

**Judicial Education Committee Minutes**  
**Friday, January 18, 2019; 1:00 p.m.**  
**251 N. Illinois St., Room 873, Indianapolis, IN 46204**

**Committee Members Present:** Hon. Kelly S. Benjamin; Hon. Stephen R. Bowers (via phone); Hon. Marla Clark; Hon. Kimberly Dowling; Hon. Kurt Eisgruber; Hon. William C. Fee (via phone); Chair-Hon. Thomas J. Felts; Mag. Andre Gammage (via phone); Hon. Bradley K. Mohler; Hon. Timothy W. Oakes (via phone); Hon. Mark A. Smith; Hon. Charles K. Todd Jr. (via phone); and Hon. Joseph P. Weber.

**Staff Members Present:** Jill Acklin, Vicki Davis, Kristyn Hill, Ashley Moise, Paige Newland, and Hon. Earl Penrod (via phone).

---

1. The minutes for the October 2018 meeting were approved.
2. The committee discussed the 2018 City & Town court meeting which happened on October 11-12, 2018. Ms. Acklin explained that the conference focused on traffic, defendants' rights, maintaining a civil workplace, and internet privacy. She explained that the feedback from the conference was positive.
3. The committee discussed the 2018 Senior Judge workshop which happened on November 1-2. Ms. Acklin expressed that this is the second time we've held the workshop and the conference featured repeats of case law updates from September as well as a Senior Judge Basics.
4. The committee discussed the Pre-Bench workshop on December 13, 2018, and the Trial Court Technology workshop on December 14, 2018. Ms. Acklin mentioned that the Pre-Bench workshop didn't have many comments.
5. The committee discussed the Winter Workshop on Judicial Wellness which happened on December 14, 2018. Ms. Davis mentioned that 190 people registered for the program which was more than the evidence workshop in 2016. Judge Smith said that Dr. Stedham was effective in teaching mindfulness. Judge Dowling expressed that she enjoyed being on the panel. Judge Fee explained that the discussions about stimuli and response were helpful. Judge Felts mentioned that discussing wellness is important and will continue to be a priority at future conferences.
6. The committee discussed the 2019 General Jurisdiction Orientation. Ms. Davis mentioned that 77 people are registered to come in January and 71 are registered in February. She added that there are eight full days with some sessions running later than normal. Mary Jo Clark and Pat Heiny are presenting on "Building a Culture of Trust and Respect." Mx. Lena Tenney is coming back for a session on Implicit Bias followed by an in-house panel on the court's response to race, equity, and inclusion.

Ms. Davis explained that there will be a session on juvenile delinquency and TPR/CHINS at General Jurisdiction but that the group will be offered more extensive training on March 28-29, 2019 at the Juvenile Workshop. She expressed that the education staff is considering whether the juvenile sessions should be a stand-alone conference. Judge Felts conveyed that it may be beneficial to keep the juvenile sessions in the general jurisdiction orientation since the content may be relevant if the attendees ever serve as a special judge.

Ms. Davis continued to explain that the new judges will be doing a bench skills session which is a demeanor-based exercise in which the attendees are given a fact scenario (like criminal contempt). Each new judge acts out what they would do in that circumstance, and an experienced judge gives critique and feedback.

7. The committee discussed the Spring Judicial College. Ashley Moise began by explaining that there will be a session on evidence. Judge Benjamin and Mag. Gammage expressed that they are interested in presenting. The members of the committee offered feedback regarding the direction of the evidence session. Judge Bowers stated that it's helpful to teach about the tools needed to reach decisions, perhaps in a checklist form. Judge Todd remarked that there are a lot of substantive evidence issues and he suggested a panel about how to deal with these issues. Mag. Gammage thinks a discussion about "reverse-proofing" your ruling and understanding the evidentiary issues would be helpful. Judge Fee remarked that he agrees with the ideas discussed. Judge Dowling added that the best sessions on evidence involve having the attendees work on fact-patterns. The committee discussed evidentiary issues related to meta-data and electronic communications. The committee also discussed ways to solicit areas needing addressing (as it relates to evidence) from the judges. Suggestions included asking the staff attorneys in the legal services division about the types of questions they get and outreach to committee chairs.

Ms. Davis briefly explained that Tim Schnacke will do a session on the "Fundamentals of Bail." She also explained the Board of Directors will meet on the Wednesday before the conference.

8. The committee discussed the 2019 Graduate Conclave which will happen on June 5-6 in French Lick, Indiana. Ms. Davis explained that attendance is currently limited to 60 participants. Regarding speakers, Professor Mike Klarman from Harvard and Professor Pam Karlin from Stanford will speak on the first day. The Conclave will also feature Professor Victor Quintanilla from Indiana University Maurer School of Law to talk about access to justice. His presentation will feature table discussions and action planning.
9. The committee discussed the master's program proposals. Judge Spahr would like to write a history of the Miami county court system, and Judge Warton seeks to write an article about the 1<sup>st</sup> amendment and social media. Ms. Davis briefly gave some

background about the program including the idea that the proposals should have judicial or legal significance. Senior Judge Penrod recommended that there be a subcommittee for each proposal. The subcommittee will make contact and ask the submitter to present an outline. Both proposals were approved, and the following subcommittees were formed (with Senior Judge Penrod providing guidance on both). Judge Spahr's proposal will be supervised by Judge(s) Clark, Weber, and Eisgruber. Judge Warton's proposal will be supervised by Judge(s) Smith, Mohler, and Bowers.

10. The committee discussed the 2019 Annual Meeting. Ms. Acklin talked about some proposed sessions including judicial abuse of power, medication-assisted treatment, sequential intercept model, wellness, and diversity. Mag. Gammage expressed that he is on the domestic relations committee and they are reviewing the child support guidelines, which would be a good session. Ms. Davis added that child support would also be a great topic for the domestic relations conference in November and that staff will be meeting soon to discuss plans for that conference. Judge Mohler mentioned perhaps having a question box out for the first two days of the conference and using the Friday session as an opportunity to address the questions.

Judge Felts encouraged the committee to brainstorm about the Friday session and potential dynamic speakers. Judge Dowling referenced the movies "Holden on" and "The Work." An idea for gaming law was mentioned. Judge Clark recommended privacy issues relating to children's identities, medical history, and admin rule 9. Judge Weber mentioned that he attended a session four years ago about judicial independence and responsibilities related to Nazi Germany that was informative.

11. The committee discussed possible topics for the 2019 Winter Workshop. Judge Smith recommended a session on Judicial Independence.
12. Judge Felts updated the committee that the Board of Directors gave the education committee the discretion to determine site locations for the annual meeting. The education division is still waiting to hear from the JW Marriott in downtown Indianapolis regarding availability for the 2021 conference. Ms. Davis also expressed that the 2019 Juvenile Annual meeting is in Muncie.
13. Judge Felts mentioned the 2020 spring conference dates of March 31-April 2, 2020 conflicting with some spring break dates. Ms. Davis explained that the spring dates are tricky because of the various spring break and religious holidays. She also explained that IOCS is checking into moving the dates. Judge Smith mentioned that there's a large conference facility in Plainfield.

14. The committee discussed the meeting dates and changed the July and October meeting dates. The new dates are as follows:

May 17, 2019, at 1:00 pm in room 1648

July 26, 2019, at 1:00 pm in room 1648

October 25, 2019, 1:00 pm in room 1648

15. The meeting was adjourned.

Respectfully Submitted,

Ashley A. Moise

# Judicial Education Committee Meeting

Friday, March 22, 2019 at 1:00 pm  
251 North Illinois Street, Room 1648  
Indianapolis IN 46204

---

**Committee Members Present:**

Hon. Kelly S. Benjamin; Hon. Stephen R. Bowers (via phone); Hon. Marla Clark; Hon. Kimberly Dowling; Hon. Kurt Eisgruber; Chair-Hon. Thomas J. Felts; Mag. Andre Gammage; Hon Michael Kramer (via phone); Hon. Mark Massa, Supreme Court liaison; Hon. Bradley K. Mohler (via phone); Hon. Timothy W. Oakes; and Hon. Mark A. Smith (via phone)

**Staff Members Present:** Justin Forkner, Vicki Davis, Kristyn Hill, Mary Kay Hudson, Ashley Moise, and Paige Newland

---

1. The Committee approved the January 2019 Minutes.
2. Discussion of Past Programs  
2019 General Jurisdiction (January 28-31 & February 25-28)  
Vicki Davis asked the Committee to consider whether the next orientation program should be December-January (instead of January-February), be split into four 2-day programs, or made into a blended learning program with some distance education/e-learning and some in-person education sessions. Ms. Davis noted that it can be difficult to absorb all the content after about two days. The Committee also discussed altering the program content such that judicial officers could follow educational “tracks” most suited to their experience and/or jurisdictional needs. Judge Felts (chair) advised the Committee to consider these items and tabled the discussion until the next meeting.
3. Juvenile Jurisdiction Workshop (March 28-29)  
Ashley Moise explained that the Juvenile Jurisdiction Workshop was first advertised to new judges, then to senior judges, and finally to all judicial officers with juvenile jurisdiction. Ms. Moise noted that the program will focus on CHINs-related issues on Day 1 and delinquency on Day 2. Vicki Davis said that there were approximately 55 registrants, although a few have had to cancel due to court calendar conflicts.
4. 2019 Spring Judicial Conference (May 1-3)  
Kristyn Hill noted that as of Friday, March 22 (two days after registration opened), there were approximately 200 registrants. Ms. Hill also provided current counts for each breakout session. Vicki Davis said that the program usually draws 400-450 registrants.
5. Update on 2019 Graduate Conclave (June 5-6)

Vicki Davis said that registration was limited to 60 and that there are currently three waitlisted individuals. Previously, 55 trial judges and magistrates had registered, so the remaining five slots were opened to senior judges with a preference given for those who had just recently become senior judges. Ms. Davis discussed the agenda and speakers. There will be a new graduate class in 2020.

6. Juvenile Judge Annual Meeting (June 20-21)

Ashley Moise reviewed the agenda for Juvenile Judge Annual Meeting. Judge Dowling reminded those present that the meeting will take place in Muncie, Indiana, this year.

7. Recent Legislation Webinar(s)

Ashley Moise noted the Recent Legislation Webinars will occur over the lunch hour (12pm-1pm) on their respective dates. Ms. Moise explained that one webinar will cover judicial administration, civil law, family law, and probate law; the other webinar will cover criminal law and traffic law. The webinars can be replayed later for CJE/CLE credit. Based on feedback received by the Education team, past webinars have been appreciated.

8. 2019 Annual Meeting (September 18-20)

- a. Vicki Davis explained that Jack Ford was the preferred keynote speaker and will discuss “Trials of the Century” with a follow-up breakout session Wednesday afternoon.
- b. Vicki Davis said that there would also be a session on criminal jury instructions; this would be an opportunity for judges to review practices for accomplice liability, lesser included offenses, and attempted murder.
- c. Judge Felts introduced Justice Massa as the new Supreme Court liaison to the Education Committee, replacing Justice David.
- d. Vicki Davis noted that the Annual Meeting will also cover the issues of civility and sexual harassment, in keeping with the Court’s initiative of addressing these topics.
- e. The Committee discussed the potential for a film-viewing session with follow-up discussion. Judge Dowling will follow up with Vicki Davis later to discuss further details of the proposed film viewing.
- f. Vicki Davis said that Sergeant First Class (Retired) Greg Stube, recommended by Justice David, is willing to be involved for a potentially reduced or waived fee; Ms. Davis will follow up shortly.
- g. Justice Massa has offered to lead two sessions on the career of Justice Robert Jackson.
- h. Vicki Davis noted that there will be a pretrial release session with Tim Schnacke. Mr. Schnacke will also be speaking at Spring Judicial College about the fundamentals of bail. For September, Judge Mary Ellen Diekhoff (Monroe Circuit 5) will hopefully have pretrial release pilot results to share, as well.
- i. Vicki Davis explained that Friday morning, September 20, instead of having another guest speaker, the suggestion is to have Chief Justice Rush speak and include a judicial spotlight on Hon. John Baker (Indiana Court of Appeals), who has been on the bench for at least 40 years.

- j. The Committee discussed incorporating Indiana 211 information into the closing plenary (15-20 minutes) or perhaps as a handout. This will be further explored.
- k. Judge Dowling suggested that the results of a recently published civil legal needs study be discussed at the Annual Meeting. Justice Massa noted that the topic of civil legal aid is a top priority of the Court.
- l. The Committee discussed diversity and inclusion-related programming. Judge Felts noted that the Judicial Education Committee made a commitment with Chief Justice Rush to offer diversity education at every major conference.
- m. Judge Oakes reminded everyone that at the last meeting, the Committee wanted to check what top three topics Justice Services staff usually receive as phone calls. Vicki Davis said that she would follow up with the Legal Support Division.
- n. Judge Felts introduced Mary Kay Hudson as the new Executive Director of the Indiana Office of Court Services.

9. Update on Domestic Relations Workshop (November 15)

- a. Ashley Moise explained that the workshop will focus on child support and, based on preliminary discussions, cover topics such as the income shares model, changes, healthcare, and IV-D issues. There may also be scenario-based activities for the attendees and panelists to work through that will make the workshop more interactive.
- b. Magistrate Gammage noted that the Domestic Relations Committee is going through the second review of the child support guidelines. Mag. Gammage said that one very helpful topic to come out of the workshop will be the institution of the child support calendar in which litigants can input dates that parents have their children.

10. Other

- a. Update on status of master's projects
  - 1) Judge Eisgruber said Judge Spahr would like to update the Committee every three months on his progress. He should have his next update in April.
  - 2) Judge Smith said Judge Worton provided a project outline with milestone dates.
  - 3) Vicki Davis suggested that the Committee keep to the subcommittee format for master's projects; otherwise, projects tend to languish.
- b. Discussion: OWI program
  - 1) Vicki Davis explained with the number of OWI cases every year, this could be another area that should have its own program every other year. Judge Oakes suggested that the National Highway Traffic Safety Administration (NHTSA) could have resources to fund the OWI program given their focus on OWI courts and ignition interlock. This type of program could be an opportunity for judges to rethink how they approach OWIs. Judge Oakes also noted that the IU School of Medicine does alcohol research and would like to educate judges on the effects of alcohol on the brain. Judge Oakes suggested this could be included in the program to give judges more information with the overall goal to reduce recidivism.

- 2) Ms. Davis also explained that there was a suggestion to start a program every other year for judges handling primarily criminal cases. Ms. Davis said that the criminal docket program will be fleshed out more and added that it would probably be every other year, as well.
- 3) Vicki Davis said that a needs assessment is important to determine educational needs (i.e. what the Committee sees as needs, or what attorneys see as judicial education needs). Ms. Davis noted that surveys are not typically favored, and that the last needs assessment survey conducted was in 2010. The Committee discussed the idea of soliciting feedback via district representatives.

c. Globalization workshop.

- 1) Vicki Davis introduced a proposal submitted by the IOCS Programming and Projects Division for the 2019 Winter Workshop. The proposal is about globalization in courts. The Committee also discussed the topic of judicial independence as a potential Winter Workshop theme. Vicki Davis said she could check to see if the venue could accommodate both programs. Judge Felts noted that since the globalization proposal is already outlined, he would encourage the Committee to take the next step forward in determining additional detail for the proposal.

d. Meeting dates of interest

- 1) IJC Board of Directors Meeting – Wednesday, May 1, @ 10:00am
- 2) IJA Board of Managers Meeting – Thursday, May 2 @ 4:45pm

12. 2019 Education Committee Dates:

May 17, 2019, at 1:00 pm in room 1648  
July 26, 2019, at 1:00 pm in room 1648  
October 25, 2019, 1:00 pm in room 1648

Respectfully Submitted,

Paige Newland

# Judicial Education Committee Meeting

Friday, May 17, 2019 at 1:00 pm  
251 North Illinois Street, Room 1648  
Indianapolis IN 46204

---

**Committee Members Present:**

Hon. Kelly S. Benjamin (via phone); Hon. Stephen R. Bowers; Hon. Kimberly S. Dowling; Chair-Hon. Thomas J. Felts (via phone); Mag. Andre Gammage (via phone); Hon. Michael J. Kramer (via phone); Hon. Bradley K. Mohler; Hon. Lakshmi Reddy (via phone); Hon. Mark A. Smith (via phone); and Hon. Charles K. Todd, Jr. (via phone)

**Staff Members Present:** Vicki Davis; Jill Acklin; Kristyn Hill; Ashley Moise; Paige Newland; and Hon. Earl G. Penrod (via phone)

---

## 1. Call to Order

- a. Judge Dowling called the meeting to order on behalf of Judge Felts.

## 2. Past Minutes Approval

- a. Judge Smith motioned to approve the March 2019 minutes. Judge Mohler seconded. The Committee voted unanimously to approve the March 2019 minutes.

## 3. Discussion of Past Programs

### a. 2019 General Jurisdiction follow-up (January 28-31 & February 25-28)

- i. The Committee generally supported the idea of having at least two education tracks—one for individuals who have never been on the bench, and one for individuals who have, for example, served as a magistrate for more than two years before becoming a trial judge. Some topics would still have general applicability, including: How to Be a Good Trial Judge; sovereign citizens, self-represented litigants (SRLs), implicit bias, the Supreme Court's Response to Race, Equity, and Inclusion, media training, Trial Court Technology, Judges and Lawyers Assistance Program (JLAP), the judge as the employer, Administrative Rule 9 (AR9), civility and contempt, judicial/court security, the Code of Judicial Conduct, evidence, and bench skills.
- ii. The Committee discussed the possibility of offering the sessions of general applicability over four days (two days in each week, either December/January or January/February) and using the remaining four days to offer tracks based on experience level or jurisdiction (civil or criminal). Some general jurisdiction judicial officers may elect to attend all days of the program.
- iii. The Committee discussed which topics could be delivered in an electronic learning format. Preliminary suggestions included: media training, JLAP, the judge as the employer, AR9, the Code of Judicial Conduct, and/or SRLs. Faculty from these online sessions could still make a brief appearance at the in-person program to interact with judicial officers and take questions.

- iv. The Committee noted that while the team-building program “Building a Culture of Trust and Respect” was valuable, it might be more beneficial to place it later in the program.
- v. Vicki Davis noted that the Education staff will review these discussion points.

**b. Juvenile Jurisdiction Workshop (March 28-29)**

- i. Ashley Moise reviewed the feedback from the Juvenile Jurisdiction Workshop. Attendees appreciated having a variety of judicial experience in the room, although not everyone enjoyed the scenario-based, role-playing activities. The second day consisted of mostly lecture-based presentations which were overall very well-received.
- ii. The Committee agreed that it would be most beneficial to keep the Juvenile Jurisdiction Workshop as its own two-day program apart from General Jurisdiction Orientation. There is enough material pertaining to juvenile jurisdiction to warrant a separate program, and the 2019 program was generally well-received.

**c. 2019 Spring Judicial College (May 1-3)**

- i. Jill Acklin reviewed the feedback from Spring Judicial College 2019. The highest-rated sessions were “Poverty Simulation,” “Affronts to Authority, Attacks on Communities,” “Issues in Impaired Driving Case Adjudication Part 1,” and “Jury Trials: Batson Issues & Criminal Instructions.” The Committee discussed including the Poverty Simulation in new judge orientation.
- ii. Judge Dowling noted that the newer judicial faculty did a phenomenal job. Other aspects the Committee members enjoyed were the open mic time for “Search and Seizure;” the inclusion of more recent legislation sessions; and the technology session.
- iii. The Committee discussed the notion of the 3-hour session. Vicki Davis noted that the original intent of Spring Judicial College was to offer longer programs (3-6 hours) for a more detailed, deeper look at certain topics. Ms. Davis noted that it can be difficult to design 3-6-hour programs for the entire conference. The Committee discussed the idea of diversifying the session types for SJC—keeping some sessions longer (3-6 hours with a break in the middle) and designing other sessions to be 90 minutes in length. This can be further considered in the future.

**4. Recent Legislation Webinars (May 31 and June 17)**

- a. Ashley Moise reported that 28 individuals registered for the May 31<sup>st</sup> webinar covering criminal and traffic law, and 27 individuals registered for the June 17<sup>th</sup> webinar covering family, probate, and civil law. Ms. Moise noted that the webinars will be set up like last year: presenters will narrate a slideshow and there will be an opportunity for participants to submit questions.

**5. Update on 2019 Graduate Conclave (June 5-6)**

- a. Vicki Davis reported that 56 individuals registered for the 2019 Graduate Conclave. Ms. Davis noted that last week, a faculty member had to cancel due to an impending Supreme Court case. The faculty spot will be filled by Jeannine Bell from IU Maurer School of Law. Ms. Bell will be speaking on the topics of hate crimes and policing.

## **6. Juvenile Judge Annual Meeting (June 20-21)**

- a. Ashley Moise noted that this conference will include recent legislation and case law updates and will be a day-and-a-half in length. Ms. Moise reported that 76 individuals have registered and that there will be another reminder in an upcoming Weekly Bulletin. Vicki Davis noted that there are normally 120-130 attendees for this conference.

## **7. 2019 Annual Meeting (September 18-20)**

- a. Jill Acklin reported Justice Massa's preference to remove the criminal jury instructions session since the content was covered at Spring Judicial College.
- b. The Education staff provided three options to explore for the Color Guard portion of the Opening Session: the Hoosier Youth Academy, the Indiana National Guard, or the Indiana Department of Correction. The Committee selected the Indiana National Guard.
- c. The Education staff requested volunteers to lead the post film-viewing discussion tables. Judges Bowers, Dowling, and Kramer volunteered. Additional volunteers will be solicited as the conference approaches.
- d. Vicki Davis reported that the Board of Directors recently approved the statewide language access plan. A short announcement about this and how to develop a county language access plan was requested for the Annual Meeting. Vicki Davis will discuss this with Justice Massa. The proposed timeframe for this is the beginning of lunch on Thursday.
- e. Judge Dowling reported that the rule change concerning self-represented litigants was approved by the Supreme Court. Judge Dowling suggested that the now-vacant slot for the Wednesday breakouts be filled by a session about self-represented litigants and the recent rule change. Ashley Moise will work to develop this session with Judge Dowling.
- f. The Committee discussed having either a technology repeat session or an Indiana 211 session on Thursday afternoon. The Committee noted that Indiana 211 would be better suited to probation officers than judicial officers. The Committee would like to have the Indiana 211 information provided as a handout in the conference materials, and perhaps made into a bench card. Judge Smith suggested incorporating a short explanation of Indiana 211 into the Sequential Intercept Model (SIM) session.

## **8. Other**

### **a. Update on Status of Master's Projects**

- i. Candidates continue to work on their projects. No new updates.

### **b. Discussion: OWI program**

- i. Vicki Davis asked if this program should be one or two days. Senior Judge Penrod remarked that it could be two days, but one full day would probably be more worthwhile and impactful for attendees. The program would be similar to the one delivered at Spring Judicial College 2019. Vicki Davis will look at budgeting for hotel rooms the night after the program. The Indiana Criminal Justice Institute (ICJI) could possibly cover the night before the program.
- ii. Senior Judge Penrod believes the program might draw approximately 60-80 attendees. The ICJI has certain funding restrictions based on National Highway Traffic Safety Administration (NHTSA) funding. Vicki Davis will see if IOCS could provide food and beverage service.

iii. Once Senior Judge Penrod can confirm funding and dates from ICJI, program development can move forward. The National Judicial College (NJC), the National Center for State Courts (NCSC), and the National Association of Drug Court Professionals (NADCP) can potentially supplement the funding and/or cover their own faculty expenses. It will just be a matter of coordination. Senior Judge Penrod will keep the Committee updated on this program's development.

**c. Discussion: Project Echo Sessions for Judges**

i. Vicki Davis explained that Project Echo leverages video teleconferencing to bring a series of webinars/trainings to a finite group of learners. This platform and methodology is often used in the medical field. The Regional Judicial Opioid Initiative Task Force asked if the Education Division would like to use Project Echo for some judicial education on opioid and other substance abuse disorders. Ms. Davis asked the Committee for their training topics of interest. Judge Bowers suggested training on medically-assisted addiction treatment and individuals with a dual diagnosis. Judge Mohler suggested training on treatment options for methamphetamine abuse since there are not many treatment centers for this, especially in rural counties. The Committee will send Vicki Davis any additional training ideas as they arise.

**d. Conferee Feedback About Sessions**

i. Jill Acklin reported that some conferees have expressed a desire for immediate availability of evaluation forms for educational sessions rather than having one long evaluation form for all sessions near the end of the educational event. Conferees have also expressed a desire for anonymous evaluation. Currently, evaluation and CLE/CJE reporting are captured with the same form. The Committee discussed keeping the current system in place (combining CLE/CJE with evaluation) and providing a separate "comment box" for handwritten feedback at conferences. Judge Smith suggested adding a check box on the electronic form for faculty so they could be exempt from evaluating their own session(s). The Education staff is exploring the technological capabilities of the current survey platform to see if surveys could be made anonymous. A report will be made at the next Committee meeting.

**9. Other Business**

a. None

**10. 2019 Education Committee Dates:**

July 26, 2019, at 1:00 pm in room 1648

October 25, 2019, 1:00 pm in room 1648

Respectfully Submitted,

Paige Newland

# Judicial Education Committee Meeting

Friday, July 26, 2019, at 1:00 pm  
251 North Illinois Street, Room 1648  
Indianapolis IN 46204

---

## Committee Members Present:

Mag. Amy Barbar (via phone); Hon. Kelly S. Benjamin, Chair; Hon. Stephen R. Bowers; Hon. Marla Clark (via phone); Hon. Mark S. Massa; Mag. Andre Gammage (via phone); Hon. Michael J. Kramer; Hon. Bradley K. Mohler; Hon. Mark A. Smith; Hon. Charles K. Todd, Jr. (via phone); and Hon. Joseph P. Weber (via phone)

---

## Staff Members Present: Vicki Davis; Kristyn Hill; Ashley Moise; and Paige Newland

---

### 1. Call to Order & Welcome

- a. Judge Benjamin called the meeting to order and introduced the meeting's attendees.

### 2. May 2019 Minutes

- a. Judge Bowers motioned to approve the May 2019 Minutes. The motion was seconded by Judge Kramer. The Committee voted unanimously to approve the minutes.

### 3. Discussion of Past Programs

#### a. Recent Legislation Webinars (May 31 and June 17)

- a. Ashley Moise reported that approximately 50 individuals called in to each webinar which increased from was last year. Thirty-eight (38) individuals evaluated the first webinar on criminal and traffic law and 41 individuals evaluated the second webinar on family, probate, and civil law. Both webinars are available for on-demand replay on the Indiana Courts Education Network. Ms. Moise noted that IOCS has received positive feedback from some who were unable to call into the live webinars but appreciated their playback capability. This sentiment was echoed by the judges on the Committee.
- b. Ms. Moise noted that one evaluator expressed concern about the webinars not having adequate adaptive services. Ms. Moise explained that remedying this issue will be prioritized for next year's webinars.

#### b. Graduate Conclave (June 5-6)

- a. Vicki Davis reported that 57 individuals registered for the conference. Ms. Davis noted that the program was well-received and that attendees appreciated the opportunity to confer with one another about the future of the Indiana judiciary, increasing access to justice through personnel, language, technology, etc., and other topics of interest. Some wished for more unstructured time built into future iterations of the conclave.
- b. Ms. Davis will review the evaluations more closely to determine potential future judicial education topics.

#### c. Juvenile Judge Annual Meeting (June 20-21)

- a. Kristyn Hill reported that 118 individuals registered for the Juvenile Judge Annual Meeting. The two highest-reviewed sessions were Recent Legislation and Case Law sessions on CHINS and delinquency.
- b. Committee members who attended the conference appreciated the location and venue in Muncie. Bloomington was also suggested as a potential future location for this meeting.

**d. Clerk & Court Employee (July 9)**

- a. Kristyn Hill reported that 391 individuals registered which was very near the record for this conference. The Education Division is currently analyzing evaluations. Preliminary review indicates that feedback was generally positive, and the conference sessions were well-received. Ms. Hill also noted that the ethics session on Legal Information versus Legal Advice was video-recorded and that the Education Division is experimenting with building an online module using the recorded material.
- b. Committee members who sent employees to the conference reported that overall, their employees appreciated the sessions and resources provided. However, some court staff would have liked an additional block of breakout sessions. Vicki Davis explained that historically, attendees of this conference start to leave around 2:30. In this case, with the added plenary in the morning, there was only time for two blocks of sessions.
- c. Judge Smith appreciated the fact that he was able to sit through the technology update session at Spring Judicial College and alert his staff to the upcoming changes. This prompted interest amongst his staff to attend the same session for court personnel and thereby become aware of the changes themselves.

**4. Court Security Conference (August 22)**

- a. Paige Newland reported that registration is limited to 80 and that currently, 62 individuals have registered for this conference. The conference will be held at the Indiana Government Center South. The audience is expected to comprise mainly bailiffs and court security directors with a few additional court personnel and judges. The morning session will be led by the new Chief Deputy U.S. Marshal of the Southern District of Indiana who will be giving an overview of judicial security and best practices from his perspective in federal judicial security. The afternoon session will be led by a representative from the Marion County Sheriff's Department who will talk about communicating with people in crisis and de-escalation techniques.
- b. Judge Todd appreciated the ability of the Wayne County building and grounds staff to attend this conference.
- c. Magistrate Gammage explained that the Sheriff's Department can request the U.S. Marshals to complete a security assessment of the county courthouse. Mag. Gammage noted that this was done in St. Joseph County and led to an additional funding request to the county council for enhanced court security.
- d. The Committee discussed the possibility of an educational session covering court security best practices, possible federal funding sources, and other potential resources (for example, airport surplus sales on security equipment). This type of session could be explored for Spring Judicial College 2020.
- e. The Committee also discussed expanding these topics into an even larger event, such as Winter Workshop, and opening the event to other relevant stakeholders such as county commissioners/council who control county funding, and law enforcement.
- f. The Committee discussed the fact that the previous Court Security Director for IOCS would come and provide security assessments. Vicki Davis noted that after this position was vacated, it was not backfilled.
- g. Justice Massa noted that court security is a very important issue the Supreme Court is aware of and desires to prioritize. The committee generally commented that court security is an

area ripe for legislative action to increase state funding and is an issue the Judges Association/Judicial Conference should investigate.

**5. 2019 Annual Meeting (September 18-20)**

- a. Ashley Moise reported that 265 individuals have registered so far. Ms. Moise reminded the Committee that additional volunteers are needed to lead the discussion tables following the viewing of "The Work." Judge Mohler and Judge Benjamin volunteered. Presently, 54 individuals are registered, so there should ideally be seven or eight discussion table leaders total. Including Judge Mohler and Judge Benjamin, there are currently five leaders. Ms. Moise will likely request additional volunteers from the Committee soon.
- b. Ms. Moise reported that for the other after-hours session, "Hiding in Plain Sight," there are currently 95 individuals registered.
- c. Vicki Davis reminded the Committee to make their hotel reservations soon if they had not already.

**6. Pretrial Summit (October 4)**

- a. Vicki Davis reported that 74 counties have registered teams to attend the Pretrial Summit. Reminders to submit teams have been sent to the remaining 18 counties. Ms. Davis noted that the response rate improved from last year's Opioid Summit.
- b. Registration for this event will open the week of August 12.
- c. Ms. Davis also reviewed the draft agenda and proposed session topics.
- d. Ms. Davis explained that counties were originally asked to create a team of eight individuals. Counties are not limited to eight, so if some counties wanted to send additional individuals, they could likely be accommodated until space runs out.

**7. Senior Judge Workshop (Nov 7-8)**

- a. Ashley Moise reviewed the Senior Judge Workshop agenda. Several of the law update sessions from the September Annual Meeting will be offered. This is typically done so that the Senior Judges can attend other sessions at the Annual Meeting.
- b. Other topics likely to be included are court technology and civility in the workplace.

**8. Domestic Relations (Nov 15)**

- a. Ashley Moise reviewed the draft agenda. The morning will focus on child support changes and include some interactive components. The afternoon will address income shares and the Affordable Care Act, recent legislation, the child support calculator, and the parenting time calculator.

**9. Winter Workshop (Dec 13)**

- a. Ashley Moise explained that this year's theme is "globalization." Ms. Moise reviewed the draft agenda: topics tentatively include labor trafficking, U-Visas and T-Visas, understanding migration patterns, immigration law, and cultural competence.
- b. Vicki Davis noted that given the venue space, attendance will need to be capped at approximately 230. Normal attendance for the Winter Workshop is about 200 or under.

**10. Spring Judicial College (March 31-April 2, 2020)**

- a. Vicki Davis explained that two half-day programs are tentatively scheduled already: "Traumatic Brain Injury in the Courtroom" and "Developing a Language Access Plan." Ms.

Davis reviewed the education topic ideas she has already received and asked the Committee for additional ideas.

- b. Suggestions included: Court Security (see agenda item 4.d.); general trauma and its effect on children/child witnesses/remote testimony/ACES study (suggested faculty is a representative from Riley Children's Hospital); eye witness account reliability/false confessions/bias/wrongful convictions (partially done in 2016); substance use and opioids; Public Defender's Council/Task Force's report on defendants' rights; condemnation cases and their domain; collateral consequences of a criminal conviction; TROs and preliminary injunctions specifically in the context of restrictive covenant violations and non-compete agreements (had a similar session at Spring Judicial College 2019); the Holocaust Session from Graduate Conclave 2019; law and literature; PCR Update (last done several years ago at Spring Judicial College); search and seizure/evidence/Fourth and Fifth Amendment issues/case law on evolving technology (cell phones, etc.) as a form of evidence; and Bench Skills or something similarly hands-on.
- c. Vicki Davis will follow up with Senior Judge Earl Penrod about the status of the DWI/Impaired Driving Program. Perhaps this program should be part of Spring Judicial College for 2020 rather than a separate program.
- d. Judge Benjamin asked Committee members to request additional ideas from their colleagues.

#### **11. Location of 2021 Annual Meeting**

- a. Since the 2020 conference will be held in northern Indiana and reserving space in Indianapolis is becoming increasingly difficult, the 2021 conference will be held in southern Indiana. The Committee decided to hold the 2021 Annual Meeting in French Lick. Evansville and Merrillville/Lake County will be investigated as future options, as well.
- b. For conference locations at either end of the state, the Committee discussed the possibility of increasing the conference budget to cover an extra night for judges traveling from the opposite end of the state.

#### **12. Other**

##### **a. Status of Master's Projects**

- a. Magistrate Gaither requested input from the Committee on his Dual Status project in Marion Superior Court. Vicki Davis will reach out to Senior Judge Earl Penrod to see if he is available to assist Mag. Gaither. Judge Bowers also recommended Magistrate Domine to assist if needed.
- b. Due to a heavy workload, Judge Worton anticipates having something ready for the Committee's review later this fall for his project related to the First Amendment and social media issues.
- c. The subcommittee overseeing Judge Spahr's project about the history of the Miami County court system will provide an update at the next committee meeting.

##### **b. Request from Law-Trained Court Administrator**

- a. Vicki Davis informed the Committee of a request submitted by a court administrator: Are law-trained court administrators in counties with populations of 100,000 or more eligible to attend the judicial conferences, particularly the Annual Meeting?
- b. The Committee discussed prior practice and current request. There are currently 17 known court administrators that fit these criteria, although there could be more. The Committee expressed doubt as to whether the judicial education sessions would be of widespread interest to court administrators. Ms. Davis also noted that even if court administrators were to pay their own hotel overnight expenses, the conference budget

would still be impacted since expenses are not currently covered for commissioners and referees. We have judicial officers not currently eligible to attend the Annual Meeting, like part-time commissioners/referees and city/town court judges, so opening the conference to a non-judicial population does not altogether make sense.

- c. Given all these factors, the Committee opined that the Annual Meeting should not be reopened to court administrators. Therefore, this issue will not be brought before the Board of Directors for consideration. However, the Committee is interested in exploring the demographic landscape of court administrators across the state and soliciting educational needs and desires.
- d. The Committee also discussed the possibility of court administrators having their own conference in the future, or perhaps regional trainings, and/or inviting this population to attend judicial webinars. In the past, IOCS has hosted court administrator roundtable events. There is some internal interest to reinstitute these.

**13. 2019 Education Committee Dates:**

- a. October 25, 2019, 1:00 pm in room 1648
- b. 2020 dates are forthcoming.

Respectfully Submitted,

Paige Newland

## Judicial Education Committee Meeting

Friday, October 25th, 2019 at 1:00 pm

251 North Illinois Street, Room 1648

Indianapolis IN 46204

---

### Committee Members Present:

Mag. Amy Barbar (via phone); Hon. Kelly S. Benjamin, Chair; Hon. Stephen R. Bowers; Hon. Marla Clark (via phone); Mag. Brian D. Cook (via phone); Hon. Kurt Eisgruber (via phone); Mag. Julie F. Flanigan (via phone); Mag. Andre Gammage (via phone); Hon. Michael J. Kramer (via phone); Hon. Bradley K. Mohler (via phone); Hon. Timothy W. Oakes; Hon. Mark A. Smith (via phone); Hon. Charles K. Todd, Jr. (via phone)

**Staff Members Present:** Vicki Davis; Kristyn Hill; Ashley Moise; Paige Newland; Ruth Reichard; Hon. Earl G. Penrod

---

### 1. Call to Order & Welcome

- a. Judge Benjamin called the meeting to order.

### 2. July 2019 Minutes

- a. Judge Bowers motioned to approve the July 2019 Minutes. The motion was seconded by Judge Smith. The Committee voted unanimously to approve the minutes.

### 3. Discussion of Past Programs

#### a. 2019 Court Security Conference (August 22)

- i. Kristyn Hill reported that the Court Security Conference offered 3.3 education hours between two programs: judicial security led by the US Marshals Service, and Communicating in Crisis Situations, led by the Marion County Sheriff's Department. There were 69 individuals in attendance. Reviews were overall positive for both sessions.
- ii. Committee members whose staff attended this conference reported that it was appreciated.

#### b. 2019 Annual Meeting (September 18-20)

- i. Ashley Moise reported that the highest-reviewed sessions were law and history-related: Judge Boklund's after-hours session had wonderful reviews, as did Justice Massa's session on Justice Robert Jackson.
- ii. The film viewing and follow-up discussion for "The Work" was successful; approximately 60 people came to the film and 15 participated in the discussion. The Education Division is thankful to Judge Dowling for this idea and to all the discussion leaders for their involvement. Based on the turnout and positive feedback from participants, the Education Division recommends repeating this type of event in the future and looks forward to receiving more film recommendations.
- iii. The Education staff noticed a higher-than-expected rate of attrition for some sessions, showing the need to be more intentional in assigning session locations, timeframes, and anticipating attendance numbers. Usually, four out of five concurrent sessions are well-attended at any given time as a matter of course. One such course, "Thinking Outside the Box with Your Budget," was suggested for the next general jurisdiction orientation to benefit newer judicial officers.
- iv. Overall, there were minimal technology-related issues, sufficient staffing, and well-received programming, which is an encouragement to the Committee and Education Division.

#### c. 2019 City & Town (October 3-4)

- i. Kristyn Hill reported that the City and Town Court Annual Meeting had 49 attendees and offered 11.75 hours of CLE/CJE, with 1.5 Ethics hours. The highest-reviewed session was the Civilian Response to Active Shooter Events (CRASE) with the Indianapolis Metropolitan Police Department (IMPD).
- ii. Vicki Davis reported that one new municipal court would be created in 2020 for a total of 60 courts.

#### d. Pretrial Summit (October 4)

- i. Vicki Davis reported that 91 counties had representation at this team-based program for a total of 721 attendees. There was a plenary and two sets of seven concurrent sessions. Overall, reviews were positive, although it was apparent that the audience had differing levels of experience with pretrial release practices. Some more experienced counties would have enjoyed a deeper dive into certain concepts and practices. The Committee discussed the challenges of organizing a program to fully meet the needs and expectations of such a wide range of professionals (judicial officers, attorneys, non-attorney staff). However, it was still beneficial to unite multiple disciplines under the banner of pretrial release.

- ii. The Committee discussed the lunchtime team discussion. While considered somewhat productive, it was ultimately agreed upon that lunchtime programming is not encouraged to continue. It was difficult to stay on track and hear everyone at the table with so much background noise. Perhaps future lunchtime events could be relegated to 15 minutes or so.

**e. 2019 Senior Judge Workshop (Nov 7-8)**

- i. Ashley Moise reported that 28 people were registered for the Senior Judge Workshop thus far.
- ii. Vicki Davis noted that there are approximately 100 senior judges, roughly half of which attend the Annual Meeting. The Senior Judge Workshop offers similar content to Senior Judges who were unable to attend the Annual Meeting. The Education Division has also worked with Trial Court Technology to conduct Odyssey trainings.
- iii. The Committee discussed the possibility of establishing a liaison to the Senior Judge Committee to get a more holistic picture of senior judge educational needs. Judge Stephen Heimann was proposed as a contact – Judge Todd will reach out to Judge Heimann and Vicki to establish a communication link.

**f. 2019 Domestic Relations (Nov 15)**

- i. Ashley Moise reviewed the agenda topics, which included New Child Support Changes, Income Shares, Recent Legislation, Online Child Support Calculator and Electronic Parenting Time Calculator, and IV-D matters.
- ii. Vicki Davis noted that this conference usually draws roughly 60 people; this year, it will be quite full with 75 registered at this time.

**g. 2019 Winter Workshop (Dec 13)**

- i. Ashley Moise reported that this year's theme is Globalization – how the global impacts the local. Agenda topics include: Labor Trafficking, Immigration 101, U-Visas/T-Visas/SJS, Language Access Planning, and Cultural Competence.
- ii. The conference can accommodate 200 attendees. Registration opened two days ago on October 23 and there are 58 registered so far.

**h. Potential Program on Cross-Cultural Issues (Jan 2020)**

- i. Vicki Davis reported that a contact of Justice Slaughter offered a training session for the Indiana judiciary in January led by former diplomat, Jeremy Williams, who will be in town to train IU students prior to a study abroad event. If desired, this could be a follow up to the December conference theme of globalization. The style of the program (lecture, Q&A, etc.) could be adapted to suit the audience.
- ii. The Committee agreed that this was a great opportunity but expressed concern that the timeframe of the program and the short notice to develop it would result in poor attendance. As such, the Committee respectfully declines at this time.

**i. 2020 Spring Judicial College (March 31-April 2)**

- i. Kristyn Hill reported that so far, planned topics included traumatic brain injury in the courtroom, language access planning, judicial wellness (Judges and Lawyers Assistance Program), and emergency preparedness.
- ii. The Committee noted that emergency preparedness practices varied greatly across the state, with some counties possessing more resources and personnel than others to manage this.
- iii. The Committee decided to include an OWI program within the Spring Judicial College rather than scheduling a separate program.
- iv. Other topics suggested were search and seizure issues, best practices for small claims, PCR, advanced criminal law, self-represented litigants, disruptive litigants, protective order e-filing, restorative justice, and opioid issues.
- v. Recent reviews from a variety of conferences have indicated a desire for more practical takeaways – something to consider in developing sessions moving forward.

**4. Discussion of 2020 Annual Meeting-keynote speakers and plenary session topics (September 15-17)**

- a. The Committee discussed the topics of civility and sexual harassment and ways to make them more palatable. For example, providing a historical background to show how much progress has been made, and then exploring the need to work together in order to continue advancing rather than regressing, could be beneficial.
- b. Another suggestion was Luis Benitez, a master mountaineer who spoke about leadership, teamwork, and lessons learned in his career at the National Association for State Judicial Educators annual conference.

**5. Status of Master's Projects**

- a. Ashley Moise reported that Judge Worton provided an outline of his project timeline via Judge Smith. A rough draft of Judge Worton's project is anticipated by November 30.

- b. Vicki Davis will follow up with Senior Judge Penrod to address Mag. Gaither's request for assistance regarding his project on dual status youth.

**6. 2020 Education Committee Dates**

- a. January 10, 2020
- b. March 6, 2020
- c. May 15, 2020
- d. July 17, 2020
- e. October 16, 2020

- 7. Institute for Court Management:** Vicki Davis noted that the Institute for Court Management with the National Center for State Courts (NCSC) has some programming resources for court administrators. Perhaps the Indiana Supreme Court could use some of the funds held with NCSC to provide some scholarships, via NCSC, to court administrators in the state who would be interested in attending one of the available programs. The Committee supports this idea.

**8. Adjournment**

- a. Judge Benjamin called for a motion to adjourn. Judge Todd motioned, seconded by Judge Bowers. The meeting is adjourned.