument is scheduled for 12:30 p.m. at Rediger Auditorium. A panel of Chief Judge John G. Baker, Judge James S. Kirsch, and Judge Paul D. Mathias will hear the case on appeal from Wayne Circuit Court.

In *Willie Eaton v. State of Indiana*, the Court is asked to decide whether the State provided the facts necessary to enable the trial court to find probable cause to issue a search warrant for Mr. Eaton's residence. Arguing for the appellant, Mr. Eaton, will be David Jordan of Lafuze, Jordan & Cox in Richmond; Deputy Attorney General Scott Barnhart will argue for the State of Indiana.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch. Students may ask questions about the judicial process in Indiana following the submission of the case. *Eaton v. State* will be the Court's second visit to Taylor University, and its 200th oral argument heard "on the road," since early 2000, just prior to its centennial. Sites for traveling oral arguments typically include law schools, colleges, high schools, and county courthouses.

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FOR IMMEDIATE RELEASE
November 21, 2007

Contact: Maura Pierce
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COURT OF APPEALS HOLDS ORAL ARGUMENT AT JASPER HIGH SCHOOL Case Originates in Floyd County

The Indiana Court of Appeals will hear oral argument in *Laverne Baltimore v. State of Indiana* on Thursday, November 29th at 1:15 p.m. at Jasper High School. A panel of Chief Judge John G. Baker, Judge Edward W. Najam, Jr., and Judge Melissa S. May will hear the case on appeal from Floyd Superior Court.

The Court is asked to decide four questions: Whether the trial court abused its discretion by permitting the deaf victim's sign language interpreter to testify regarding the victim's difficulty communicating; whether the evidence presented at trial was sufficient to sustain Mr. Baltimore's burglary resulting in bodily injury conviction; whether Mr. Baltimore's convictions for sexual battery and burglary resulting in bodily injury violate the Indiana Double Jeopardy Clause; and whether Mr. Baltimore's fifty-three year sentence is inappropriate in light of the nature of the offenses and his character. Arguing for the appellant, Mr. Baltimore, will be Matthew McGovern of Evansville; Deputy Attorney General Monika Talbot will argue for the State of Indiana.

This case will be the Court of Appeals' third visit and fifth case heard at Jasper High School, but its 199th oral argument heard "on the road," since early 2000, just prior to its centennial. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch; students may question the judges about the judicial process following the argument. Sites for "traveling oral arguments" typically include law schools, colleges, high schools, and county courthouses.

The Indiana Court of Appeals is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Indiana Court of Appeals is final unless granted further review by the Indiana Supreme Court. The majority of appeals filed in Indiana are decided by the Court of Appeals.

The 15 judges on the Court of Appeals issue more than 2,500 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals and its "Appeals on Wheels" initiative, visit <http://www.in.gov/judiciary/appeals/>.



FOR IMMEDIATE RELEASE
November 26, 2007

Contact: Dr. Elizabeth Osborn
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COURT HOSTS EVENT FEATURING AN EARLY INDIANA ANTI-SLAVERY CASE

The Indiana Supreme Court will host the interactive drama *Bound for Freedom: the Case of Polly Strong* in its Courtroom, Chief Justice Randall T. Shepard announced today. More than 230 students from the Indianapolis area will participate in the program on Wednesday, November 28, 2007 at 9:45 am and 11:00 am.

Bound for Freedom: the Case of Polly Strong re-enacts portions of the famous Knox County case Lasselle v. State. This 1820 case challenged the prohibition of slavery found in Indiana's 1816 Constitution. The case was brought on behalf of a young black woman, Polly Strong, who was being held as a slave by Hyacinthe Lasselle.

The interactive play, written for school groups, documents Polly's struggle for freedom as Indiana moved from Territory to Statehood. The Supreme Court ruled in Polly's favor, determining that Indiana had banned slavery in 1816 and held that Knox County businessman Hyacinthe Lasselle's claim to Polly violated that prohibition.

The script was developed by Courts in the Classroom and the Leora Brown School in Corydon with funding from the Indiana Bar Foundation.

This year's participating schools include Kitley Intermediate School [Indianapolis], Pine Tree Elementary School [Avon], Heritage Builders Home Educators, Inc. [Brownsburg], and Heart & Soul Academy [Indianapolis]. Students will have the opportunity to play Vincennes businessman Hyacinthe Lasselle, the judges of the 1820 Indiana Supreme Court, members of Polly's family, as well as a variety of other supporting roles. The performances are free and open to the public, but seating is limited. Individual classroom teachers have assigned parts in advance.

The program will be broadcast live on the Internet and archived for later use at <http://www.in.gov/judiciary/citc/special/bound-for-freedom>. In addition to the webcast, the script, teacher background materials, video from previous programs, and extensive court documents about Lasselle v. State are available from this website developed especially for the play.

For more information about this or any other Courts in the Classroom program, please contact Dr. Elizabeth R. Osborn at eosborn@courts.state.in.us or 317.232.2550.

SUPREME COURT

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**OF INDIANA**

FOR IMMEDIATE RELEASE
December 6, 2007

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MICHIGAN SUPREME COURT JUSTICE TO KEYNOTE SPECIAL SUMMIT ON AT-RISK CHILDREN

INDIANAPOLIS – Michigan Supreme Court Justice Maura Corrigan, a noted national expert on child protection, foster care, and adoption, will be the keynote speaker at a special Indiana Summit on Children to be held Friday, December 14, at the Indianapolis Convention Center. More than 300 court officials, judges, legislators, mental health professionals, foster parents, educators, service providers, and state caseworkers serving abused and neglected children are expected to attend the Summit which is titled “Partners Planning for Permanency.”

“Across Indiana, thousands of people have dedicated their careers to protecting abused and neglected children and helping them flourish. Recent events demonstrate that we need to work even harder both to see that children are safe today and to plan for their successful in the future,” said Indiana Chief Justice Randall T. Shepard. “Justice Maura Corrigan has special experience in this regard and her perspective will be extremely valuable as we all strive to improve child protection in Indiana.”

The Summit is sponsored by the Indiana Supreme Court’s Court Improvement Program. The federally funded Court Improvement Program encourages courts to focus on the process used in abuse/neglect cases. The Indiana Summit on Children will bring together judges with jurisdiction over child abuse and neglect cases and their staff, officials and staff from the Indiana Department of Child Services and community stakeholders to collaborate and explore ways to improve outcomes for children and families in the child welfare system.

Justice Corrigan, who served as Chief Justice of Michigan from 2001 to 2004, was a member of the influential Pew Commission on Foster Care which recommended broad improvements to foster care funding and courts’ handling of child protection cases. She has also been honored nationally for her work in improving child support enforcement and adoption opportunities. In May 2005, the Detroit News named Justice Corrigan a “Michigania of the Year” for her work on behalf of foster children.

In addition to Justice Corrigan, speakers at the event include Chief Justice Shepard, Indiana Department of Child Services Director James Payne, and Bill Stanczykiewicz, president and CEO of the Indiana Youth Institute.

For more information about Indiana’s Court Improvement Program, go online to <http://in.gov/judiciary/cip/>.

Counties represented at the summit include: Allen, Bartholomew, Blackford, Boone, Carroll, Cass, Clark, Dearborn, Decatur, Delaware, Elkhart, Fayette, Floyd, Fountain, Fulton, Hamilton, Henry, Howard, Johnson, LaGrange, Lake, LaPorte, Lawrence, Madison, Marion, Monroe, Noble, Ohio, Owen, Perry, Porter, Posey, Pulaski, Putnam, Randolph, Ripley, Scott, Shelby, Spencer, Steuben, Tippecanoe, Tipton, Vanderburgh, Vermillion, Warren, Warrick, and Wayne.



Michigan Supreme Court Justice Maura Corrigan speaks to more than 300 child welfare stakeholders at the "Partners Planning for Permanency" Summit.



**Indiana Judicial Nominating Commission
Indiana Commission on Judicial Qualifications**

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**FOR IMMEDIATE RELEASE
December 13, 2007**

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COMMISSION NOMINATES THREE CANDIDATES FOR INDIANA COURT OF APPEALS VACANCY

The Indiana Judicial Nominating Commission announced Wednesday its nominees for appointment by the Governor to the Indiana Court of Appeals. After conducting a second round of public interviews of 7 of the original 15 applicants, the Commission nominated:

1. Hon. Elaine B. Brown, Dubois Superior Court
2. Mr. Leslie C. Shively, Evansville
3. Hon. G. Michael Witte, Dearborn Superior Court

The Governor has 60 days after the Commission's certification of its nominations to select one of the nominees to succeed Judge John Sharpnack, who is retiring on May 3, 2008 after nearly 17 years on the Court of Appeals.

STATE OF INDIANA

SUPREME COURT

RANDALL T. SHEPARD, CHIEF JUSTICE



INDIANAPOLIS 46204-2798

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 December 17, 2007Contact: Loretta Oleksy
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22 COUNTIES RECEIVE FAMILY COURT GRANTS TOTALING \$208,000

INDIANAPOLIS – 22 Indiana counties will receive Family Court Grants from the Indiana Supreme Court's Division of State Court Administration.

The Indiana Supreme Court's Family Court Project encourages a coordinated, holistic approach to serve the needs of families involved in multiple court cases. Family courts coordinate the cases and stress common-sense, non-adversarial solutions.

Courts receiving grants include two new programs getting seed funding.

Seed Grant Amounts for New Project Counties:

Clark County Family Court Project	\$40,000
Vanderburgh County Family Court Project	\$30,000

Grant for Existing Projects:

Allen County Family Court Project	\$20,000
Four-County Family Court Project (Bartholomew, Brown, Jackson, Lawrence)	\$10,000
Henry County Family Court Project	\$ 8,000
Johnson County Juvenile and Family Court Project	\$ 3,500
Lake County Court Project	\$ 5,000
LaPorte County Family Court Project	\$ 5,000
Marion County Family Court Project	\$20,000
Owen County Family Court Project	\$ 2,000
Porter County Family Court Project	\$15,000
Putnam County Family Court Project	\$ 2,000
Southern Counties Joint Family Court Project (Martin, Crawford, Pike, Orange)	\$20,000
St. Joseph Family Court Project	\$22,500
Tippecanoe County Multiple Family Court Projects	\$ 2,500
Vigo County Family Court Project	\$ 2,500

"The Family Court concept assists families and benefits the judicial system and communities because it stresses comprehensive, long-term solutions for families facing multiple problems," said Indiana Chief Justice Randall T. Shepard.

These grants are considered “seed money” and courts eventually become self funding.

The Indiana Family Court Project began in 1999 as a cooperative effort between the Indiana General Assembly and the Indiana Supreme Court. Since 1999, the Supreme Court has distributed over \$1,825,000 to support Family Court projects.

The core component of the Family Court Project is coordination of multiple cases involving the same family. This avoids inconsistent orders and promotes more informed decision making. Options for coordination include:

One Judge - One Family

Information Sharing between Multiple Courts

Facilitation and pre-trial conferences

Affordable Alternative Dispute Resolution

Family-focused service, assessment, or referral for high-risk families

Expeditious and efficient processing of pro se cases

More information on the Indiana Supreme Court’s Family Court Project is available online at: <http://www.in.gov/judiciary/family-court>

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OF INDIANA

FOR IMMEDIATE RELEASE
December 28, 2007

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DONALD LUNDBERG TAPPED FOR TWO NEW KEY ROLES

Indiana Supreme Court Disciplinary Commission Executive Secretary Donald R. Lundberg, has been elected president of the National Organization of Bar Counsel and appointed to the editorial board of the ABA/BNA Lawyers' Manual on Professional Conduct.

Lundberg has served as Executive Secretary of the Disciplinary Commission since December 1991. The Disciplinary Commission is the Indiana Supreme Court agency charged with investigating and prosecuting lawyer discipline matters. Lundberg serves as chief prosecutor and administrator of the office.

The National Organization of Bar Counsel is a non-profit organization of legal professionals whose members enforce ethics rules that regulate the professional conduct of lawyers who practice law in the United States, Canada and Australia.

In addition to leading the National Organization of Bar Counsel, Lundberg was also appointed by American Bar Association President William H. Neukom to serve on the editorial board of the ABA/BNA Lawyers' Manual on Professional Conduct.

The Lawyers' Manual is the preeminent resource in the United States on the law of legal ethics and professional responsibility. It includes comprehensive reference resources on these topics as well as a weekly current report on topical cases, ethics opinions and other news.

Before joining the Disciplinary Commission, Lundberg was Director of Litigation for Legal Services Organization of Indiana, Inc. (now Indiana Legal Services, Inc.).

A summa cum laude graduate of Indiana University School of Law in Bloomington, Lundberg is a member of the bars of the U.S. District Courts for the Northern and Southern Districts of Indiana, the United States Court of Appeals for the Seventh Circuit, and the United States Supreme Court.

He teaches legal ethics as an adjunct professor and is a frequent continuing legal education presenter on professional responsibility and legal ethics topics.

Lundberg has authored many articles on ethics and writes a regular legal ethics column, Ethics Curbstone, for Res Gestae, the monthly journal of the Indiana State Bar Association.

More information about the Indiana Supreme Court Disciplinary Commission is available online: <http://www.in.gov/judiciary/committees/disciplinary.html>



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FOR IMMEDIATE RELEASE

December 28, 2007

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MARK W. RUTHERFORD NAMED CHAIR OF INDIANA PUBLIC DEFENDER COMMISSION

INDIANAPOLIS - Mark W. Rutherford has been elected president of the Indiana Public Defender Commission. An attorney at Thrasher Buschmann Griffith & Voelkel, P.C. in Indianapolis, he is a graduate of Wabash College and the Valparaiso University School of Law.

His current areas of practice include Business Law and Litigation, Criminal Law for Businesses, their Owners and their Families, Election Law and Mediation. He joined the Indiana Public Defender Commission in 2007.

He is a member of the Indiana State Bar Association, Valparaiso University School of Law National Council; Central Indiana Tennis Association Board of Directors, and Indiana Civil Liberties Union, Lawyers Council.

Rutherford also serves on the National Federation of Independent Business, Indianapolis Advisory Council and Atlas!PAC, Inc., Board of Directors. He is a member of the National Association of Criminal Defense Attorneys; United States Tennis Association and Indianapolis Racquet Club and served as Chairman of the Libertarian Party of Indiana from 2000 - 2007.

The Indiana Public Defender Commission recommends standards for indigent defense in capital cases, adopts guidelines of salary and fee schedules for individual county reimbursement eligibility, and reviews and approves requests for reimbursement in capital cases

In 1993, the responsibility of the Commission was expanded to include the adoption of guidelines and standards for county reimbursement eligibility in non-capital cases.

More information about the Indiana Supreme Court Public Defender Commission is available online at <http://www.in.gov/judiciary/pdc/>

