The Justices of the Indiana Supreme Court during Justice Goff’s investiture ceremony in September 2017.
On behalf of my Supreme Court colleagues and our staff, I am pleased to present our 2017-2018 annual report. It provides detailed information about the work of the Court and our agencies. Thanks to the dedication of our staff, judicial officers across the state, and partners in all branches of government, we celebrate a year of success and look toward a hope-filled future.

The fiscal year began with the commemoration of 20 years of the Indiana Conference for Legal Education Opportunity, bringing diversity to the legal profession. In July, Wabash County Judge Christopher Goff joined the Court as the 110th Justice. We closed the 2017 calendar year with 23 counties participating in National Adoption Day, where 220 children joined forever families.

2018 began with a renewed focus on how Indiana could lead the way to combat the opioid epidemic, including hosting the National Judicial Opioid Task Force. Throughout the year, over 400 new lawyers were admitted to the bar. The Court brought oral arguments to nearly 1,100 students in Vanderburgh and Owen counties. By the end of the fiscal year, implementation of electronic filing included 83 counties taking part, filing more than six million documents.

Thank you for supporting the Indiana judiciary. It is an honor to serve with my judicial colleagues and our many allies in justice. The pages that follow showcase the successes of our numerous Court programs, as well as our continued diligence to meet the challenges ahead.

Loretta H. Rush
Chief Justice of Indiana
Members of the Indiana Supreme Court, Court of Appeals, and Tax Court sit among federal judges at the bar admission ceremony in May 2018 at the Indiana Roof Ballroom.
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8   Justices
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Current and former Supreme Court Justices pose for a photo in the Supreme Court Law Library prior to Justice Goff's investiture ceremony in September 2017.
July 20 The Indiana Conference for Legal Education Opportunity celebrated its 20th anniversary with a program in the Supreme Court Courtroom.

July 25 The Coalition for Court Access provided guidance to attorneys on reporting pro bono hours and financial contributions. Data was gathered during annual attorney registration on the Indiana Courts Portal for the second consecutive year.

July 31 The Court amended its rules to require that lawyers and judges must understand the benefits and risks of relevant technology to be competent in the performance of their duties.

August 29 The courts.in.gov website was updated to reflect the changing structure of the Court’s administrative offices and to improve the overall function of the site.

September 1 📚 The ceremonial swearing-in for Justice Christopher Goff took place in the Supreme Court Courtroom and featured remarks from friends and colleagues. A private oath of office was previously administered on July 24 to allow him to begin deciding cases and handling administrative matters.

September 9 📚 The Indiana Office of Guardian Ad Litem/Court Appointed Special Advocates (GAL/CASA) hosted its 21st annual conference with 20 speakers and over 700 volunteers in French Lick.

September 13-15 At the annual Indiana Judicial Conference, 49 judges were recognized as graduates of the Indiana Judicial College for completing 120 hours of continuing education, and 9 judges were recognized for serving 24 years on the bench.
September 17 In celebration of Constitution Day, more than 40 judges and attorneys visited over 4,000 students across the state.

September 21 Chief Justice Loretta Rush was named co-chair of the National Judicial Opioid Task Force, which is charged with addressing the epidemic’s impact on the justice system. State court leaders from across the country met on June 4-5 in Indianapolis to find solutions and make recommendations.

October 16 🗓 306 new lawyers were sworn in after successfully completing the July 2017 bar exam; another 104 would pass the February 2018 bar exam and be admitted in May.

October 19 The Commission on Continuing Legal Education (CLE) commemorated 30 years of mandatory CLE by hosting a half-day symposium on the structure of education meeting the needs of a modern law practice.

October 30 The Supreme Court held an oral argument at the University of Southern Indiana’s Carter Hall with nearly 600 guests.

November 11 🗓 Justice Steven David was recognized as part of the Indiana State Museum’s “Heroes from the Heartland” exhibit. In celebration of Veterans Day, the exhibit honored the military contributions of Hoosiers.

November 16 In celebration of National Adoption Day, an online gallery was published featuring select photos from the 27 participating counties. Through a Supreme Court order, families and press were allowed the rare opportunity to photograph and videotape the adoption proceedings.
November 29 📢 The Marion County Judicial Selection Committee, chaired by Justice Mark Massa, met for the first time. During the fiscal year, the 14-member committee would retain 17 judges and submit 9 names to the governor for appointment to 3 judicial positions.

December 1 More than 200 judicial officers attended the Winter Workshop, "Understanding Race: Beyond Black & White," to discuss the power of the legal system to combat racism.

December 11 The Court’s Office of Judicial Administration completed its move to Capital Center North. The new building brings administrative offices closer to the State House with significant savings to taxpayers.

December 11 To celebrate Statehood Day, the Supreme Court justices spoke to over 1,000 students in the State House and various locations around Indianapolis.

December 11 Justice Geoffrey Slaughter, Justice Christopher Goff, and Chief Justice Loretta Rush spoke at the Indiana Bar Foundation’s “We the People” state finals in Indianapolis. The competition aims to educate students on the Constitution and to promote civic responsibility.

January 10 📢 Chief Justice Rush delivered her fourth State of the Judiciary address focusing on the Court’s administrative reorganization, technological improvements, and enhanced training.

February 16 The Advisory Task Force on Remote Access to and Privacy of Electronic Court Records recommended extending access to Mental Health and Adoption cases for attorneys of record.
February 21 Trial Court Technology developed a new online Parenting Time Calendar tool for parents, attorneys, and courts to create a visual calendar based on the Indiana Parenting Time Guidelines for children over 3 years of age.

February 22 🗓 Retiring Indiana Office of Court Services Executive Director Jane Seigel was honored by a concurrent resolution and standing ovation from the Indiana General Assembly in recognition of her nearly 20 years of service to the Court.

February 26 The Commercial Court Pilot Project, which is designed to make complex business litigation more efficient, submitted a mid-pilot progress report to the Court highlighting 215 cases filed and 85 cases closed.

March 22 The Judicial Branch joined the Executive and Legislative branches in strengthening sexual harassment policies and procedures. The Court is committed to a workplace where everyone is treated with fairness, respect, and dignity.

April 3 Governor Holcomb signed a bill into law officially recognizing the administrative reorganization of the Judicial Branch with the restructuring of the Office of Judicial Administration.

April 9 For the first time, the Disciplinary Commission began taking an advisory role for attorneys by creating formal written advisory opinions as well as providing informal individual guidance.

April 20 🗓 The Court visited Owen Valley High School to hear oral argument, marking the first time an appellate court had visited Owen County. Over 550 students, public officials, local attorneys, judges, and media attended.
April 30 The Judicial Nominating Commission began public interviews of 12 applicants for the Court of Appeals third district vacancy created by the retirement of Judge Michael Barnes. 6 finalists were interviewed in May, after which 3 nominees were sent to the Governor.

May 1 In celebration of Law Day, 3 Indiana students placed in the National Center for State Courts’ (NCSC) civics education writing contest, in which students reflected on why the founding fathers created 3 branches of government.

May 2 The NCSC’s Pretrial Justice Reform Summit came to Indianapolis to discuss the challenges facing the pretrial system and strategies to make reforms. All 5 justices participated in the 3-day summit by delivering remarks and participating in panel discussions.

May 21 Trial Court Technology completed deployment of Odyssey in Lake County. With this addition, 62 counties use the Odyssey case management system and nearly 80% of the state’s new cases are filed in Odyssey.

June 29 Ripley Circuit & Superior Courts begin voluntary e-filing, bringing the total number of counties to 83, with more than 6 million documents filed electronically during the fiscal year.

June 30 The Supreme Court closed the fiscal year having heard 56 oral arguments, written 71 majority opinions, and disposed of 851 cases.
Clockwise from top left: Chief Justice Loretta Rush makes remarks as leaders from the executive, legislative, and judicial branches announce new harassment training policies in March 2018; Justice Steven David presents a Supreme Court Challenge Coin to retired Court of Appeals Judge Michael Barnes in June 2018; Justice Mark Massa participates in Statehood Day activities at the Indiana State Library in December 2017; Justice Christopher Goff stands with participants of the "We the People" competition in December 2017; Justice Geoffrey Slaughter speaks to students in the Supreme Court Courtroom as part of Statehood Day in December 2017; Marion County Small Claims Court Judge John Kitley participates in Constitution Day in September 2017; Judge Charles Pratt with a family following adoption proceedings in Allen County in November 2017.
The opioid epidemic is a devastating public health crisis that critically affects the administration of justice nationwide. State courts handle 95% of all litigation in the country and are positioned to play a crucial role in combatting the opioid epidemic.

Court leaders from around the country formed the National Judicial Opioid Task Force to find solutions, examine efforts, and make recommendations. Indiana Chief Justice Loretta Rush was selected to co-chair the Task Force with Tennessee State Court Administrator Deborah Taylor Tate.

In June 2018, for the first time, all 29 members of the Task Force convened in Indianapolis at a two-day meeting to address goals for helping affected individuals, families, and communities. The meeting culminated with three workgroups (Children and Families, Civil and Criminal Justice, and Collaboration and Education) offering suggestions on how courts can play an active role in providing solutions to the epidemic.

- **42,249** deaths nationally due to opioid use in 2016
- **11.5 million** people misused RX opioids in 2016
- **757** opioid deaths in Indiana in 2016
- **160%** increase in Indiana opioid deaths since 2008
The five Justices of the Indiana Supreme Court meet nearly every week to discuss cases and administrative matters. In addition, each Justice spends significant time reading briefs, hearing oral arguments, and writing opinions.

CHIEF JUSTICE
LORETTA RUSH

BORN 1958 in Scranton, PA
HOMETOWN Childhood in Pennsylvania; attended high school in Richmond (Wayne County); 15 years in private practice and 14 years as a trial court judge in Lafayette (Tippecanoe County)
EDUCATION Purdue University; Indiana University Maurer School of Law
APPOINTED 2014 as Chief Justice; 2012 by Governor Mitch Daniels, Jr.

JUSTICE
STEVEN DAVID

BORN 1957 in Fort Wayne, IN (Allen County)
HOMETOWN Childhood and private practice in Columbus (Bartholomew County); 6 years in corporate practice and 16 years as a trial court judge (Boone County)
EDUCATION & MILITARY SERVICE Murray State University; Indiana University McKinney School of Law; 28 years of Military Service (RET COL U.S. Army)
APPOINTED 2010 by Governor Mitch Daniels, Jr.

JUSTICE
MARK MASSA

BORN 1961 in Milwaukee, WI
HOMETOWN Childhood in Milwaukee area; newspaper reporter in Evansville (Vanderburgh County); 20-year legal career in government and private practice; state and federal prosecutor and General Counsel to Governor Mitch Daniels, Jr. (Marion County)
EDUCATION Indiana University; Indiana University McKinney School of Law
APPOINTED 2012 by Governor Mitch Daniels, Jr.
JUSTICE

GEOFFREY SLAUGHTER

BORN 1962 in Gary, IN (Lake County)

HOMETOWN Childhood in Crown Point (Lake County); 4 years in Chicago private practice; 15 years as a partner at Indianapolis law firm (Marion County)

EDUCATION Indiana University; Indiana University Kelley School of Business; Indiana University Maurer School of Law

APPOINTED 2016 by Governor Mike Pence

JUSTICE

CHRISTOPHER GOFF

BORN 1972 in Wabash, IN (Wabash County)

HOMETOWN Childhood in Wabash (Wabash County); 8 years at Huntington law firm (Huntington County); 12 years as a trial court judge (Wabash County)

EDUCATION Ball State University; Indiana University Maurer School of Law

APPOINTED 2017 by Governor Eric Holcomb
Most cases in Indiana are decided by trial courts. Less than 1% of the cases in the state are appealed to the Supreme Court. During the fiscal year, the Court was asked to decide 845 cases.
## Case Inventory

An accounting of the number of cases pending at the beginning and end of the fiscal year by case types.

<table>
<thead>
<tr>
<th>Case Type</th>
<th>Cases Pending JUL 1, 2017</th>
<th>Cases Received JUL 1, 2017 - JUN 30, 2018</th>
<th>Cases Disposed JUL 1, 2017 - JUN 30, 2018</th>
<th>Cases Pending JUN 30, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal*</td>
<td>35 (85)</td>
<td>432</td>
<td>430</td>
<td>37</td>
</tr>
<tr>
<td>Civil*</td>
<td>32 (76)</td>
<td>273</td>
<td>266</td>
<td>39</td>
</tr>
<tr>
<td>Tax*</td>
<td>1 (2)</td>
<td>7</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>Original Actions</td>
<td>1</td>
<td>29</td>
<td>30</td>
<td>-</td>
</tr>
<tr>
<td>Board of Law Examiners</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>Mandate of Funds**</td>
<td>2</td>
<td>-</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Attorney Discipline</td>
<td>60</td>
<td>96</td>
<td>111</td>
<td>45</td>
</tr>
<tr>
<td>Judicial Discipline***</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Certified Questions</td>
<td>-</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Other†</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>133</strong></td>
<td><strong>845</strong></td>
<td><strong>851</strong></td>
<td><strong>127</strong></td>
</tr>
</tbody>
</table>

1. Petition for appointment of Judge Pro Tempore
2. Previous fiscal years’ “pending” figures in these categories (indicated in parentheses) reported all open cases in which a petition to transfer or petition for review had been filed. In this and future years, only fully-briefed cases the Clerk has transmitted on transfer (or review) will be reported as “pending.”
3. The 2017 report showed 2 cases received and 0 disposed, with 2 pending at year end. The correct figures are 3 received, 1 disposed, and 2 pending.
4. The 2017 report showed 4 cases received and 4 disposed, with 0 pending at year end. The correct figures are 4 received, 3 disposed, and 1 pending.
### Cases Received
All cases received by the Supreme Court during the fiscal year, organized by case type.

#### Received in Detail

<table>
<thead>
<tr>
<th>Case Type</th>
<th>Subtype</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Criminal Cases</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Petitions for rehearing</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Direct appeals, life without parole</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Post-conviction appeals, death penalty</td>
<td>(including successive requests)</td>
<td>4</td>
</tr>
<tr>
<td>Post-conviction appeals, non-capital</td>
<td>(including successive requests)</td>
<td>72</td>
</tr>
<tr>
<td>All other criminal</td>
<td></td>
<td>352</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>432</td>
</tr>
</tbody>
</table>

| **Civil Cases**                  |                                              |          |
| Petitions for rehearing          |                                              | 2        |
| All other civil                  |                                              | 271      |
| **Total**                        |                                              | 273      |

| **Tax Cases**                    |                                              |          |
| Tax Court petitions for review   |                                              | 7        |
| **Total**                        |                                              | 7        |

| **Attorney Discipline Matters**  |                                              |          |
| Petitions to Show Cause for Noncooperation |                             | 53       |
| Verified Complaints for Disciplinary Action |                                      | 25       |
| Affidavits of Resignation (tendered before filing Verified Complaint) |                                  | 1        |
| Petitions for Emergency Interim Suspension |                                   | 1        |
| Notices of Findings of Guilt (Felony)/Requests for Interim Suspension |                             | 2        |
| Motions for Release from Reciprocal Suspension |                                | 1        |
| Petitions for Reinstatement       |                                              | 5        |
| Petitions to Terminate Probation  |                                              | 4        |
| Contempt of Court Proceedings     |                                              | 3        |
| Miscellaneous                     |                                              | 1        |
| **Total**                        |                                              | 96       |

*NOTEWORTHY Additional information on attorney discipline is available on pages 54-55.*
Cases Received

Judicial Discipline Matters

<table>
<thead>
<tr>
<th>Category</th>
<th>Cases Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Formal disciplinary charges</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1</strong></td>
</tr>
</tbody>
</table>

Original Actions

<table>
<thead>
<tr>
<th>Category</th>
<th>Cases Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original actions</td>
<td>29</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>29</strong></td>
</tr>
</tbody>
</table>

State Board of Law Examiners

<table>
<thead>
<tr>
<th>Category</th>
<th>Cases Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petitions for review</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3</strong></td>
</tr>
</tbody>
</table>

Certified Questions

<table>
<thead>
<tr>
<th>Category</th>
<th>Cases Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certified questions</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3</strong></td>
</tr>
</tbody>
</table>

Other cases

<table>
<thead>
<tr>
<th>Category</th>
<th>Cases Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other matters</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1</strong></td>
</tr>
</tbody>
</table>

**Total Received**: 845

Cases Received 2017-2018

- **11%** Attorney Discipline
- **4%** Original Actions
- **2%** All other case types
- **32%** Civil
- **51%** Criminal
### Cases Disposed

All cases considered and disposed by the Supreme Court during the fiscal year, organized by case type.

#### Disposed in Detail

**Criminal Cases**

<table>
<thead>
<tr>
<th>Case Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opinions on direct appeals</td>
<td>3</td>
</tr>
<tr>
<td>Opinions on petitions to transfer</td>
<td>24</td>
</tr>
<tr>
<td>Orders on rehearing</td>
<td>3</td>
</tr>
<tr>
<td>Petitions to transfer denied, dismissed, or appeal remanded by order</td>
<td>398</td>
</tr>
<tr>
<td>Petitions to transfer granted and remanded by order</td>
<td>1</td>
</tr>
<tr>
<td>Other opinions and dispositions</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>430</strong></td>
</tr>
</tbody>
</table>

**Civil Cases**

<table>
<thead>
<tr>
<th>Case Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opinions on petitions to transfer</td>
<td>28</td>
</tr>
<tr>
<td>Orders on rehearing</td>
<td>2</td>
</tr>
<tr>
<td>Petitions to transfer denied, dismissed, or appeal remanded by order</td>
<td>236</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>266</strong></td>
</tr>
</tbody>
</table>

**Original Actions**

<table>
<thead>
<tr>
<th>Case Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disposed of without opinion</td>
<td>30</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>30</strong></td>
</tr>
</tbody>
</table>

### Attorney Discipline Matters*

<table>
<thead>
<tr>
<th>Case Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dismissal on Compliance with Show Cause Order</td>
<td>22</td>
</tr>
<tr>
<td>Terminating Noncooperation Suspension on Compliance with Show Cause Order</td>
<td>3</td>
</tr>
<tr>
<td>Dismissal of Show Cause Proceeding Due to Other Suspension</td>
<td>16</td>
</tr>
<tr>
<td>Converting Noncooperation Suspension to Indefinite Suspension</td>
<td>11</td>
</tr>
<tr>
<td>Public Reprimand</td>
<td>2</td>
</tr>
<tr>
<td>Suspension with Automatic Reinstatement (after Verified Complaint)</td>
<td>3</td>
</tr>
<tr>
<td>Suspension without Automatic Reinstatement (after Verified Complaint)</td>
<td>16</td>
</tr>
<tr>
<td>Suspension with Conditions/Probation (after Verified Complaint)</td>
<td>4</td>
</tr>
<tr>
<td>Suspension Due to Disability Determination</td>
<td>1</td>
</tr>
<tr>
<td>Disbarment</td>
<td>3</td>
</tr>
<tr>
<td>Accepting Resignation</td>
<td>6</td>
</tr>
<tr>
<td>Emergency Interim Suspension Granted</td>
<td>1</td>
</tr>
<tr>
<td>Interim Suspension on Finding of Guilt (Felony)</td>
<td>2</td>
</tr>
<tr>
<td>Release from Reciprocal Suspension</td>
<td>1</td>
</tr>
<tr>
<td>Finding or Judgment for Respondent</td>
<td>1</td>
</tr>
<tr>
<td>Granting Reinstatement</td>
<td>2</td>
</tr>
<tr>
<td>Withdrawal or Dismissal of Petition for Reinstatement</td>
<td>1</td>
</tr>
<tr>
<td>Terminating Probation</td>
<td>4</td>
</tr>
<tr>
<td>Finding Contempt of Court</td>
<td>3</td>
</tr>
<tr>
<td>Miscellaneous Dismissing or Withdrawing Action</td>
<td>3</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>6</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>111</strong></td>
</tr>
</tbody>
</table>

*NOTEWORTHY

Additional information on attorney discipline is available on pages 54-55.
Cases Disposed

Tax Cases
- Opinions on Tax Court petitions for review: 1
- Dispositive orders on Tax Court petitions for review: 5
  - Total: 6

Judicial Discipline Matters
- Opinions and published orders: 1
  - Total: 1

State Board of Law Examiners
- Petitions for review/revoke: 4
  - Total: 4

Certified Questions
- Certified questions: 2
  - Total: 2

Mandate of Funds
- Opinions and published orders: 1
  - Total: 1

Total Dispositions: 851

Cases Disposed 2017-2018
- 13% Attorney Discipline
- 4% Original Actions
- 2% All other case types
- 50% Criminal
- 31% Civil
Webcasting Statistics
Supreme Court staff operated the webcasting equipment in the Courtroom. Since 2001, the Court has webcast:

- 798 hours of oral arguments, educational programs, and ceremonies
- 1,093 Supreme Court arguments webcast from the Courtroom

During this fiscal year, 54 Supreme Court arguments, one Court of Appeals argument, and two ceremonies were webcast from the Supreme Court Courtroom for a total of 41 hours. Two traveling oral arguments were recorded at off-site locations.

Oral Arguments Heard
The Supreme Court heard 56 oral arguments during the fiscal year, including one at the University of Southern Indiana in Vanderburgh County and one at Owen Valley High School in Owen County.

All arguments were recorded and can be viewed online. Arguments were also broadcast live on the web. The following details the types of cases presented at oral argument:

<table>
<thead>
<tr>
<th>Case Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal</td>
<td></td>
</tr>
<tr>
<td>Before transfer decision</td>
<td>8</td>
</tr>
<tr>
<td>After transfer granted</td>
<td>15</td>
</tr>
<tr>
<td>Direct appeals</td>
<td>1</td>
</tr>
<tr>
<td>Civil/Tax</td>
<td></td>
</tr>
<tr>
<td>Before transfer/review granted</td>
<td>13</td>
</tr>
<tr>
<td>After transfer/review granted</td>
<td>18</td>
</tr>
<tr>
<td>Other case types</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>56</strong></td>
</tr>
</tbody>
</table>

Cases Heard at Oral Argument

Oral Arguments
2017-2018

- 59% After granting transfer or review
- 2% Direct appeals
- 2% Other case types
- 37% Before decision on transfer or review

Related Article
Taking arguments outside the State House PAGE 36

Oral Argument Video
mycourts.in.gov/arguments
The Indiana Supreme Court interacts with an attorney during an oral argument in April 2018.
Opinions

The Court disposed of 851 cases in fiscal year 2017-2018 and handed down a written majority opinion in 71 of those cases. Justices also wrote 14 non-majority opinions either agreeing or disagreeing with the majority.

Opinions by Author

Majority and Non-Majority opinion counts by author

Chief Justice Rush
11 Majority | 2 Non-Majority

Justice David
11 Majority | 6 Non-Majority

Justice Massa
10 Majority | 2 Non-Majority

Justice Slaughter
8 Majority | 4 Non-Majority

Justice Goff
6 Majority | 0 Non-Majority

71 majority opinions
including 25 per curiam opinions

39% Civil

38% Criminal

20% Attorney Discipline

3% All other case types

Consensus of Opinions

The Court is mostly unanimous in its decisions. There are some split decisions and rare “other” cases in which fewer than three justices were in complete agreement. There were no “other” cases during the fiscal year.

Excludes per curiam opinions.

Appellate Decisions
courts.in.gov/opinions
Opinions

Majority Opinions by Author and Type
A breakdown of the number of majority opinions authored by each justice for each case type heard by the Supreme Court.

<table>
<thead>
<tr>
<th></th>
<th>Rush, C.J.</th>
<th>David, J.</th>
<th>Massa, J.</th>
<th>Slaughter, J.</th>
<th>Goff, J.</th>
<th>By the Court</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil Transfer</td>
<td>5</td>
<td>4</td>
<td>4</td>
<td>7</td>
<td>3</td>
<td>5</td>
<td>28</td>
</tr>
<tr>
<td>Criminal Direct Appeal</td>
<td>1</td>
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Non-Majority Opinions by Author and Type
Non-majority opinions are not dispositive.

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<th></th>
<th>Rush, C.J.</th>
<th>David, J.</th>
<th>Massa, J.</th>
<th>Slaughter, J.</th>
<th>Goff, J.</th>
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<td>1</td>
<td>-</td>
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</table>

21% Concur in Part / Dissent in Part
79% Dissenting
**Boards & Commissions**

The Supreme Court is grateful to the many judges, lawyers, and citizens who volunteer their time to increase the effectiveness of the judiciary and provide guidance to the Court.

The following individuals served on boards, commissions, and committees during the past fiscal year:

<table>
<thead>
<tr>
<th>Board of Law Examiners</th>
<th>Commission for Continuing Legal Education</th>
<th>Disciplinary Commission</th>
<th>Judges and Lawyers Assistance Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scott B. Ainsworth</td>
<td>Hon. David J. Avery</td>
<td>Brian K. Carroll</td>
<td>Hon. Tim A. Baker</td>
</tr>
<tr>
<td>Hon. David R. Bolk</td>
<td>Steven M. Badger</td>
<td>Nancy L. Cross</td>
<td>Joseph Baruffi</td>
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<tr>
<td>Hon. Barbara Brugnaux</td>
<td>Hon. Jennifer L. DeGroote</td>
<td>Molly Kitchell</td>
<td>Tonya J. Bond</td>
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<tr>
<td>Kathryn H. Burroughs</td>
<td>April R. Drake</td>
<td>John L. Krauss</td>
<td>Hon. Elaine Brown</td>
</tr>
<tr>
<td>Jane Ann Himsel</td>
<td>Angela L. Freel</td>
<td>Trent A. McCain</td>
<td>Aimee M. Gong</td>
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<tr>
<td>Prof. Michael J. Jenuwine</td>
<td>Hon. Barbara Harcourt</td>
<td>Andrielle M. Metzel</td>
<td>Hon. Warren Haas</td>
</tr>
<tr>
<td>Gary K. Kemper</td>
<td>Shontrai D. Irving</td>
<td>William Anthony Walker</td>
<td>Cornelius J. Harrington III</td>
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<tr>
<td>Cathleen M. Shrader</td>
<td>Christina J. Miller</td>
<td>Kirk White</td>
<td>Hon. Stephen R. Heimann</td>
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<td>Shelice R. Tolbert</td>
<td>Dr. Howard Mzumara</td>
<td>Leanna K. Weissmann</td>
<td>Ellen F. Hurley</td>
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<td>Charlotte F. Westerhaus-Renfrow</td>
<td>Hon. Barbara Harcourt</td>
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<td>Robert William Jonas</td>
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<td>Shontrai D. Irving</td>
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<td>Hon. Marc R. Kellams</td>
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<td>Dr. Howard Mzumara</td>
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<td>Cassandra A. McNair</td>
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<td></td>
<td>Hon. Rudolph R. Pyle</td>
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<td>Hon. Terry C. Shewmaker</td>
<td></td>
<td>Hon. David Ready</td>
</tr>
<tr>
<td></td>
<td>Steven A. Spence</td>
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<td>J. Mark Robinson</td>
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<td>Catherine Springer</td>
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<td>David D. Sanders</td>
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<td></td>
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<td>Inge Van der Cruysse</td>
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</table>
Judicial Conference
Board of Directors
Hon. Brent Almon
Hon. Kelly S. Benjamin
Hon. Craig Bobay
Hon. Diane R. Boswell
Hon. Nancy Eshcoff Boyer
Hon. John Broden
Hon. Marla Clark
Hon. Dean A. Colvin
Hon. William E. Davis
Hon. Mary Ellen Diekhoff
Hon. Darrin M. Dolehanty
Hon. John T. Evans
Hon. Paul A. Felix
Hon. Thomas Felts
Hon. Kurtis G. Fouts
Hon. Robert W. Freese
Hon. Clayton A. Graham
Hon. Maria D. Granger
Hon. Steven L. Hostetler
Hon. Robert Hunley II
Hon. Matthew C. Kincaid
Hon. Kenton W. Kiracofe
Hon. Michael J. Kramer
Hon. Robert D. Krieg
Hon. Chad E. Kukelhan
Hon. Jeryl F. Leach
Hon. Peggy Quint Lohorn
Hon. Gretchen Lund
Hon. Sheryl Lynch
Hon. Rick Maughmer
Hon. Sally McLaughlin
Hon. Gary L. Miller
Hon. Sheila M. Moss
Hon. Jason M. Mount
Hon. Thomas Newman
Hon. Timothy Oakes
Hon. David N. Riggins
Chief Justice Loretta H. Rush
Hon. Jose Salinas
Hon. Leslie C. Shively
Hon. Michael A. Shurn
Hon. Gregory A. Smith
Hon. Timothy P. Spahr
Hon. Thomas P. Stefaniak
Hon. Mark D. Stoner
Hon. Rhett M. Stuard
Hon. John F. Surbeck, Jr.
Hon. Charles K. Todd, Jr.
Hon. Wayne Trockman
Hon. Nancy Vaidik
Hon. Marianne L. Vorhees
Hon. Joseph P. Weber
Hon. Bob Witham
Hon. James D. Worton

Judicial Qualifications/
Judicial Nominating
Commission
Charlie Berger
Michael Daigle
John Feighner
Molly Kitchell
Lynette Long
Chief Justice Loretta H. Rush
Dan Vinovich
Rudy Yakym, III
James Young
Clockwise from top left: The Justices of the Indiana Supreme Court meet to discuss cases and administrative matters in the Supreme Court Conference Room; Interim Chief Administrative Officer Jane Seigel displays a certificate of appreciation from the Court during a retirement celebration in April 2018; Office of Judicial Administration (OJA) agency directors stand with Governor Holcomb and others during the signing of Senate Bill 238 which officially recognized the OJA, in April 2018; Justice Geoffrey Slaughter reviews cases and administrative matters.
Clockwise from top left: Chief Justice Loretta Rush encourages a student wearing a judicial robe during a Statehood Day program at the Indiana State House in December 2017; the Justices of the Court take questions from audience members following a traveling oral argument at the University of Southern Indiana in October 2017; Justice Christopher Goff smiles during his investiture ceremony in September 2017; Justice Steven David participates in a Statehood Day activity at the Indiana Historical Society in December 2017; Justice Mark Massa chairs the Marion County Judicial Selection Committee during an April 2018 meeting.
The Justices of the Indiana Supreme Court meet with members of the media in September 2017 to discuss case statistics and other matters featured in the 2016-2017 annual report.
<table>
<thead>
<tr>
<th>Page</th>
<th>Agency</th>
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<tbody>
<tr>
<td>27</td>
<td>Office of Judicial Administration</td>
</tr>
<tr>
<td>28</td>
<td>Clerk of the Indiana Appellate Courts</td>
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<tr>
<td>29</td>
<td>Supreme Court Services</td>
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<tr>
<td>30</td>
<td>Fiscal Office</td>
</tr>
<tr>
<td>31</td>
<td>Office of Personnel &amp; Operations</td>
</tr>
<tr>
<td>32</td>
<td>Court Technology - Trial &amp; Appellate</td>
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<tr>
<td>34</td>
<td>Office of Communication, Education, and Outreach</td>
</tr>
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<td>38</td>
<td>Indiana Office of Court Services</td>
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<td>50</td>
<td>Office of Admissions and Continuing Education</td>
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<td>52</td>
<td>Judges and Lawyers Assistance Program</td>
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<td>54</td>
<td>Disciplinary Commission</td>
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<tr>
<td>56</td>
<td>Judicial Qualifications/Nominating Commission</td>
</tr>
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</table>
The working locations of the Supreme Court and agencies in Indianapolis

The **Indiana State House**, which houses the Supreme Court Courtroom, chambers for each Justice, the office of the Clerk of the Indiana Appellate Courts, and other administrative offices.

**251 North Illinois**, which houses most of the Office of Judicial Administration. The move to Capital Center North was completed in December 2017, following a relocation from the previous administrative offices at 30 South Meridian.

**320 North Meridian**, which houses the Indiana Judges & Lawyers Assistance Program (JLAP). To maintain confidentiality, JLAP operates from a small office in a separate building.
The **Office of Judicial Administration** consists of nine agencies, the Office of the Clerk of the Indiana Appellate Courts, and the Commission on Judicial Qualifications/Judicial Nominating Commission.

The Office is overseen by the Chief Administrative Officer, who reports directly to the Chief Justice of Indiana and serves as the link between the Chief Justice and the agencies of the Court.

In April 2018, the restructuring of the Office of Judicial Administration was recognized with Governor Holcomb signing Senate Bill 238 into law.
The **Office of the Clerk of the Supreme Court, Court of Appeals, and Tax Court** processes incoming filings and outgoing orders and opinions for Indiana's appellate courts.

The Clerk's Office responds to inquiries from attorneys, litigants, and the public; oversees the archiving of closed cases; and maintains the Roll of Attorneys, which is the roster of attorneys licensed to practice law in Indiana.

**HIGHLIGHTS**

During the fiscal year, the Clerk's Office processed 2,169 opinions and 9,375 orders. The Office worked closely with technology staff on electronic filing, including laying the groundwork for electronic appellate case initiation.

The Office distributed over 3,600 ballots for the election of the District 3 attorney member of the Judicial Nominating Commission and tabulated the results with the Offices of the Attorney General and the Secretary of State.

- 18,582 active attorneys in the Roll of Attorneys
- 71 Supreme Court majority opinions processed
- 11,350 briefs filed electronically in 3,757 cases for the three appellate courts

**Orders processed for the Appellate Courts**

9,375 orders for the Supreme Court, Court of Appeals, and Tax Court
Supreme Court Services provides legal research, analysis, and drafting of legal memoranda for the Court; manages the Court’s pending cases; and maintains the Court’s law library.

**HIGHLIGHTS**

Supreme Court Services oversaw case management in all cases presented to the Court for review, providing advisory memoranda in over one-third of those. Supreme Court Services also administered the Court’s weekly conference agenda, oral argument schedule, and case statistical reporting.

- **705** cases overseen and presented to the Court for review
- **1,282** orders drafted
- **260** legal memoranda drafted
- **30** original actions prepared
- **269** requests for information fulfilled

Nearly 2,300 patrons were served by the Supreme Court Law Library, which houses 72,668 volumes.

courts.in.gov

**Related Information**
Indiana Supreme Court Cases and Opinions Data PAGES 10-19
The Fiscal Office manages the Supreme Court budget and assets, processes financial transactions and invoices, and provides accurate, timely financial information to the Court and other government officials.

**HIGHLIGHTS**

The Fiscal Office worked on streamlining business processes and made financial education more accessible. Paper processes were reduced, the timeline for payments to vendors was shortened, and purchase orders were utilized by all Court staff. To increase knowledge and ensure compliance for federal grant funding, the Office attended multiple trainings. In addition, an asset inventory of more than 1,000 items was completed.

- **8,804 invoices processed**
- **$8.5 million in grants distributed**
- **1,596 deposits made**

*State judiciary constitutes less than 1% of the Indiana state budget*
The Office of Personnel & Operations provides a wide scope of services to Supreme Court staff and agencies, including drafting internal policies, assisting with hiring and disciplinary issues, processing payroll and benefits, reviewing contracts for legality, and ensuring disability compliance, security, and continuity of operations for the Court.

The Office also provides employment law counsel and assistance with contracts for all state judges.

The Office of Personnel & Operations
Brenda F. Rodeheffer, General Counsel

1,000 employees’ payroll and benefits were processed includes Supreme Court staff, state judges, magistrates, and prosecutors

HIGHLIGHTS

In December 2017, the Office managed the move of 197 employees and contractors to Capital Center North at great taxpayer savings.

Logistics included appropriate individual furniture configurations and the setup of 12 conference rooms, 9 break areas, 5 production rooms, and 22 storage rooms. The Office collaborated with Appellate IT on the installation of computers, telephones, and other technology equipment.

Supreme Court managers and supervisors were given new tools to provide feedback to employees through an online personnel management system. All employee salaries and job descriptions were analyzed with the goals of achieving pay parity, increasing employee satisfaction, and documenting performance.

During the fiscal year, the Supreme Court joined other branches of government to strengthen sexual harassment policies and practices. Sexual harassment is not tolerated in the Indiana Judicial Branch. The Court announced an increased emphasis on civility training for all staff and encouraged trial courts across the state to implement similar training and policies.

498 consultations with judges and court staff managers on employment issues

190 contracts reviewed for legality and form
Court Technology provides support to appellate court staff for day-to-day operations; assists the Supreme Court with creating a vision for how technology can improve trial and appellate court operations and access to justice; develops custom applications for data sharing with the public and state agencies; and supports thousands of users across the state with case management, e-filing, and other technology needs.

E-Filing County Implementation Progress
83 of 92 counties have voluntary or mandatory e-filing as of June 30, 2018.

E-Filing Statistics
as of June 30, 2018

- 6,027,984 documents e-filed statewide
- 115,923 documents e-filed weekly
- 417,870 criminal cases and citations e-filed into Odyssey
- 172,070 adult & juvenile risk assessments completed
- 52,437 protection orders created in Protection Order Registry

courts.in.gov
preparing courts for the next generation

80% of newly filed cases are in the Odyssey CMS

Statewide case management
The state’s Odyssey Case Management System (CMS) was implemented in Dearborn, Lake, Lawrence, Montgomery, Ohio, and Ripley counties, and in the Decatur Township Small Claims Court in Marion County. By June 2018, case data from 298 courts in 62 counties—nearly 80% of the state’s caseload—was in Odyssey and available at mycase.in.gov.

Attorneys now have more access to cases and documents at mycase.in.gov, with Court Technology adding access to confidential cases and documents for attorneys of record, including adoption, mental health, and protection order cases.

Paperless courts
Implementation of statewide electronic filing was nearly completed, with 83 of 92 counties e-filing by the end of the fiscal year. Eight of the nine remaining counties await implementation of Odyssey before they can begin using the statewide e-filing system.

Supervised release and pretrial support
Court Technology continued development and implementation of the Supervised Release System which was designed for use by probation and community corrections agencies to manage defendants who are released back into the community before trial or upon sentence completion. Four counties collect data for the analysis and improvement of pretrial release programs.

By the end of the fiscal year, 24 counties and 2 city and town courts were using text messages to help defendants meet their pretrial release obligations with scheduling reminders, and had sent 54,338 text messages in 59 days.

Internal IT support
Court Technology developed and supported systems for Supreme Court agencies to more efficiently accept electronic materials, including:

- 448 statements of economic interests
- 53 applications for court vacancies
- materials for annual registration of 22,510 attorneys
- 17 requests for ethical guidance since implementation in April 2018
- 3,722 reports of attendance at 2,735 CLE events

In addition, Court Technology deployed a Judicial Dashboard application allowing the Justices to work through cases electronically and providing access to all materials from a central location.
The Office of Communication, Education and Outreach (OCEO) manages media inquiries, public information, and opportunities for educators to engage with the judicial branch.

OCEO oversees the Supreme Court’s website, webcasting, and social media accounts; creates and distributes press releases; and coordinates messaging campaigns on a variety of topics.

Communication Statistics as of June 30, 2018

MORE THAN
12 million
website page views
at courts.in.gov

100+
targeted email campaigns

57
arguments and
special events webcast
totaling more than 40 hours

48
judges assisted
for everyday media matters
and high-profile cases

5,002
Twitter followers

457
tweets
including opinions, transfer
dispositions, articles, and
announcements

341
media inquiries
answered
regarding a variety of
court-related topics
Working with the Press
OCEO answered 341 media inquiries during the fiscal year, a number that has declined in recent years as the Office proactively distributes more information via courts.in.gov, Twitter, and various direct-messaging campaigns. Over 500 members of the media received 35 press releases announcing events, highlighting programs, and providing details on judicial vacancies.

Website and messaging
The Office manages daily content publishing of the courts.in.gov website, with more than 12 million page views each year. Staff from each agency are trained in using the content management system, which requires OCEO to review and analyze content before publishing updates.

During the fiscal year, OCEO distributed weekly messages to trial court judges, a monthly newsletter to Court staff, and more than 50 technology-related notifications. The Office also published Indiana Court Times, a magazine and blog on topics of interest to the judiciary.

Outreach efforts
OCEO coordinated and promoted National Adoption Day with 35 judges in 26 counties for the annual November event. Families and press were allowed the opportunity to photograph and videotape certain adoption proceedings.

In addition, the Office participated in Statehood Day events and coordinated Constitution Day activities with 40 judges who visited over 4,000 students across the state.

Traveling Oral Arguments
The Office coordinated two traveling oral arguments during the fiscal year. Students in Owen and Vanderburgh counties had the opportunity to witness a Supreme Court oral argument in their area and interact with the Court during Q&A sessions.
To provide a unique and interactive experience for those who are not able to travel to the State House, the Supreme Court schedules oral arguments on the road twice a year. The Office of Communication, Education, and Outreach organized the arguments to allow students, press, and the public in other areas of the state an opportunity to see the Court in action. Since 1994, the Supreme Court has held 43 arguments away from its Indianapolis Courtroom.

In October 2017, the Court traveled to Vanderburgh County to hear oral argument at the University of Southern Indiana in Evansville. Nearly 600 guests, including students from 11 area schools, attended argument in *B.A. v. State of Indiana*, a juvenile delinquency case.

In April 2018, the Court traveled to Owen County to hear oral argument at Owen Valley High School in Spencer. It was the first time any appellate court heard arguments in the county. Over 550 guests, including students from eight area schools, attended argument in *J.W. v. State of Indiana*, a juvenile delinquency case.

After each oral argument, the Court answered questions from the audience, providing students and community members an opportunity to develop a deeper understanding of the Court and the way cases move through the judicial system.
In November 2017, 35 judges in 23 counties across Indiana participated in National Adoption Day where 220 children joined their forever families. The Office of Communication, Education, and Outreach encourages family members and press to take photos and videos of the adoption proceedings.

The Indiana Supreme Court has issued an order every year since 2012 allowing photos and videos of uncontested adoptions at National Adoption Day events in county courtrooms. Since then, 745 children and their new families from 33 counties have participated.

National Adoption Day events celebrate the children being adopted as well as raise awareness of children in the foster care system and the value of adoption. Every year approximately 3,600 adoptions take place in Indiana.

ONLINE GALLERY
flickr.com/photos/incourts/albums
The Indiana Office of Court Services (IOCS) assists the Supreme Court in its role as the head of Indiana’s judicial system by developing education, programs, and projects for all courts to improve the administration of justice.

IOCS also supports the Judicial Conference of Indiana and its Board of Directors, composed of judicial officers from across Indiana, and provides staff support to multiple committees.

### INDIANA OFFICE OF COURT SERVICES

<table>
<thead>
<tr>
<th>Education</th>
<th>Justice Services</th>
<th>Legal Support</th>
<th>Programming &amp; Projects</th>
</tr>
</thead>
</table>

### BY THE NUMBERS

- **$8.5 million** in grants given to counties
- **214** days of educational opportunities
- **95** certified problem-solving courts

*Judicial officers attend a session at the Spring Judicial College in South Bend in April 2018.*
As a single agency with four divisions—Education, Justice Services, Legal Support, and Programming & Projects—IOCS:

- Provided **214 days of training** to judicial officers, court and clerk staff, and other partners and stakeholders in the justice system
- Developed over **1,200 hours of program curricula**
- Awarded approximately **$8.5 million in grants** to help develop and fund initiatives such as Court Appointed Special Advocates, pretrial release, problem-solving courts, Volunteer Advocates for Seniors or Incapacitated Adults, and court interpreters
- Provided **legal research, statistical analysis, and data collection support** for trial and appellate courts

Judicial officers attend a session of the Spring Judicial College in South Bend in April 2018. More than 214 days of educational opportunities were provided to judicial officers throughout the fiscal year.

Assisting courts, leading initiatives

The successful move of Supreme Court agencies to Capital Center North allowed the **Indiana Office of Court Services** to now have all staff on a single floor, providing for greater collaboration between divisions and the sharing of ideas and approaches.
The **Education Division** ensures that Indiana’s citizens interact with well-trained judges and judicial branch staff. A combination of in-person training programs in Indianapolis, various regional county workshops, and distance education modules provide a blended learning environment.

**Training**

IOCS developed 1,205 hours of education program content during the fiscal year. The robust training program provided 214 days of educational opportunities to nearly 8,000 people including:

- judicial officers
- court and clerk staff
- guardian *ad litem* and Court Appointed Special Advocates
- court interpreters
- probation and community corrections officers
- court alcohol and drug programs personnel
- problem-solving team members
- Juvenile Detention Alternatives Initiative stakeholders

**BY THE NUMBERS**

- 7,900 in attendance during 214 days of education
- 1,205 hours of education programming developed

**Indiana Courts Education Network**

Designed to support and enhance in-person training programs, IOCS developed and deployed training modules on the Indiana Courts Education Network, which currently houses distance education for judicial office candidates, Court Substance Abuse Management Specialist credentialing, and internal personnel management.
The Justice Services Division works with probation, problem-solving courts, court alcohol and drug programs, and juvenile justice stakeholders to help criminal offenders successfully transition into the community. The Division offers community-based alternative programs for youth and supports county-level efforts to implement evidence-based practices in sentencing and community supervision.

Certified Courts and Programs
IOCS certified nine court alcohol and drug programs and 32 problem-solving courts during the fiscal year. In total, 53 certified court alcohol and drug programs and 95 certified problem-solving courts are active, with nine problem-solving courts in the planning stages. IOCS awarded $1,117,272 in grants to 18 veterans courts with funding appropriated by the Indiana General Assembly and $449,000 in grants to 52 problem-solving courts with funding from the Supreme Court.

EBDM
IOCS continued to support the 11 counties participating in the pretrial release pilot project in collaboration with the Evidence-Based Decision Making (EBDM) initiative. Four additional counties have started developing evidence-based pretrial practices. IOCS provided $820,000 in grants to support local pretrial efforts.

JDAI
IOCS identified potential sites for expansion of the Juvenile Detention Alternatives Initiative (JDAI). During the fiscal year, 32 JDAI counties received more than 170 hours of education; the Indiana Department of Education joined the JDAI state executive team as a partner agency; and IOCS hosted the JDAI Inter-site Conference for over 300 local, state, and national juvenile justice professionals.

Interstate Compact
IOCS administered the interstate compact processing 7,338 adult cases, 1,268 juvenile cases, 227 runaways, and 280 travel permits during the fiscal year. Staff also provided training at various conferences and assisted with drafting interstate transfer policies for problem-solving court participants.

Related Article
 Leading the way in Pretrial Release
 PAGE 44
The **Legal Support Division** is responsible for court and probation data collection, responding to legal questions from trial courts, and monitoring legislative changes affecting the judicial branch.

**Statistical Analysis**
IOCS reviewed 46 new bulk/compiled data requests and processed 26 renewals of existing requests as well as reviewed 18 public record requests. To ensure an even distribution of cases, IOCS assessed caseload allocation plans for 48 counties, 52% of the state, before submitting a proposal to the Supreme Court.

**Physical Assistance to Courts**
Trial courts relied on IOCS to provide in-person assistance visiting over 50 courthouses and providing guidance to clerks and court staff on record retention. Training sessions on court record confidentiality, new case types, and procedures for collecting court statistics were presented to organizations including the State Board of Accounts and the Association of Clerks of Circuit Courts of Indiana.

**Published Information**
During the fiscal year, IOCS compiled 50 issues of *Case Clips* summarizing approximately 150 cases, posted nearly 190 entries to the *Legislative Updates* blog detailing work of the General Assembly that is of interest to the judiciary, and published the 2016 *Judicial Service Report* which includes:

- Court and probation case statistics
- Revenues collected by trial courts
- Expenditures made by state, county, and local municipalities for Indiana’s court systems

**BY THE NUMBERS**

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<thead>
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<tbody>
<tr>
<td><strong>46</strong></td>
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<tr>
<td>Bulk data requests</td>
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<td><strong>48</strong></td>
<td><strong>County visits conducted</strong></td>
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[Online](courts.in.gov/iocs)
[indianacourts.us/legislative]
[indianacourts.us/blogs/caseclips]
The Programming & Projects Division works to ensure equal access to justice through initiatives focusing on families, children, victims of domestic violence, and others.

**Protecting Hoosiers in Need**
The Adult Guardianship Office awarded grants to 18 volunteer-based guardianship programs, serving nearly 600 vulnerable and incapacitated adults in 42 counties, representing a 200% increase in counties served since 2014. The Office also worked on a pilot project for supported decision making in Wayne County.

The State Office of Guardians *Ad Litem and Court Appointed Special Advocates* awarded $4.9 million in grants to 65 certified programs in 83 counties across Indiana. Through those programs, 4,273 volunteers advocated for more than 30,000 abused and neglected children.*

The Family Violence Resource Attorney trained 613 judicial officers, advocates, law enforcement personnel, and other professionals in matters of family violence, civil protection orders, sexual assault, and criminal domestic violence.

The Family Court Project supported 20 counties and nearly 3,000 families through court-related programs such as document preparation, co-parenting counseling, and legal assistance.*

The Court Improvement Program awarded more than $9,000 in professional development scholarships and $286,000 in grant funds supporting family dependency drug courts, National Adoption Day activities, and data collection and analysis.

**Promoting Equal Justice**
The Court Interpreter Certification Program awarded 27 grants to counties for interpreter services promoting equal access to the courts. Staff provided training, maintained a registry of 100+ certified interpreters, and assisted with in-person and telephonic interpreter services.

The Indiana Conference for Legal Education Opportunity’s 20th anniversary celebration in July 2017 focused on the more than 550 underrepresented students who entered law school. Twenty students completed this year’s intensive preparatory program and enrolled in an Indiana law school.

*Calendar year 2017*
In 2014, a pretrial release pilot project was developed in collaboration with Indiana’s Evidence-Based Decision Making Initiative. Indiana Criminal Rule 26 (CR26) is the foundation for 11 counties participating in the pilot project which aims to keep communities safe while using evidence-based decisions to inform pretrial supervision.

Work Group
A work group, with members from all three branches of government and criminal justice stakeholders, developed the Indiana Pretrial Practices Manual. Additional areas of policy development include:

- Using pretrial risk assessments to inform release decisions
- Developing pretrial conditions based upon risk for failure to appear or new arrest during the pretrial stage
- Reminding pretrial defendants of court dates using emails, phone calls, and text messages
- Having defense counsel at initial hearing for in-custody defendants
- Collecting data to measure pretrial outcomes

Available Tools
Pilot counties can use the Risk Assessment Tool to help make release decisions and set pretrial supervision conditions. Using data from this tool from January 2017 through April 2018, 16,040 arrestees were placed into three categories, with only 18% of arrestees posing a high risk for failure to appear/rearrest during the pretrial period.

Forty-six percent of the arrestees posed a moderate risk, while the remaining 36% posed a low risk. The Indiana Office of Court Services assists counties with the initiative. CR26 is effective for all Indiana courts January 1, 2020.
The Coalition for Court Access (CCA) was created to provide a focused and comprehensive organizational structure for Indiana’s civil legal aid programs. One of the CCA’s goals is the improvement of access to and delivery of civil legal services to persons of limited means and low to moderate income.

In 2016, the Supreme Court began collecting information on pro bono practices from attorneys during annual registration. While providing pro bono services is not required in Indiana, it is encouraged. Data from the past two years captured baseline information and was provided to the CCA to assist with its mission.

Most recent pro bono data shows 54% of non-exempt* Indiana attorneys contributed time and/or money in 2016, an 8% increase from the previous year. In addition, nearly 450,000 hours were contributed, and financial contributions totaled more than $1M.

“The Court is inspired to see that so many attorneys are willing to help those in need of legal assistance. In just one year, we saw an 8% increase in the number of attorneys who contributed time and/or money. We encourage attorneys to continue providing pro bono assistance to those who need it most.”

Hon. Loretta H. Rush, Chief Justice of Indiana

* Over 6,000 of the nearly 22,000 attorneys in Indiana during 2016 were exempt from providing pro bono legal services because they were retired, inactive, employed by the government, or members of the judiciary.

Data: Self reported through the Indiana Courts portal during annual attorney registration. As of 02/21/2018
In July 2017, in celebration of the Indiana Conference for Legal Education Opportunity’s (ICLEO) 20th anniversary, 160 judges, lawyers, program graduates, and supporters met in the Supreme Court Courtroom. Former Chief Justice Randall Shepard told the story of ICLEO’s founding, which began with a few lines in his State of the Judiciary address and culminated in legislation that received support in both the House and Senate.

Twenty years later, the Court continues to be dedicated to its success. Chief Justice Loretta Rush spoke of her longtime involvement with the program, assuring everyone that she is “in it for the long haul.”

Speakers not only celebrated the merits of the program, but expressed the need for diversity. Court of Appeals Judge Rudolph Pyle III painted a picture of a diverse world where “lawyers will look like all Hoosiers, judges will look like all Hoosiers, and the law will be more likely to be applied equally to all Hoosiers.”

While the event celebrated the program’s long-term success, it was also marked by an eagerness to continue the legacy by supporting the program at an administrative and personal level. ICLEO alum and Indianapolis Power & Light Company President and CEO Rafael Sanchez noted, “I don’t know where I would be today, I don’t know if I would have had the opportunities that I’ve had, if not for the ICLEO program.”
Clockwise from top left: Indianapolis Power & Light Company President and CEO Rafael Sanchez speaks during the ICLEO anniversary celebration; Chasity Thompson, Assistant Dean - Office of Professional Development, and Patricia Kinney, Assistant Dean of Admissions - Indiana University McKinney School of Law, speak during the anniversary celebration; Norris Cunningham, ISBA Diversity Committee Chair, delivers remarks; former ICLEO Program Director Ashley Rozier and ICLEO student Kendra Key make remarks during the anniversary celebration; former Chief Justice Randall Shepard and current Chief Justice Loretta Rush stand with the Coleman family.
Grant Funding

By Program and Amount

Nearly all Indiana counties received funding for at least one court program during the fiscal year.

**Adult Guardianship Program**
42 Counties | $1,137,785

**Court Improvement Program**
9 Counties | $286,055

**Court Interpreter Program**
28 Counties | $500,000

**Family Court Project**
22 Counties | $175,660

**Guardian ad Litem/ Court Appointed Special Advocates**
83 Counties | $4,900,000

**Pretrial Grants**
10 Counties | $820,000

**Problem-Solving Courts**
52 Counties | $449,000

**Veterans Courts**
18 Counties | $1,117,272

86 counties received a total of $8,566,592 in grants
During the fiscal year, several administrative agency directors were recognized for their hard work, leadership, and ingenuity.

**Trailblazer honored by IAPABA**

*July 2017:* Disciplinary Commission Executive Director *G. Michael Witte* received the Trailblazer Award from the Indiana Asian Pacific American Bar Association. According to the association, the award “recognizes the outstanding achievements, commitment, and leadership of lawyers who have paved the way for the advancement of other Asian Pacific American attorneys.”

**JLAP director leads the way**

*August 2017:* Judges and Lawyers Assistance Program (JLAP) Executive Director *Terry Harrell* served as a member of the National Task Force on Lawyer Well-Being. The Task Force released a report, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*, which includes recommendations and action plans with simple checklists.

**PIO named to national board**

*August 2017:* The Chief Public Information Officer (PIO) *Kathryn Dolan* was voted President-Elect of the National Conference of Court Public Information Officers. The organization is dedicated to the role of court communicators across the country and provides training, networking opportunities, and professional enhancement tailored to the unique duties of PIOs.

**CFO named local honoree**

*December 2017:* Chief Financial Officer (CFO) *Aaron Hood* was selected as an honoree of the Indianapolis Business Journal’s CFO of the Year awards program. Aaron was selected from several nominations in the Not-for-Profit/Government category. The program recognizes financial professionals for outstanding performance in their roles as top financial executives.
The Indiana Office of Admissions and Continuing Education (ACE) provides administrative support to the Board of Law Examiners (BLE) and Commission for Continuing Legal Education (CLE).

BLE certifies that all individuals admitted to practice law have fulfilled the requirements for admission. CLE oversees the legal education requirements of attorneys, judges and mediators, maintains a mediator registry, and accredits independent attorney specialization organizations.

Nearly 14,350 distance credits reported by attorneys

### Bar Exam Success Rate

<table>
<thead>
<tr>
<th>Year</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
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<tbody>
<tr>
<td>Rate</td>
<td>71%</td>
<td>69%</td>
<td>67%</td>
<td>60%</td>
<td>61%</td>
</tr>
</tbody>
</table>

### Distance Credits

<table>
<thead>
<tr>
<th>Year</th>
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<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>14,591</td>
<td>13,448</td>
<td>12,864</td>
<td>14,083</td>
<td>13,332</td>
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</table>

### CLE Courses Accredited

<table>
<thead>
<tr>
<th>Year</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
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<tr>
<td>Courses</td>
<td>14,150</td>
<td>12,004</td>
<td>12,100</td>
<td>13,500</td>
<td>14,150</td>
</tr>
</tbody>
</table>
Serving Lawyers and Future Members of the Bar

Celebrating 30 Years of CLE
In October 2017, CLE commemorated 30 years of mandatory continuing legal education in Indiana during a half-day symposium on the structure of education meeting the needs of a modern law practice. Topics ranged from changing demands on lawyers and judges in the digital age to new techniques in delivering and administering mandatory CLE.

Bar Exam
The bar exam is administered twice a year, in February and July. During the fiscal year, 485 out of 799 applicants passed the exam. The February bar exam was the first in which applicants could be tested on new law topics, including Indiana debt collection, Indiana employment, and residential landlord-tenant.

Lawyers admitted on motion
BLE is responsible for the admission of attorneys from other states who seek to be admitted in Indiana without taking the bar exam. Those admissions on motion include foreign license and limited business counsel license. During the fiscal year, a total of 75 out-of-state lawyers were admitted on motion in Indiana, a decrease of 6.25% from the prior fiscal year.

Test Takers Success Rate
- 61% of all test takers passed
- 74% of first-time test takers passed
- 31% of repeat test takers passed

From left, former Commission for Continuing Legal Education Executive Director Julia Orzeske, Gina Roers-Liemandt, and ACE Executive Director Brad Skolnik participate in the CLE 30th anniversary event: “CLE in the 21st Century.” Judges and legal leaders came together to discuss ways to improve CLE and meet the challenges of a modern law practice.
The Indiana Judges and Lawyers Assistance Program (JLAP) assists judges, lawyers, and law students with personal issues—addiction, mental health, physical, age-related, and other concerns—that have the potential to reduce their effectiveness.

JLAP works to educate the bench and bar and reduce potential harm caused by impairment. All interactions with JLAP are confidential.

### BY THE NUMBERS

- **6,596** attendees at 83 presentations
- **281** calls for assistance

### Calls for Assistance

Five-year comparison

<table>
<thead>
<tr>
<th>Year</th>
<th>Calls for Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017 - 2018</td>
<td>281</td>
</tr>
<tr>
<td>2016 - 2017</td>
<td>298</td>
</tr>
<tr>
<td>2015 - 2016</td>
<td>237</td>
</tr>
<tr>
<td>2014 - 2015</td>
<td>276</td>
</tr>
<tr>
<td>2013 - 2014</td>
<td>261</td>
</tr>
</tbody>
</table>

### JLAP referral method

- **51%** Self-referral
- **44%** Third party
- **5%** Formal Referral

More than half of JLAP clients are self-referred.
Lawyer well-being takes center stage

Well-being
During the fiscal year, JLAP continued to collaborate with local, state, and national organizations to provide education and resources that promote lawyer well-being. Staff are members of the National Task Force on Lawyer Well-Being and gave 29 presentations on the topic.

The focus on lawyer well-being extended to JLAP support groups. JLAP established a new support group to serve northwest Indiana and broadened the focus of local support groups to include well-being in addition to mental health and substance use. A pilot eight-week grief support group was well received and will be repeated at regular intervals.

Outreach to law students
JLAP increased its presence at Indiana law schools through dedicated office hours, presentations, and permanent promotional displays. In addition, therapy dogs provided stress relief to students at Maurer School of Law and Robert H. McKinney School of Law.

Training
JLAP provided more advanced and comprehensive training for its 325 volunteers, including interactive role-play to enhance peer support skills during a full day training and weekend retreat. Recruitment of new volunteers was targeted to meet specific demographic needs including geography, gender, ethnicity, and life experience.

Reasons JLAP was contacted
A variety of support is provided

<table>
<thead>
<tr>
<th>Reason</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement</td>
<td>2</td>
</tr>
<tr>
<td>Career change</td>
<td>4</td>
</tr>
<tr>
<td>Requests for information</td>
<td>9</td>
</tr>
<tr>
<td>Legal issues</td>
<td>10</td>
</tr>
<tr>
<td>Practice management issues</td>
<td>11</td>
</tr>
<tr>
<td>Age-related issues</td>
<td>11</td>
</tr>
<tr>
<td>Physical health</td>
<td>13</td>
</tr>
<tr>
<td>Situational stressors</td>
<td>85</td>
</tr>
<tr>
<td>Substance use</td>
<td>89</td>
</tr>
<tr>
<td>Mental health</td>
<td>99</td>
</tr>
</tbody>
</table>

12% increase in self-referrals
10% increase in law student calls
The Disciplinary Commission is responsible for investigating attorney misconduct and prosecuting lawyer discipline proceedings. The Commission is primarily a reactive agency that responds to grievances filed by other individuals.

The Commission is not tax supported; it is funded primarily through the $180 annual registration fee paid by Indiana lawyers in good standing.

Related Information
Discipline Matters Received and Disposed by the Court PAGES 12-15
Enhancing professionalism

Caution letters
During the fiscal year, 13 caution letters were issued for rule violations as a method of case disposition. Rule violations that were addressed more than once included:

- Minor criminal conduct
- Unauthorized practice of law
- Prejudicial pre-trial public statement
- Special responsibilities of a prosecutor
- Advertising violations
- Breach of client confidentiality

Offering ethical guidance
For the first time, the Commission undertook an advisory role to lawyers with the goal of preventing ethical mishaps and enhancing the overall professionalism of the Indiana Bar. In April 2018, the Commission issued its first formal written advisory opinion on lawyer participation in online legal referral services with a marketing fee.

In addition, the Commission began providing informal individual guidance to lawyers through the Indiana Courts Portal. Confidential informal guidance is directed to an individual lawyer and is based on a given set of facts.

Attorney Discipline Case Highlights
Cases reviewed by the Commission

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaints submitted</td>
<td>1,411</td>
</tr>
<tr>
<td>Dismissed summarily</td>
<td>1,267</td>
</tr>
<tr>
<td>Complaints</td>
<td>144</td>
</tr>
<tr>
<td>Dismissed after investigations</td>
<td>75</td>
</tr>
<tr>
<td>Caution/Warning letters sent</td>
<td>13</td>
</tr>
<tr>
<td>Sent back</td>
<td>42</td>
</tr>
<tr>
<td>Dismissed pending reinstatement</td>
<td>34</td>
</tr>
<tr>
<td>Dismissed as moot due to death</td>
<td>2</td>
</tr>
<tr>
<td>Referred out</td>
<td>14</td>
</tr>
<tr>
<td>Referred to local bar for investigation</td>
<td>2</td>
</tr>
<tr>
<td>Investigations pending</td>
<td>186</td>
</tr>
</tbody>
</table>

Advisory Opinion #1-18 - Lawyer participation in online legal referral services (April 9, 2018)
The Indiana Commission on Judicial Qualifications/Judicial Nominating Commission are seven-member bodies chaired by the Chief Justice of Indiana.

The Judicial Qualifications Commission (JQC) provides ethical advice to Indiana trial judges and investigates and prosecutes allegations of judicial ethical misconduct.

The Judicial Nominating Commission (JNC) recruits and interviews applicants for appellate court vacancies, selects the Chief Justice, and certifies senior judges.

**Investigations v. Grievances**
Grievances resulting in a formal investigation

- Investigations: 11
- Grievances: 18

**Senior Judges**
102 certifications/recertifications

- Certified: 11
- Recertified: 91

**Judicial Discipline Action**
Breakdown of 25 cases

- Pending investigations or charges filed: 11
- Suspension after public hearing: 1
- Public Commission Admonition: 1
- Advisory Letters (not classified as formal discipline): 2
- Private Cautions: 3
- Deferred Resolutions: 3
- Investigations closed (after judicial officer resigned): 2
- Investigations closed (with no misconduct found): 2

[ courts.in.gov ]
Judicial Discipline
During the fiscal year, JQC received 424 complaints alleging judicial misconduct, of which 60 were waiting for review at the end of the fiscal year. In total, 339 were dismissed summarily as failing to raise valid issues of ethical misconduct or were dismissed following informal investigation by JQC staff and a determination that no misconduct occurred.

In the remaining 25 cases, the Commission required the judge to respond to the allegations or conducted formal inquiries or investigations. One judge was issued a public commission admonition after being involved in two separate gun incidents in his personal life which prompted law enforcement investigations. Another judge had a formal disciplinary hearing for banning the Clerk from the courthouse without sufficient due process, which resulted in a six-day suspension and costs assessed against the judge.

The Commission closed another investigation relating to a judge’s inappropriate relationships in the workplace after the judge resigned and agreed to no future judicial service.

Court of Appeals Vacancy
In January 2018, Court of Appeals Judge Michael Barnes announced his intent to retire. The JNC solicited applications and interviewed 12 applicants in April with six finalists invited back for a second interview in May. The Chief Justice, on behalf of JNC, submitted three nominees to the Governor for consideration on May 25: Hon. Steven Hostetler, Hon. Elizabeth Tavitas, and Mr. David Van Gilder. On July 19, Governor Eric Holcomb selected Tavitas to become the next judge on the Indiana Court of Appeals.

Advising Judges and Judicial Candidates
The Commission issued one advisory opinion during the fiscal year. Advisory Opinion #2-17 addresses how taking judicial notice of prior court cases can impact the prohibition against ex parte communication under Code of Judicial Conduct Rule 2.9.
A **certified question** is a request from a federal court to the Indiana Supreme Court asking for the Court’s opinion on a specific matter of Indiana law that the federal court is considering in a pending matter.

A **dispositive order** presents the decision of the Court in a case, but does not typically include a detailed explanation of legal reasoning as do opinions. Examples of dispositive orders include orders resolving attorney or judicial discipline cases and orders denying transfer of cases.

In a **mandate of funds** case, the Supreme Court reviews an order by a special judge that requires the county commissioners to fund court operations or other court-related functions. Mandate of funds cases typically arise when a county executive branch does not provide adequate funding to its local judicial branch.

A **majority opinion** in a case is authored by one justice and approved by two or more additional justices who agree with the decision and the legal reasoning for it. A majority opinion may also be *per curiam*, meaning “by the court” and not attributed to a specific author.

A **non-majority opinion** is attached to a majority opinion or dispositive order and may be concurring or dissenting. In a *concurring opinion*, the justice agrees with the majority opinion but adds additional analysis of the issues. In an *opinion concurring in the result*, the justice agrees with the ultimate result, but disagrees with the majority’s reasoning. In a *dissenting opinion*, the justice disagrees with the majority opinion and offers different legal reasoning in support of a different result.

A **original action** is a request by a party asking the Supreme Court to order a lower state court to perform an act required by law or to stop acting in a way the law does not allow.

A **petition for rehearing** is a request by a party asking the Supreme Court to reconsider a case it has already decided. If the Court denies the petition, the decision stands. If the Court grants the petition, then it issues a new opinion affirming or altering its decision.

A **petition to transfer** is a request by a party asking the Supreme Court to assume jurisdiction over a case already decided by the Court of Appeals.

A **verified complaint** in an attorney discipline case is the charging document in which the Disciplinary Commission alleges misconduct by the attorney being charged and asks the Supreme Court to impose appropriate discipline for the misconduct.