



INDIANA
SUPREME COURT

2015 - 2016

Annual
Report



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2015-2016

Loretta H. Rush
Chief Justice

Brent E. Dickson
Robert D. Rucker
Steven H. David
Mark S. Massa
Geoffrey G. Slaughter
Justices



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Indiana Supreme Court

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courts.IN.gov

On the cover: The 5-member court pose for a photograph after participating in an oral argument at the historic State Capitol in Corydon.

Photographs in this year's report were taken by: Sheheryar Ahsan, Lindsey Borschel, Chris Bucher, Erica Costello, Kathryn Dolan, Emily Engle, Sarah Kidwell, Patrick McCauley, John McGauley, Vincent Morretino, Nita Wright, and other friends of the Court.

FROM YOUR
Indiana Supreme Court

On behalf of my colleagues on the Indiana Supreme Court, here is the 2015-2016 annual report that provides information about the work of the Court and its affiliated agencies. It was a tremendous year with many changes and highlights. It would not have been possible without the hard work of our court staff, our outstanding judicial officers, court employees, and partners in all branches of government.

AMONG THE HIGHLIGHTS OF THE YEAR:

- Honoring Justice Brent Dickson's public service career
- The appointment of Geoffrey G. Slaughter as the 109th Justice
- A modern day oral argument in the original Supreme Court courtroom in Corydon
- Celebration of Adoption Day with hundreds of families across the state
- Improved internal governance with the creation of a single administrative office
- Naming the Court's first Chief Administrative Officer—former trial court judge Mary Willis
- A move away from paper with more than 75,000 electronic filings accepted
- The creation of Commercial Courts to hear complex business litigation cases
- Increased free online access to case documents, including appellate motions and briefs

It is an honor to work for Hoosiers to preserve open access and timely justice. That commitment is reflected in the initiatives showcased in the following pages, as well as our legal and administrative work.



Loretta H. Rush
Chief Justice



The Justices of the Indiana Supreme Court gather in the Robing Room prior to Justice Dickson's retirement ceremony. Left to right: Robert Rucker, Brent Dickson, Loretta Rush, Mark Massa, and Steven David.

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Framers of the Indiana Constitution debated and drafted the document underneath a large elm tree in Corydon, now known as the Constitutional Elm. This gavel was made from wood of the Constitutional Elm and used to call the Corydon Oral Argument to order.

Year *in* Review

Fiscal Year: July 1, 2015 to June 30, 2016

July 2 The Commission on Improving the Status of Children in Indiana released its annual report online at in.gov/children. Chief Justice Loretta Rush served as the Chairperson of the Commission Executive Committee.

July 14 The annual Court and Clerk Employee Conference attracted nearly 350 representatives from 70 counties. Educational topics included e-filing, due process, ADA, ethics, and time management.

July 16 The National Association for Court Management named the courts.in.gov website one of the top 10 court websites in the nation.

July 29 Hamilton Circuit and Superior Courts became the first trial courts in the state to participate in the statewide e-filing project.



Attendees of the Conference of Court Public Information Officers at an educational session at the NCAA.

August 3 Indiana hosted 40 local, state, and federal court spokespeople from across the country for a 3-day educational workshop.

August 19 The Indiana Bar Foundation—in partnership with the Indiana Supreme Court, Indiana University, and the National Conference on Citizenship—released the 2nd edition of the Indiana Civic Health Index.



Chief Justice Rush embraces Justice Rucker after presenting him with an award for 24 years of service to the judicial branch.

September 11 The Indiana Judicial Conference recognized Justice Robert Rucker and 7 other trial and appellate judges for 24 years of service and 25 judicial officers for completing at least 120 hours of education.

Year *in* Review

September 17 In celebration of Constitution Day, 45 judges and lawyers visited over 2,800 students across the state. The Supreme Court hosted 400 students from 7 different schools at oral arguments.



Indiana Conference for Legal Education Opportunity scholar and IU Maurer School of Law student Marcus Phelps serves as honorary bailiff during Constitution Day at the State House, while Sheriff Gary Miller observes.



Feleshia Henderson and Monique Hannam take the oath during the May 2016 ceremony for applicants who passed the February 2016 bar exam.

September 28 301 applicants who successfully passed the July 2015 bar exam were admitted at the September ceremony. Another 94 applicants would pass the February 2016 bar exam and be admitted in May.

September 29 The Court handed down an **order** allowing uncontested adoption proceedings to be photographed and recorded as part of National Adoption Day. 140 children were adopted into forever families over the course of several days in November.

October 2 The Indiana Supreme Court awarded \$420,000 in grant funding to benefit 9 agencies serving 16 counties for volunteer-based guardianship programs serving seniors and incapacitated adults.

October 9 For his work with children in court, Justice Steven David accepted the Juvenile Detention Alternatives Initiative (JDAI) Distinguished System Leadership Award, presented by the Annie E. Casey Foundation.

October 19 The Supreme Court awarded \$430,000 in court reform grants to help courts better manage an increasing caseload of unrepresented litigants and to help improve the delivery of court services to litigants who are not proficient in English.

October 19 A Veterans Court Summit at the Indiana War Memorial highlighted the importance of the specialized courts. With more than 100 attendees, the event featured the services and support available to veterans involved in the criminal justice system through Indiana's 16 veterans courts.

Year *in* Review



Justice Steven David and Judge Maria Granger (Floyd County) at the Veterans Court Summit at the Indiana War Memorial.

October 30 The Supreme Court held an **oral argument** at Portage High School with nearly 1,000 in attendance, including students, members of local bar associations, special guests, press, and public.

November 9 As part of the statewide **e-filing project**, the Supreme Court and Court of Appeals began accepting electronically filed documents in appeals. The Tax Court would join the initiative on January 4.

December 11 In celebration of Statehood Day, Justice Mark Massa spoke to students at the Indiana Historical Society. In addition, nearly 400 students accompanied by teachers and parents visited the Supreme Court Courtroom.



Justice Massa attends a Statehood Day Celebration at the Indiana Historical Society.

December 14 Washington County joins the **Guardianship Registry**, bringing the total number of counties on the Registry to 39 with more than 5,300 active cases tracked by the end of the fiscal year.



Chief Justice Rush acknowledges guests in attendance of the 2016 State of the Judiciary.

January 13 Chief Justice Rush delivered her second **State of the Judiciary** address to lawmakers, the Governor, trial court judges, and special guests in the House Chamber.

February 3 Trial court statistics from 2015 were published on an interactive website, providing more timely access to data. Provisional data from courts that have submitted reports became available in real time.

Year *in* Review



Interim Chief Administrative Officer and long time agency director Lilia Judson addresses court staff during a discussion about the transition to one judicial office.

February 10 The Supreme Court announced that a new **Office of Judicial Administration**, led by a Chief Administrative Officer, would be created to improve internal governance, efficiency, and budgets.

February 17 The Judicial Nominating Commission (JNC) began public interviews of 29 applicants for a **vacancy on the Supreme Court** created by Justice Brent Dickson's pending retirement. 15 finalists would be interviewed in March. The JNC sent 3 nominees to the Governor who selected attorney Geoffrey Slaughter as Indiana's 109th Justice in May.

March 7 Approximately 300 Court Appointed Special Advocates (CASA) volunteers attended **CASA Day** at the State House to show support for the program, interact with legislators about important issues facing children, and draw attention to the need for more volunteers.



CASA volunteers fill the atrium of the State House for the annual CASA Day rally.

March 16 The Supreme Court awarded more than \$225,000 in Family Court Project grants to 19 counties to support creating innovative programs that improve access to the courts for families.

March 16 Indiana's 2016 Juvenile Detention Alternatives Initiative (JDAI) Inter-Site Conference was held in Indianapolis with over 300 stakeholders from state agencies and 32 Indiana counties.

April 1 Appellate briefs filed in non-confidential cases became electronically available to the public at mycase.in.gov.

April 20 In celebration of Indiana's bicentennial, the Supreme Court visited the original State Capitol in Corydon and held an **oral argument** in the historic State Capitol.

Year *in* Review



Justice Dickson laughs during his retirement ceremony in the Supreme Court Courtroom.

April 29 Justice Brent Dickson **retired** after serving more than 30 years on the Supreme Court, including 2 years as Chief Justice. More than 200 family members, government officials, and special guests attended the ceremony.

May 4-5 Over 800 probation officers attended an annual meeting at the Indiana Convention Center. In addition to 36 educational sessions, attendees heard from keynote speaker Professor Gary Marchant, of the Sandra Day O'Connor College of Law at Arizona State University, who spoke on "Emerging Technologies and the Future of Crime and Criminal Justice."

May 9 Governor Mike Pence announced his appointment of Geoffrey G. Slaughter as Indiana's 109th Supreme Court Justice.



Geoffrey Slaughter speaks to members of the press after being announced as the 109th Justice by Governor Mike Pence.

May 17 The Court announced the creation of the **Coalition for Court Access**. This 17-member committee is responsible for coordinating all Supreme Court programs that provide civil legal aid to those with limited financial resources.

June 1 Under a pilot project, businesses could begin requesting their dispute be heard in one of six specialized **commercial courts** around the state.

June 6 The Court announced that motions in non-confidential appeals filed by attorneys on and after July 1 will be available to the public online.

June 13 Geoffrey G. Slaughter was sworn-in as the 109th Justice during a private ceremony, allowing him to begin deciding cases and handling administrative matters.

June 30 The Supreme Court closed the fiscal year having heard 65 oral arguments, written 85 majority opinions, and disposed of 900 cases.

Justices

The five Justices 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.

READ COMPLETE
JUSTICE BIOGRAPHIES
@ COURTS.IN.GOV/SUPREME



CHIEF JUSTICE LORETTA RUSH

BORN 1958 in Scranton, Pennsylvania

HOMETOWN Grew up in Richmond (Wayne County); 15 years in general 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 Mitchell E. Daniels, Jr.



JUSTICE BRENT DICKSON

BORN 1941 in Gary, Indiana (Lake County)

HOMETOWN Childhood in Hobart (Lake County); 17 years in general and trial practice in

Lafayette (Tippecanoe County)

EDUCATION Purdue University; Indiana University McKinney School of Law

APPOINTED 2012-2014 as Chief Justice; 1986 by Governor Robert D. Orr

RETIRED April 2016



JUSTICE ROBERT RUCKER

BORN 1947 in Canton, Georgia

HOMETOWN Childhood and 12 years in legal practice, including Deputy Prosecutor, in Gary (Lake County)

EDUCATION & MILITARY SERVICE Indiana University; Valparaiso University School of Law; University of Virginia School of Law; Decorated combat infantryman in the Vietnam War

APPOINTED 1999 by Governor Frank O'Bannon; 1991 to Court of Appeals of Indiana by Governor Evan Bayh



JUSTICE
STEVEN DAVID

BORN 1957 in Fort Wayne, Indiana (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 Mitchell E. Daniels, Jr.



JUSTICE
MARK MASSA

BORN 1961 in Milwaukee, Wisconsin

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 Mitchell E. Daniels, Jr. (Marion County)

EDUCATION Indiana University; Indiana University McKinney School of Law

APPOINTED 2012 by Governor Mitchell E. Daniels, Jr.



JUSTICE
GEOFFREY SLAUGHTER

BORN 1962 in Gary, Indiana (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; Kelley School of Business; Indiana University Maurer School of Law

APPOINTED 2016 by Governor Mike Pence

Cases

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 847 cases.

The following pages contain detailed statistics on those cases, including case types and whether the Court granted transfer.

While reviewing the cases, the Court issued many orders and opinions. Statistics on the opinions begin on **page 16**.

SEARCH APPELLATE CASES
@ PUBLIC.COURTS.IN.GOV/DOCKET

Case Highlights

A variety of statistics about the cases heard by the Supreme Court during the fiscal year.

847 Total cases received

900 Total cases disposed

INCLUDING:

99 Attorney discipline cases

18 Petitions for rehearing

2 Civil direct appeals

7 Criminal direct appeals

(death penalty and life without the possibility of parole)

65 Oral arguments heard

85 Majority opinions handed down

14 Minority opinions handed down

Case Highlights

Case Inventory

An accounting of the number of cases pending at the beginning and end of the year with a breakdown of case types.

	Cases Pending on JUL 1, 2015	Cases Transmitted JUL 1, 2015 - JUN 30, 2016	Cases Disposed JUL 1, 2015 - JUN 30, 2016	Cases Pending JUN 30, 2016
Criminal	113	473	503	83
Civil	94	239	255	78
Tax	-	11	10	1
Original Actions	2	29	29	2
Board of Law Examiners	-	3	3	-
Mandate of Funds	-	-	-	-
Attorney Discipline*	64	92	99	57
Judicial Discipline	-	-	-	-
Certified Questions	-	-	-	-
Other †	1	-	1	-
Total	274	847	900	221

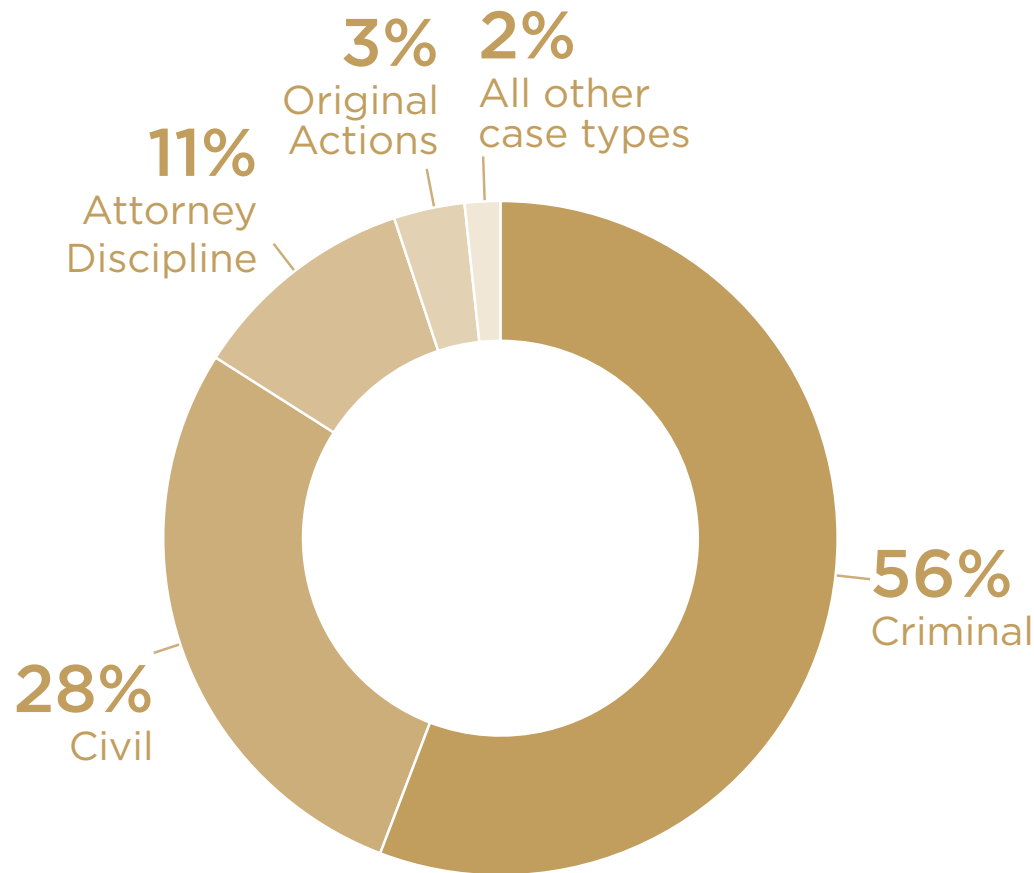
* *The 2013-2014 and 2014-2015 reports erroneously included a pending attorney discipline case that was already concluded.*

† *Unauthorized Practice of Law*

Cases Transmitted

Received by Type

All cases transmitted to the Supreme Court during the fiscal year, organized by case type.



Criminal	473
Civil	239
Tax	11
Original Actions	29
Attorney Discipline	92
Judicial Discipline	0
Mandate of Funds	0
Board of Law Examiners	3
Other	0
Total	847

Cases Transmitted

Received in Detail

Criminal Cases

Petitions for rehearing	9
Direct appeals, death penalty	1
Direct appeals, life without parole	4
Post-conviction appeals, death penalty (including successive requests)	0
Post-conviction appeals, non-capital (including successive requests)	69
All other criminal	390
Total	473

Attorney Discipline Matters*

All discipline matters received	92
Total	92

Mandate of Funds

Mandate of funds	0
Total	0

Civil Cases

Petitions for rehearing	8
Direct appeals	1
Certified questions	0
All other civil	230
Total	239

Judicial Discipline Matters

Formal disciplinary charges	0
Total	0

State Board of Law Examiners

Petitions for review	3
Total	3

Tax Cases

Tax Court petitions for review	11
Total	11

Original Actions

Original actions	29
Total	29

Other Cases

Other	0
Total	0

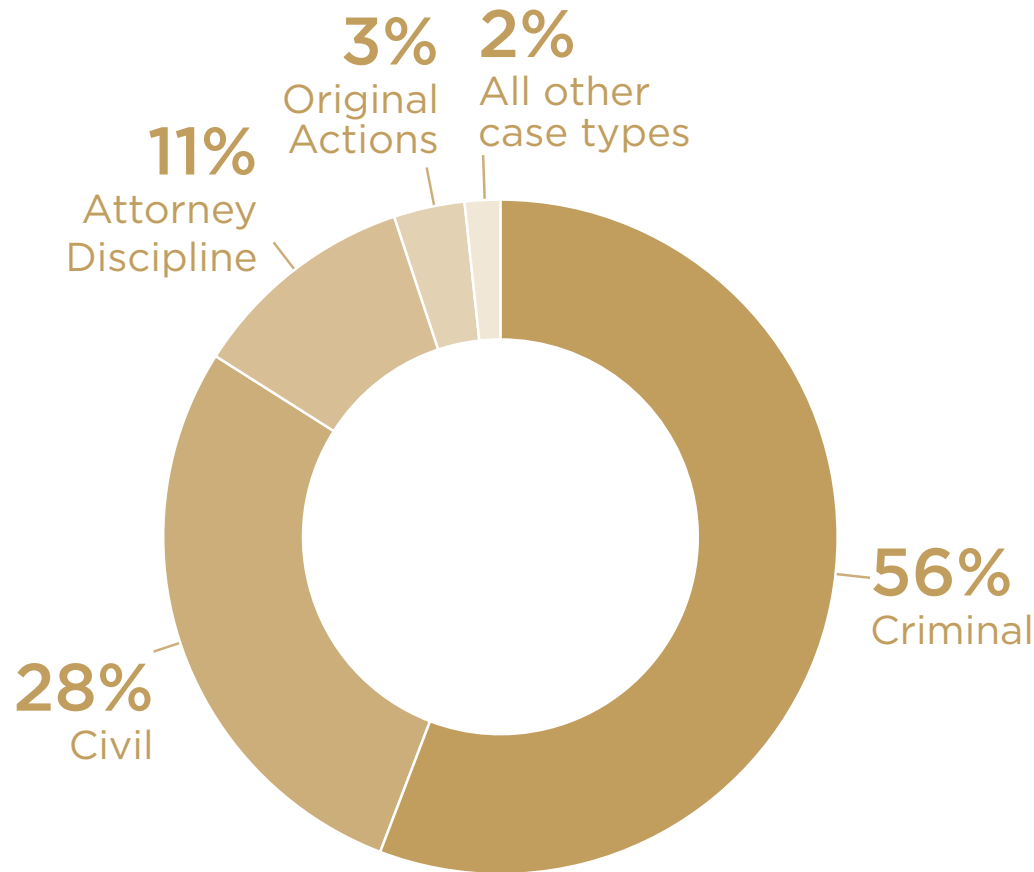
Total Received 847

* For complete details of all attorney discipline matters received, see page 52.

Cases Disposed

Disposed by Type

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



Criminal	503
Civil	255
Tax	10
Original Actions	29
Attorney Discipline	99
Judicial Discipline	0
Mandate of Funds	0
Board of Law Examiners	3
Other	1
Total	900

Cases Disposed

Disposed in Detail

Criminal Cases

Opinions on direct appeals	7
Opinions on petitions to transfer	33
Opinions on rehearing	0
Orders on rehearing	9
Petitions to transfer denied, dismissed, or appeal remanded by order	454
Petitions to transfer granted and remanded by order	0
Other opinions and dispositions	0
Total	503

Attorney Discipline Matters*

Opinions and published orders	50
Other dispositions	49
Total	99

Mandate of Funds

Opinions and published orders	0
Total	0

Civil Cases

Certified questions	0
Opinions on direct appeals	2
Opinions on petitions to transfer	36
Opinions on rehearing	1
Orders on rehearing	8
Petitions to transfer denied, dismissed or appeal remanded by order	208
Other opinions and dispositions	0
Total	255

Judicial Discipline Matters

Opinions and published orders	0
Other dispositions	0
Total	0

State Board of Law Examiners

Petitions for review	3
Total	3

Tax Cases

Opinions on Tax Court petitions for review	0
Dispositive orders on Tax Court petitions for review	10
Total	10

Original Actions

Opinions issued	0
Disposed of without opinion	29
Total	29

Other Cases

Opinions and published orders	0
Other dispositions	1
Total	1

Total Dispositions 900

* For complete details of all attorney discipline matters disposed, see page 52.

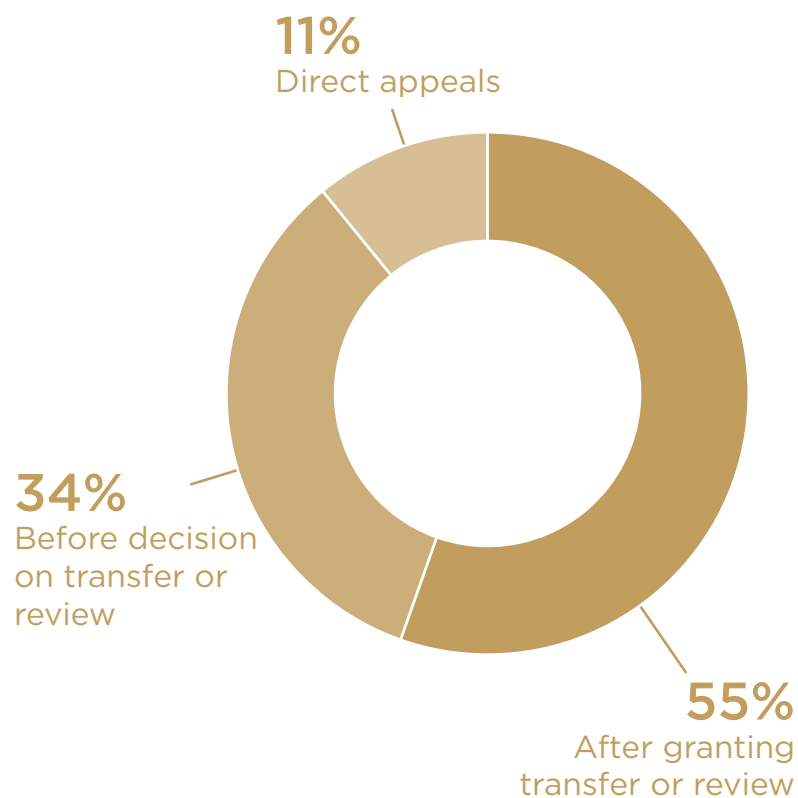
Cases Heard at Oral Argument

Oral Arguments Heard

The Supreme Court heard 65 oral arguments during the fiscal year, including one at Portage High School and another at the historic Capitol building in Corydon.

All arguments were recorded and can be viewed online, and all but the argument at Portage High School were broadcast live on the web. The following detail the types of cases presented at oral argument:

Criminal Before transfer decision	10
Criminal After transfer granted	19
Criminal Direct appeals	6
Civil/Tax Before transfer/review granted	12
Civil/Tax After transfer/review granted	17
Civil Direct appeals	1
Other case types	0
Total	65



WATCH ORAL ARGUMENT VIDEO
@ MYCOURTS.IN.GOV/ARGUMENTS



Webcasting Statistics

Supreme Court staff operated the webcasting equipment in the Courtroom. Since 2001, the Court has webcast:

- 708 hours of oral arguments, educational programs, and ceremonies
- 982 Supreme Court arguments webcast from the Courtroom

During this fiscal year, 63 Supreme Court arguments, 6 Court of Appeals arguments, 4 CLEs, and 3 ceremonies were webcast from the Supreme Court Courtroom for a total of 60 hours. Two traveling oral arguments were broadcast from off-site locations.



The Court heard an oral argument in the original Indiana Supreme Court Courtroom in Corydon.

Opinions

The Indiana Supreme Court disposed of 900 cases in fiscal year 2015-2016 and handed down a written majority opinion in 85 of those cases.

Justices also wrote 14 non-majority opinions either agreeing or disagreeing with the majority.

READ APPELLATE DECISIONS
@ COURTS.IN.GOV/OPINIONS

Opinions by Type

Written decisions include majority opinions and orders that dispose of a case.

85 **Majority Opinions**
Including 13 Per Curiam opinions

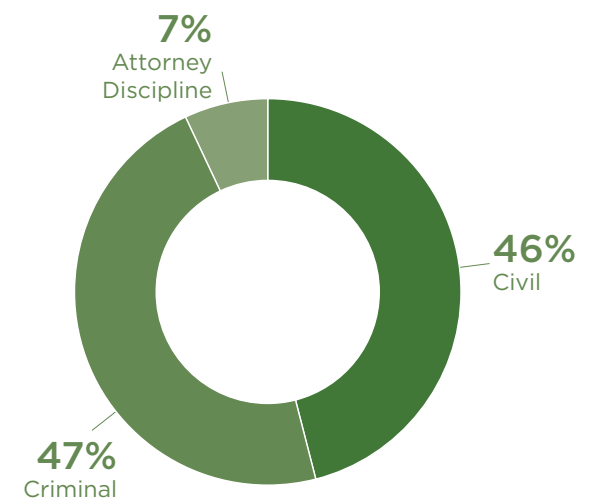
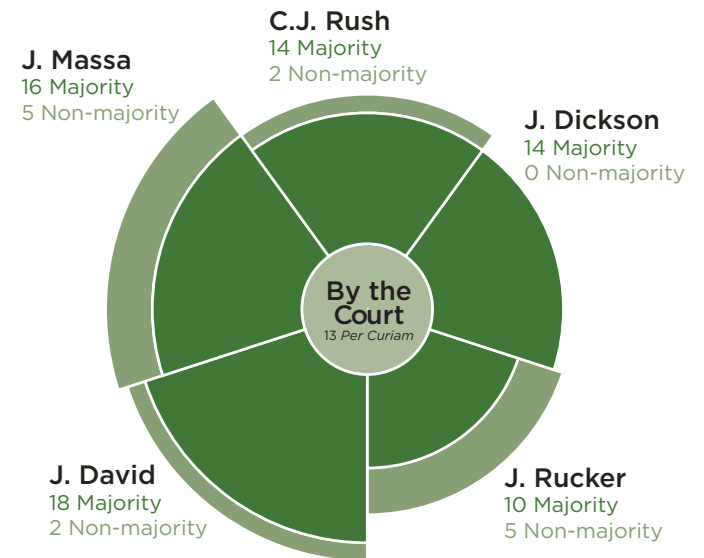
14 **Non-majority Opinions**

Majority Opinions by Case Type

For fiscal year 2015-2016, the Court published more criminal opinions than civil opinions. This represents a change from the previous year.

Opinions by Author

Each justice authored a number of majority and non-majority opinions.



Opinions

Majority Opinions by Author and Case Type

A breakdown of the number of majority opinions authored by each justice for each case type heard by the Supreme Court.

	Rush, C.J.	Dickson, J.	Rucker, J.	David, J.	Massa, J.	By the Court	Total
Civil Direct Appeal	-	1	-	-	1	-	2
Civil Transfer	6	8	3	12	5	2	36
Civil Rehearing	-	1	-	-	-	-	1
Criminal Direct Appeal	1	1	1	2	2	-	7
Criminal Transfer	7	3	6	4	8	5	33
Tax Review	-	-	-	-	-	-	-
Certified Question	-	-	-	-	-	-	-
Original Action	-	-	-	-	-	-	-
Attorney Discipline	-	-	-	-	-	6	6
Judicial Discipline	-	-	-	-	-	-	-
Board of Law Examiners	-	-	-	-	-	-	-
Mandate of Funds	-	-	-	-	-	-	-
Total	14	14	10	18	16	13	85

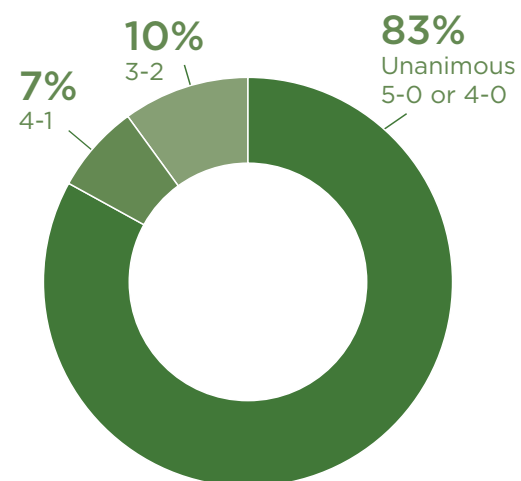
Non-Majority Opinions by Author and Type

Non-majority opinions are not dispositive.

	Rush, C.J.	Dickson, J.	Rucker, J.	David, J.	Massa, J.	Total
Concurring	1	-	-	2	1	4
Dissenting	1	-	5	-	4	10
Concur in Part / Dissent in Part	-	-	-	-	-	-
Recusal	-	-	-	-	-	-
Total	2	0	5	2	5	14

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.

moving away from paper

Among the Supreme Court's many technology initiatives, a project to bring **electronic filing** to every court in the state was in full swing during the fiscal year.

In July 2015, Hamilton County became the first county to participate in the statewide program. In November 2015, both the Supreme Court and Court of Appeals began accepting filings electronically, followed by the Tax Court in January 2016.

By the end of June 2016, trial courts in Clark, Floyd, Harrison, Hendricks, Henry, Madison, Shelby, and Wells counties had joined the initiative.

Since e-filing began, courts have received over 75,000 filings through the electronic system with over 4,300 users in nearly 1,500



Case files housed in the
Indiana Government Center

law firms. The Indiana Public Defender, the Marion County Public Defender Agency, and the Indiana Attorney General agreed to e-file documents in all cases in which a notice of appeal had already been filed.

Near the end of the fiscal year, the Court announced that e-filing would become mandatory for all attorneys on July 1, 2016 in all appellate courts and in the Hamilton County Circuit and Superior Courts. As a result, attorneys will be required to electronically file all subsequent pleadings in all case types that are eligible for e-filing according to the schedule in Hamilton County and all briefs, appendices, and petitions for rehearing, transfer, and review in all appellate courts.

Hamilton County Judge Paul Felix, who served on the Indiana Judicial Conference Board of Directors, noted the unanimous approval of his colleagues in Hamilton County to require e-filing. "We've considered it an honor to lead the state in this process. It works, it's easy,

and it makes the courts more efficient, reliable, and productive."

The Indiana Supreme Court adopted trial and appellate rules to implement e-filing. Those rules continue to be adjusted as the e-filing system is rolled out. The Court expects to complete the project by the end of 2018.

With the ever-increasing availability of electronic documents and the public interest in accessing them online, the Court established a **Task Force on Remote Access to and Privacy of Electronic Court Records**. It was charged with studying best practices and recommending policies to the Court for posting documents and information in court cases online.

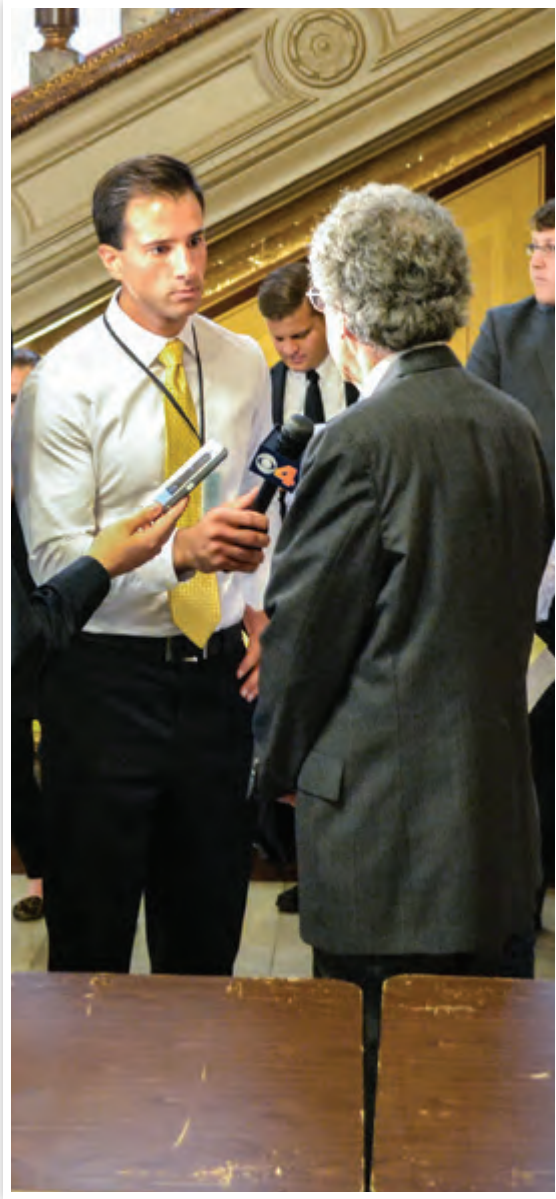
As a result of the Task Force's recommendation, the Court approved posting appellate briefs online as of April 1. The Task Force also recommended posting appellate motions online, which the Court approved for a July 2016 launch.

INDIANA'S Commercial Courts

With the establishment of a pilot project in January 2016, the Indiana Supreme Court developed commercial courts, which are specialized trial courts that handle complex business litigation. Commercial courts are designed to promote efficient resolution of business disputes by reducing litigation costs and promoting earlier and more frequent settlement of cases. Removing time-consuming business cases from the regular docket will free up court resources to hear other cases more promptly.

Indiana Chamber President and CEO Kevin Brinegar stated, "Businesses locate in states where disputes are resolved with consistency and reliability. Establishing commercial courts promotes confidence and predictability, which helps ensure the competitiveness of Indiana's business environment."

Beginning June 1, 2016, parties could begin to file commercial cases in the pilot courts, which include Allen Superior Court, Elkhart Superior Court 2, Floyd Superior Court 3, Lake Superior Court, Marion Superior Court Civil Division 1, and Vanderburgh Superior Court.



OCEO assists the Court by managing relations with the press. Above, an attorney is interviewed by media following an August 2015 oral argument.

Outreach TO THE Press AND Public

The Office of Communication, Education, and Outreach (OCEO) manages media inquiries, public information, and opportunities for educators to engage with the judicial branch. OCEO collaborates with all Supreme Court agencies.

Working with the press

The team interacts with press on a daily basis in an effort to ensure that accurate information about the courts can be relayed to the public. During the fiscal year, OCEO:

- Answered 517 media inquiries
- Distributed 39 press releases and advisories
- Provided assistance on 92 occasions to trial court judges for everyday media matters and high-profile cases

Courts in the Classroom

The Court provides outreach to educators and students in an effort to improve civic literacy on the work of today's judicial branch.

- Reached more than 2,500 students in 19 counties through September Constitution Day programming
- Created curriculum for 2 traveling oral arguments that reached approximately 2,875 students

Website and social media

OCEO manages the courts.in.gov website (with nearly 7.5 million page views each year) and the Court's social media presence. During the fiscal year, OCEO:

- Tweeted 383 messages, including opinions, transfer dispositions, *Indiana Court Times* articles, and other announcements
- Webcast 63 Supreme Court oral arguments from the Courtroom and 2 traveling arguments

National Conference

OCEO hosted the **Conference of Court Public Information Officers** (CCPIO) annual meeting in August 2015. The team planned the curriculum, managed logistics, and moved the group of approximately 40 attendees to numerous locations over a three-day period.

National Center for State Courts External Affairs Vice President Jesse Rutledge described the event as “an original and creative approach to a conference. By moving around the city, we got to have ‘hands-on’ experiences at museums, the Court, and the Indianapolis Star’s amazing newsroom, while hearing from the best and the brightest in the field.”



Above: Court spokespeople from across the nation pose for a photo in the State House during the 2015 CCPIO annual meeting.



Left: OCEO organized the Court's Corydon Bicentennial Celebration, including a broadcast of the oral argument which allowed for viewing in the Harrison County Courthouse and in schools across the State.



Justice BRENT E. DICKSON

On November 9, 2015 Justice Brent E. Dickson announced his plans to retire the following spring. In the months leading up to his April 29, 2016 retirement, his colleagues and friends offered praise for his civility, dedication to the rule of law, and knowledge of the Indiana Constitution.

Justice Dickson was appointed as the 100th Justice of the Indiana Supreme Court by Governor Robert D. Orr in 1986. He retired as the second-longest-serving justice in the history of the Court.

During his tenure, Justice Dickson was Chief Justice for two years, served on the Board of Directors of the National Conference of Chief Justices, and chaired the Conference's Committee on Professionalism and Competence of the Bar. He heard his final oral argument in the historic Supreme Court Courtroom in Corydon at an event celebrating Indiana's Bicentennial.

Governor Mike Pence presented the Sagamore of the Wabash Award, a symbol of distinguished service to the State of Indiana,



Left: Justice Dickson was honored at the 2016 Spring Judicial College education program. **Above:** Justice Dickson and Chief Justice Rush walk to the Senate to greet visitors prior to Dickson's retirement ceremony.

to Justice Dickson during his retirement ceremony. Additionally, the four other members of the Court offered remarks on their colleague's career. Justice David stated, "You are a stand up, stand out, steadfast man of honor, dignity, and service. Your legacy of humility, hard work, collaboration, thoughtfulness, compassion, and dedication to the rule of law will live on."



Delaware County Judge Marianne Vorhees (left) poses for a photo with a family and their adoption attorney following a National Adoption Day proceeding in November 2015.

FINDING *Forever* FAMILIES

National Adoption Day is an effort to raise awareness about children in foster care waiting to find permanent homes or “forever families” and is celebrated every year in November.

Since 2012, the Supreme Court has approved exceptions to Judicial Code of Conduct

Rule 2.17 to allow certain Adoption Day proceedings to be **captured electronically and broadcast**. Trial court judges granting uncontested adoptions have full discretion to allow media coverage.

Approximately 350 children in 19 counties have been joined with a forever family as part of Adoption Day proceedings. Several judges have participated multiple years, including Henry County Judge Mary G. Willis. “This is my favorite day of the year,” Willis said. “The kids are happy and they get families who love them. This is the best part of my job.”

SUPREME COURT LAW LIBRARY

The Indiana Supreme Court Law Library celebrated 40 years of being a federal depository library during the fiscal year. To maintain this status, the library must:

- Offer free, public access to federal collections
- Have information specialists available to assist the public in locating federal information

The library also maintains core legal materials such as the United States Code, the Statutes at Large, the Code of Federal Regulations, and United States Reports. Today, the collection totals approximately 73,300 volumes.

The primary mission of the library is to support the research needs of the justices, judges, staff, and agencies of the Supreme Court, the Court of Appeals, and the Tax Court. The library also serves as a research venue for many state agencies, the Office of the Governor, the General Assembly, members of the private bar, and the citizens of Indiana.

Oral Arguments

ON THE ROAD

The Supreme Court is committed to providing an opportunity for students to learn about the courts even if they cannot attend oral argument at the State House. Since 1994, the Court has held more than 40 traveling oral arguments to highlight the judicial process and provide lessons on upholding the law.

In October 2015, Portage High School (Porter County) hosted an oral argument in the case of *Leonard Suggs v. State of Indiana*. Nearly 1,000 guests (including students and teachers from nine local schools) attended the argument, making it one of the largest audiences the Court has ever had attending a traveling oral argument. With local bar association support, hundreds of students spoke directly to a lawyer about the case in advance of the argument.

In April 2016, the Court held its premier State Bicentennial event by holding an oral argument in Indiana's first State Capitol, Corydon (Harrison County). The Court met in the original Supreme Court Courtroom—a space of roughly 500 square feet—which housed the state's first high Court consisting of only three judges.

With extremely limited seating, only about 30 people attended the argument representing all branches of government, state and local bar associations, students, teachers, and members of the public. One newspaper reporter was seated in



Justice Dickson and Justice Rucker listen while Chief Justice Rush speaks during the traveling oral argument in Porter County.

the room to provide information to her colleagues across the state.

True to the 1816 setting, the Courtroom lacked modern amenities such as lights or microphones. There was one major exception—a connection to a television satellite truck. Thanks to a partnership with Indiana Public Broadcasting Stations

and the Indiana Department of Education, the argument in the case of *F. John Rogers, et al. v. Angela Martin, et al.* was webcast live to classrooms across the state. In addition, the webcast was shown live in the Harrison Circuit Court.

Judge John Evans welcomed more than 100 guests to his courtroom for the public viewing of the argument. He noted, "Hosting a modern argument in a historic setting was certainly a challenge. But the entire event, including the webcast of the Court's return to the first Supreme Court Courtroom was a tremendous success!"

To improve students' understanding, the Office of Communication, Education and Outreach provides resources emphasizing case details and documents associated with the case—including the appellate briefs and Court of Appeals opinion. As part of the bicentennial celebration, judges and lawyers visited over 2,000 students around the state and used the Corydon oral argument as an avenue to speak about the judicial process.

Both traveling oral arguments during the fiscal year showcased the work of the courts to a wide audience that otherwise might never directly experience an appellate proceeding.



Left: The small Capitol building in Corydon includes the Senate, House of Representatives, and Supreme Court. Government officials met in the building from 1816 to 1825.

Bottom left: Harrison Circuit Judge John Evans speaks prior to a public viewing the Corydon Bicentennial Celebration.

Bottom right: Reenactors from the Indiana State Museum dressed in period attire were on-site to greet guests.



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:

Board of Law Examiners

Hon. Barbara Brugnaux
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Gary K. Kemper
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Judicial Qualifications/ Judicial Nominating Commission

Charlie Berger
Lee Christie
John O. Feighner
Lynette Long
Tom Rose
Chief Justice Loretta H. Rush
David Tinkey
Stephen Williams
Rudy Yakym III



Clockwise from top left: The Justices of the Court sit together for the last time at Justice Dickson's retirement ceremony; Justice Massa and Justice David listen during oral arguments at Porter High School; Justice Rucker and Chief Justice Rush speak with Eunice Brewer-Trotter prior to the Polly Strong Marker Dedication at the Corydon Bicentennial Celebration.

Clockwise from top left: Justice Rucker and Justice Massa smile during Justice Dickson's retirement ceremony; Justice Dickson and his wife, Jan Aikman Dickson laugh while House Speaker Brian Bosma makes remarks at a special resolution honoring Dickson; Justice David signs a book after the Corydon Bicentennial Celebration; Justice Slaughter smiles during his first oral argument as a member of the Court.





The Supreme Court chamber in the Corydon State Capitol is a small room across the hallway from the original Senate and upstairs from the House of Representatives. Originally, a three-judge panel heard arguments in the room pictured above. For the Bicentennial Celebration the current five-member Court heard a modern-day argument in the historic setting.

Agency Reports

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CREATING UNITY

Transitioning to one Judicial Administrative Office

The Indiana Supreme Court worked to improve its internal governance by creating a single Office of Judicial Administration to assist the Chief Justice and the Court in carrying out their leadership role as the head of Indiana's judicial system. The restructuring plan was years in the making and included recommendations from the **National Center for State Courts** (NCSC) and input from Court staff.

The NCSC was asked to evaluate internal Court processes and structure. The evaluation included interviews with judges and staff, comparisons to other states, and document review. The NCSC provided the Court with recommendations, and the Court created a staff transition team to provide further input. All staff were kept informed of the plan during bimonthly meetings.

The result—publicly announced in February 2016—was a new organizational structure designed to enhance communica-

tion, clarify staff responsibilities, document institutional knowledge, and plan for the succession of key personnel. The Court created a single Administrative Office with a Chief Administrative Officer (CAO) who will assist the Chief Justice in overseeing all of the Court's agencies and administrative functions.

In April 2016, the Court launched a national search for the CAO, and in June 2016 the Court named Henry County Judge Mary Willis as the Court's first CAO. Under the new structure, Willis will serve as CAO with 200 Administrative Office employees led by directors in the following newly formed departments:

- Attorney Services - Terry Harrell (JLAP), Bradley Skolnik (BLE/CLE), G. Michael Witte (Disciplinary Commission)
- Clerk - Greg Pachmayr
- Communication, Education and Outreach - Kathryn Dolan
- Indiana Office of Court Services - Jane Seigel
- Fiscal - Aaron Hood
- Office of Personnel and Operations - Brenda Rodeheffer
- Supreme Court Services - Jason Bennett
- Trial and Appellate Court Technology - Mary DePrez and Robert Rath

Longtime Division of State Court Administration Executive Director Lilia Judson served as Interim CAO. She retires in September after facilitating a smooth transition to Mary Willis.

The **Division of Supreme Court Administration** serves the Indiana Supreme Court by assisting justices with legal and administrative duties, working generally at the direction of the Chief Justice.

The Division comprises the Office of Supreme Court Administration and the Office of the Clerk of the Supreme Court, Court of Appeals, and Tax Court.

courts.in.gov/supreme
courts.in.gov/cofc

DIVISION OF Supreme Court Administration

Kevin S. Smith, Administrator and Clerk (July 2015 - March 2016)

Gregory R. Pachmayr, Clerk (April 2016 - June 2016)

Jason W. Bennett, Supervisor of Supreme Court Services (April 2016 - June 2016)

Legal Counsel

The Administration Office assists the Chief Justice and other members of the Court with various administrative and logistical matters. The Office:

- Drafted 347 legal memoranda on a variety of topics
- Oversaw 900 case-related matters and dozens of non-case-related administrative matters
- Assisted in drafting and issuing 1,934 orders and opinions
- Prepared 29 original actions challenging a trial court's jurisdiction
- Maintained the weekly Court conference agenda, oral arguments schedule, and regular case statistics reports
- Prepared the Court's operating budget and processed 1,594 expenditures
- Drafted and responded to 135 requests for information from the Court

Clerk's Office

Each business day, the Clerk's Office processes scores of filings, responds to inquiries from attorneys, litigants, and the public, and oversees the microfilming of dozens of closed cases. The Clerk's Office processed the 847 new Supreme Court cases filed during the fiscal year. The Office is also responsible for maintaining Indiana's Roll of Attorneys—the roster of over 18,000 attorneys licensed to practice law in Indiana.

Technology Improvements

During the fiscal year, the Administration Office and Clerk's Office worked closely with appellate information technology staff to begin implementation of electronic filing. The Offices of the Indiana Attorney General, the Indiana State Public Defender, and the Marion County Public Defender were among the first to begin electronic filing in the appellate courts. By the end of the fiscal year, the Clerk processed 6,639 filings in 1,946 cases for the three appellate courts.

The **Division of State Court Administration** assists the Supreme Court in its role as the head of Indiana's judicial system.

The Division recommends improvements in court procedures, administers payroll for judges and prosecutors, reports caseload and fiscal information, provides technology support to all courts, and manages the judicial branch website. It administers programs that aid litigants and courts, help families and children, and improve access to justice.

Much of the Division's work and statistical information is maintained on a calendar rather than fiscal year.

courts.in.gov/admin

DIVISION OF State Court Administration

Lilia G. Judson, Executive Director

David J. Remondini, Interim Executive Director

Managing Caseload

About 1.4 million new cases were filed in Indiana trial courts in 2015. The case data collected by the Division suggests Indiana needs additional judicial officers to handle the state's caseload.

During the fiscal year, 643 judicial officers and prosecutors were paid approximately \$85 million collectively.

In 2015, 104 certified senior judges served a total of 4,361 days. These part-time judges

represented the equivalent of 22 full-time judicial officers. Senior judges helped alleviate the pressure of high caseloads.

The Division compiles and annually publishes the *Indiana Judicial Service Report* containing information regarding the workload and finances of the Indiana judicial system. Caseload numbers included in the Report are submitted quarterly by 395 trial courts through an online system. This information provides a factual basis for long-term planning by the trial courts, the Supreme Court, and other state leaders.

Supporting Trial Courts

The Division works closely with judges and clerks across the state to provide guidance, training, and technology. During the fiscal year, the Division:

- Reviewed 44 requests for bulk trial court data and 42 public records requests
- Reviewed and recommended approval of approximately 40 caseload allocation plans
- Conducted 34 onsite county visits for assistance with maintenance and storage of records
- Published 6 issues of *Court Times*, a print and online publication focusing on programs and events that impact Indiana's judicial system
- Compiled and distributed a weekly email newsletter to judicial officers
- Provided employment law guidance to judges, court administrators, and chief probation officers
- Expanded, updated, and reorganized the *Trial Court Administrative Manual for Judges/Clerks*

In addition, the Division distributed:

- \$1.5 million to 14 organizations that provide legal services to Indiana's low-income residents, mostly for domestic relations cases
- \$700,000 in grant funding to 12 Volunteer Advocates for Seniors or Incapacitated Adults programs, serving 26 counties and more than 400 vulnerable and incapacitated adults
- \$430,000 in court reform grants to 16 counties or projects seeking assistance in handling unrepresented litigants and language access issues
- \$312,595 in court interpreter grants to 35 counties

“The Court seeks truth, administers justice, defends freedom, and protects those who can't protect themselves. I consider every day that I am permitted to continue to be a part of this Court to be a blessing and a privilege.”

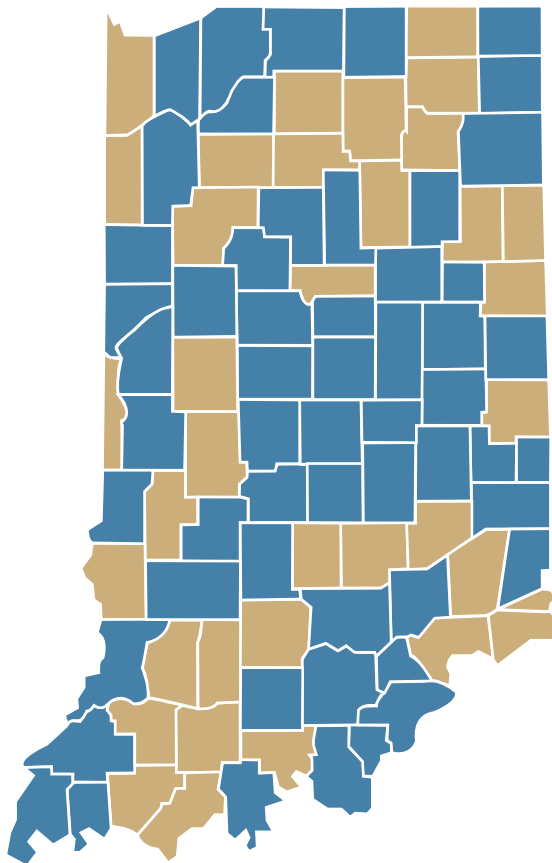
Hon. Kurtis Fouts
Judge, Carroll Superior



Trial Court judges from across the State are recognized at the 2016 State of the Judiciary.

250 Courts in 56 Counties using Odyssey

As of June 30, 2016



56 counties have one or more courts using Odyssey

65%

 of Indiana's newly filed cases are in the Odyssey case management system

Technology Improvements

By the end of the fiscal year, 250 appellate, trial, city, and town courts in 56 counties were using Odyssey—the state's case management system—to handle court records. Court case and financial data from Odyssey is also shared with systems used by probation departments and public defenders.

Odyssey docket information is available to courts and the public online at no charge. More than 20 million cases, representing approximately 65% of Indiana's newly filed cases, were in Odyssey by June 30, 2016. At the beginning of the fiscal year, 11 counties, 13 city/town courts, and two township courts were in the pipeline to have Odyssey installed.

Court Technology also provided over 30 unique software applications to more than 30,000 users within the INcite framework. INcite facilitates the sharing and exchanging of data among justice-related offices and state agencies.

Reimbursement for Public Defense Costs

Counties that met salary and caseload requirements were eligible for fiscal year state reimbursement from the public defense fund.

- 6 counties received more than \$510,000 to help pay for 12 capital cases
- 55 counties received over \$20 million to help pay for non-capital cases

2015 GAL/CASA at a Glance



3,470 Volunteers
received training



334,164 Hours
of donated time



26,443 Children
advocated for by
CASA volunteers

Helping Children, Families, and Those in Need

Guardians Ad Litem (GAL) and **Court Appointed Special Advocates (CASA)** speak on behalf of children in abuse, neglect, and termination of parental rights cases. In 2015, 77 Indiana counties had certified GAL/CASA programs; 3,470 volunteers (including 1,002 new volunteers) advocated for 26,443 children and donated an estimated 334,164 hours of their time.



Approximately 300 CASA volunteers attended CASA Day at the State House to show support for the program, interact with legislators about important issues facing children, and draw attention to the need for more volunteers.

“There is the complicated DCS system and the complicated court system, and my CASA makes sense of it. That is where he shines.”

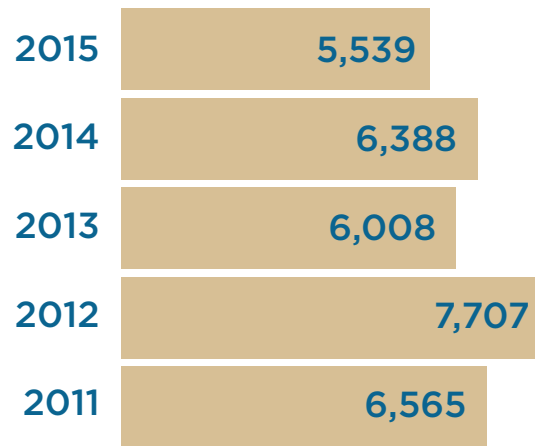
Dorrian Phillips, Youth assisted by Indiana GAL/CASA who spoke at CASA Day



Juanita Davis, with the National Clearinghouse on Abuse in Later Life, addresses those gathered for the Indiana Project on Abuse in Later Life Fall Kickoff Event. The event, organized by the Adult Guardianship Office, spotlighted the community's growing problem of elder abuse, neglect, and financial exploitation.

Families served by Indiana Family Courts

Five-year comparison



The Division's **Family Violence Resource Attorney** functions as a single point of contact for all of Indiana's courts on matters related to family violence, including civil protection orders and criminal domestic violence case processing. During the fiscal year, the Resource Attorney provided training to more than 400 judicial officers, attorneys, GAL/CASA volunteers, child protective services case workers, and other professionals.

Family Court Project grants help local courts serve families going through the court system. During the fiscal year, \$240,000 in grants were distributed to Family Court Projects in 20 counties. Grants support document preparation services for unrepresented and low-income families, co-parenting education and counseling, assistance with court-ordered programming, and the development of **Alternative Dispute Resolution (ADR)** programs. During 2015, 42 counties participated in ADR programs providing mediation services to litigants with the least ability to pay.

The **Adult Guardianship Office** administered matching grant funding to 12 volunteer-based guardianship programs in 26 counties. The Office continually promotes the online Guardianship Registry, which was used in 39 counties at the end of the fiscal year, and started managing a \$339,000 federal grant project on elder abuse in St. Joseph County.

The **Indiana Court Interpreter Certification Program** provides resources for courts needing interpretation services for Limited English Proficiency (LEP) individuals as well as those who are deaf or hard-of-hearing. Currently, Indiana has over 100 certified interpreters on a registry in the following languages: Arabic, Bosnian, Serbian, Croatian, Chinese (Mandarin), French, Polish, and Spanish. This registry is available to the courts along with a telephone interpretation service that provides 140 language options.

Under a Court Reform Grant, 11,000 “I speak” pocket language identification cards were distributed to courts, clerks, law enforcement, and other social service agencies during the fiscal year. The cards feature more than 80 languages enabling LEP individuals to identify their native language, thus allowing staff to seek assistance from the appropriate interpreter.



Attendees of the 2016 Indiana Conference for Legal Education Opportunity (ICLEO) pose for a photo with Chief Justice Loretta Rush. The 2016 Conference began June 19 and concluded July 30.

The **Indiana Conference for Legal Education Opportunity (ICLEO)** seeks to address diversity in the Indiana legal profession by assisting minority, low-income, and disadvantaged students pursuing a law degree at an Indiana law school. 19 students participated in ICLEO’s summer institute at Notre Dame Law School, which concluded on July 17.

The **Indiana Judicial Center** supports the Indiana Judicial Conference, which has a Board of Directors made up of judicial officers from across the state.

The Center provides education and research for judicial officers, trains probation officers, oversees specialized courts, formulates policy on judicial administration, and administers the interstate transfer compact for probationers. The Center also serves as the staff agency for nearly two dozen Judicial Conference committees.

courts.in.gov/center

Indiana Judicial Center

Jane A. Seigel, Executive Director

2015-2016 Education at a Glance



**More than 650
Judicial Officers**
received training



143 Hours
of instruction to
judicial officers



581 Participants
in attendance at the
annual Judicial Conference



25 Graduates
of the Indiana Judicial
College Program at the
annual Judicial Conference

Education for Judges

The Center provided 143 hours of training to more than 650 judicial officers to ensure Indiana citizens appear before a well-educated bench and to satisfy the mandatory continuing judicial education requirements.

- 24 hours of instruction to over 600 trial court clerks, bailiffs, court reporters, circuit court clerk staff, and court security officers
- 115 hours of instruction to 408 court alcohol and drug program judicial officers and staff
- 297 hours of instruction to 1,402 probation officers
- 104 hours of instruction to 419 problem-solving court judicial officers, staff, and team members
- 96 hours of training on Indiana Risk Assessment System (adult) to 265 probation officers, community correction officers, problem-solving court staff, court alcohol and drug program staff, and parole agents



Nearly 600 participants attended the annual Judicial Conference in Indianapolis. 25 individuals who graduated from the Judicial College Program were recognized at the Conference.

Distance Learning

Working with the National Center for State Courts, the Center expanded its web-based education programming. The Center launched new distance education initiatives that use technology to increase interactivity and improve learning outcomes:

- **Orientation Tool for Court Employees:** Updated from the 2011 training, avatar Diana Hoosier guides court employees through modules on the purpose of courts, the importance of the employee's job to the delivery of justice, the structure of Indiana's court system, self-represented litigants, common ethical issues, and service excellence.
- **Judicial Candidates eSchool:** Available prior to the May 2016 primary election to those running for judicial office, the online course focused on ethics, election conduct, employment, and engagement. Successful candidates will be invited to participate in further coursework.
- **Alternative Dispute Resolution (ADR) Assessment:** Over 150 judicial officers completed an interactive assessment offered by the Judicial Conference ADR Committee and Indiana University's Maurer School of Law on ADR procedures in family law cases.

- 72 hours of training on Indiana Youth Assessment System (juvenile) to 67 probation officers, community correction officers, problem-solving court staff, court alcohol and drug program staff, parole agents, and Department of Correction case managers

- 123 hours of instruction on the 8 core strategies of Juvenile Detention Alternatives Initiative (JDAI) to 1,804 judicial officers, probation officers, and other stakeholders

Evidence-Based Decision Making Initiative

In March 2015, Indiana received a technical assistance award from the National Institute of Corrections as a part of the Evidence-Based Decision Making Initiative. Technical assistance was provided for 15 months to six counties:

- Bartholomew
- Hamilton
- Hendricks
- Jefferson
- Porter
- Tipton

The technical assistance included a review of state and local decision-making processes, recommendations for areas of improvement, and guidance with designing a data collection system. A statewide, multidisciplinary policy team is overseeing the project.



From left to right: Stephenie Gookins, Chad Lewis, Brad Barnes, Hendricks County Sheriff Brett Clark, Hon. William Hughes, and Lori Eville serve as panelists for the Evidence-Based Decision Making session at the annual Judicial Conference in Indianapolis.

Court Improvement Program (CIP)

The CIP improves the safety, well-being, and permanency outcomes for children and families involved in Children in Need of Services and Termination of Parental Rights proceedings. CIP awarded \$328,542 to 16 sub-grant recipients during the fiscal year. CIP sponsored the Annual Meeting of Juvenile Court Judicial Officers and awarded eight professional development scholarships totaling nearly \$10,500 to those who exercise juvenile court jurisdiction.

Professional Development (Title IV-D) Scholarships

Under the Court's Professional Development Scholarship Program, the Center authorized scholarships totaling nearly \$129,000 to 56 judicial officers for continuing education training.

Certified Courts and Programs

The Center provides support to courts and probation offices around the state to implement problem-solving courts and court alcohol and drug programs. These programs are designed to help criminal offenders transition back into the community successfully.

By the end of the fiscal year, there were a total of 54 certified court alcohol and drug programs and another 76 certified problem-solving courts. The 76 problem-solving courts included:

- Domestic violence – 1
- Drug – 41 (37 adult, 4 juvenile)
- Family Dependency Drug Court – 6
- Mental health – 3
- Reentry – 9
- Veterans – 16

76 Problem-Solving Courts throughout Indiana

As of June 30, 2016

Domestic Violence Court

Lawrence

Drug Court - Adult

Adams, Allen, Dearborn, Delaware, Dubois, Fountain, Gibson, Grant, Hamilton, Hancock, Hendricks, Howard, Huntington, Jackson, Jefferson, Johnson, Kosciusko, Lake, LaPorte, Lawrence, Madison, Marion, Monroe, Montgomery, Noble, Owen, Parke, Perry, Porter, Rush, Spencer, St. Joseph, Vanderburgh, Vigo, Wabash, Warren, Warrick

Drug Court - Juvenile

Howard, Lawrence, Porter, Vanderburgh

Family Dependency Drug Court

Clark, Grant, Marion, Noble, Vanderburgh, Wabash

Mental Health Court

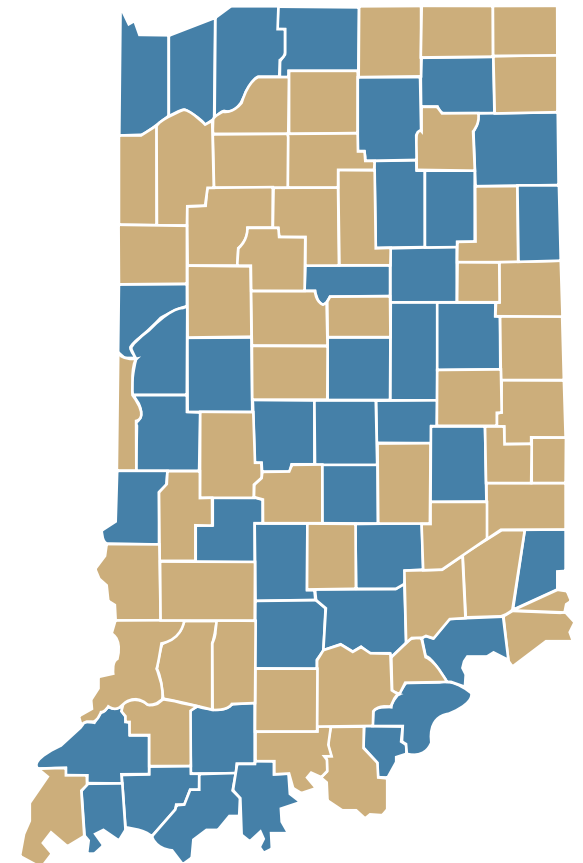
Allen, Madison, Marion

Reentry Court

Allen, Grant, Howard, Lake, LaPorte, Madison, Marion, Porter, Vanderburgh

Veterans Court

Allen, Bartholomew, Dearborn, Delaware, Floyd, Grant, Hamilton, Johnson, Lake, LaPorte, Marion, Montgomery, Noble, Porter, St. Joseph, Vanderburgh



40 counties have one or more active Problem-Solving Courts

“If there is a court in heaven, I hope it is a Veterans Treatment Court. Nearly a half million United States Veterans call Indiana home. Indiana courts have become a natural leader in this initiative to help restore honor.

Our courts oversee traumatic brain injury, post-traumatic stress disorder, substance abuse, and other treatment goals, to support our proud Hoosier Veteran families.”

Hon. Jonathan Cleary
Judge, Dearborn Superior 1

The problem-solving courts served 3,220 participants and graduates during 2015. During the fiscal year:

- 13 court-administered alcohol and drug programs were recertified
- 7 new problem-solving courts were certified
- 11 problem-solving courts were recertified

With funding from the Indiana General Assembly, the Center awarded 12 counties grants totaling \$500,000 for veterans courts.

Veterans Courts

In partnership with the Indiana Department of Veterans Affairs and the Indiana State Bar Association Military and Veterans Affairs Committee, the Court hosted the Indiana Veterans Court Summit. The event, at the Indiana War Memorial, included 111 attendees who learned about available services, training, and funding opportunities. The Summit featured faculty from the National Association of Drug Court Professionals, U.S. Department of Veterans Affairs, and Indiana Legal Services, Inc.



Judge Jonathan Cleary (Dearborn), Justice Steven David, and Judge Maria Granger (Floyd) at the Veterans Court Summit.

Juvenile Detention Alternatives Initiative (JDAI)

Indiana's JDAI, a project of the Annie E. Casey Foundation, is overseen by the Supreme Court and four other partners: Criminal Justice Institute, Department of Correction, Department of Child Services, and Family and Social Services Administration's Division of Mental Health and Addiction. JDAI's goal is to move low-risk youth from secure detention into community-based alternative programs.

During the fiscal year, the JDAI team provided 60 training sessions to over 1,800 attendees for 32 participating counties. The data continues to support the premise that alternatives to detention provide positive outcomes for youth and enhance public safety. At the beginning of 2016, 13 new counties joined the JDAI program, bringing the total to 32 counties statewide. With this addition, 69% of youth ages 10 to 17 now live in a JDAI county.

Interstate Compact

By statute, the Center administers the interstate compact for the transfer of adult and juvenile probationers in and out of Indiana; serves as the intermediary for the return of juvenile runaways, absconders, and escapees; and is actively involved in detecting and reporting possible victims of human trafficking.

The Center provides both adult and juvenile compact training to 300 probation and community correction staff. During the fiscal year, the Center supervised or processed:

- More than 4,450 adult cases
- Almost 1,000 juvenile cases
- Over 6,000 pending transfers, withdrawn cases, and closed case reports
- 80 juveniles as runaways, absconders, and escapees

Justice Reinvestment Advisory Council

The General Assembly created a nine-member Justice Reinvestment Advisory Council (JRAC), with the Executive Director of the Indiana Judicial Center, Jane Seigel, serving as chair. The Council consists of leadership from both the executive and judicial branches of state and local government.

The Council recommended \$5 million in funding during the fiscal year for the Department of Correction's community supervision grants. 42 counties received funding thanks to the Council, including 82 new positions in community corrections and probation.

The **Indiana State Board of Law Examiners** is responsible for certifying that all individuals admitted to practice law in Indiana have fulfilled the requirements for admission as specified in the Admission and Discipline Rules.

Admission is achieved primarily through one of three methods—examination, provisional license admission, and business counsel license—all of which are supervised by the Board.

In addition to its admission duties, the Board certifies legal interns and approves the formation—for the purposes of practicing law—of professional corporations, limited liability companies, and limited liability partnerships.

courts.in.gov/ble

State Board of Law Examiners

Bradley W. Skolnik, Executive Director

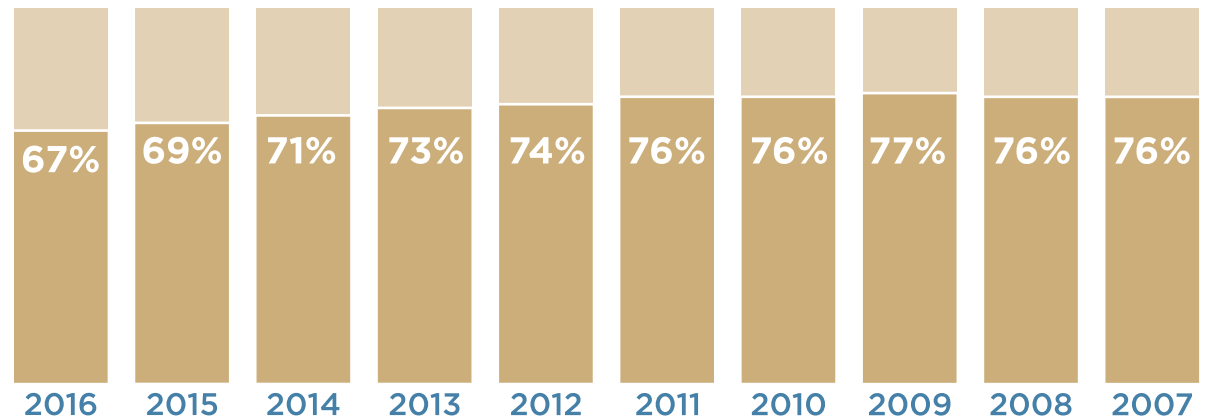
The Bar Exam

The bar exam is administered twice a year: once in February and once in July. For the second year, approximately 85% of applicants used their own laptop to answer the essay portion of the exam. During the fiscal year, 505 applicants passed the exam. The pass rate for the July 2015 exam was 74%. It was 55% for the February 2016 exam.

In November 2015, the Supreme Court approved changes to the Indiana essay portion of the exam effective February 2018. New topics will include Indiana employment law, Indiana debt collection law, and residential landlord tenant law.

Success Rate for Test Takers Ten Year Comparison

The percentage of test takers that passed the bar exam for the previous ten years.

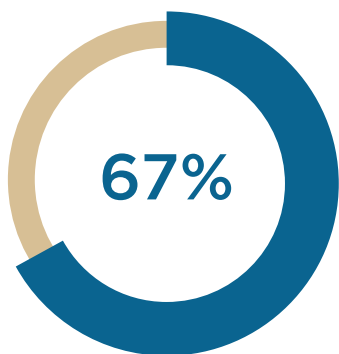




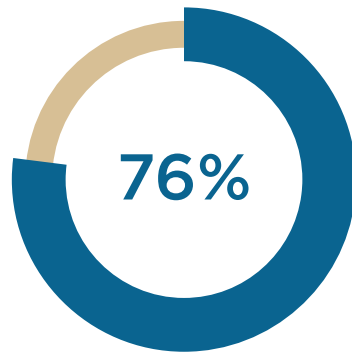
Applicants who successfully passed the February 2016 Bar were admitted at the May ceremony in the Indiana Roof Ballroom.

Success Rate for Test Takers in Fiscal Year 2015-2016

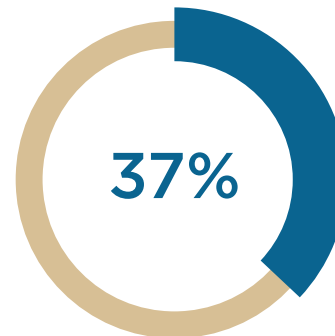
The percentage of test takers that passed the July 2015 and February 2016 bar exams.



All Test Takers



First Time Test Takers



Repeat Test Takers

WHEN ASKED WHAT PASSING THE BAR EXAM MEANT TO HER:

“This is a new way of life, a chance to do what I love, and a chance to make a difference.”

Feleshia Henderson
Successful in February 2016

Foreign License

Attorneys licensed in other states may be granted a provisional admission on foreign license to practice law in Indiana. The attorney must demonstrate that they meet the requirements for admission set out in Admission and Discipline Rule 6.

Lawyers licensed in another state whose sole employer is a person or entity engaged in business in Indiana—other than the practice of law—may also be eligible for admission on a business counsel license. During the fiscal year, a total of 97 out-of-state attorneys were admitted to the Indiana bar on a provisional admission or business counsel license.

The **Commission for Continuing Legal Education** (CLE) regulates the legal education requirements of Indiana's attorneys and judges. The Commission keeps a registry of mediators and regulates mediator education programs. CLE also regulates the Independent Certifying Organizations that certify attorney specialists.

courts.in.gov/cle

COMMISSION FOR Continuing Legal Education

Julia L. Orzeske, Executive Director (July 2015 - February 2016)

Bradley W. Skolnik, Interim Executive Director (March 2016 - June 2016)

New Portal Services

With assistance from Court Technology, the Commission upgraded to a new computer system for course and attorney records during the previous fiscal year, which provided new services for attorneys on the **Indiana Courts Portal**. Attorneys can now use the portal to:

- Review their CLE transcripts
- Apply for accreditation of a CLE course
- Report CLE attendance
- Track the progress of applications and attendance

Between the launch of these new services in late February and the end of the fiscal year, the Commission received over 750 applications through the Portal. This reduces the amount of data entry required by Commission staff and provides a modern service for the increasingly tech-savvy bar.

Distance Education

Distance education courses, typically delivered over the Internet, are increasingly popular among attorneys. Of the roughly 13,000 total courses approved by the Commission, nearly 4,000 (31%) were distance education courses. Attorneys reported almost 12,100 distance credits, which is a 260% increase over fiscal year 2005-2006, when the first distance education credits were available.

As a result of higher demand for distance education, in February the Supreme Court approved a change to the number of distance education courses attorneys and judges may take during their 3-year educational cycles. Effective January 1, 2017, attorneys may take up to 9 credits (up from 6) of distance education, while judges may take up to 12 credits (up from 9).

Mediator Registry

The Commission continues to manage the registry of court approved mediators, which includes 1,031 registered mediators.

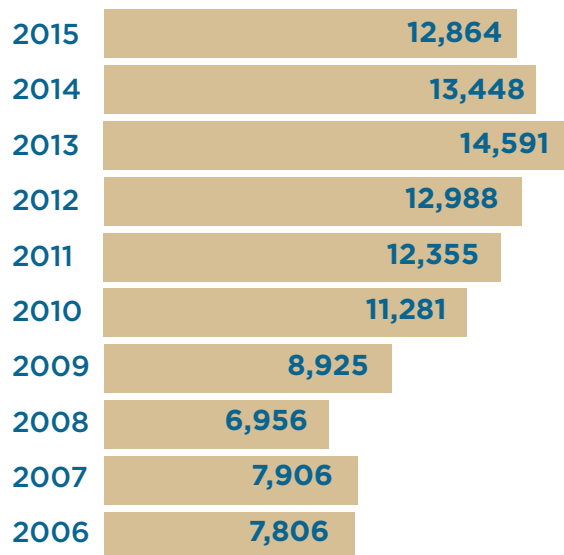
Attorney Specialty Certification

As of June 30, 2016, there were 287 Indiana attorney specialist listings in nine practice areas. The attorneys were certified by four Independent Certifying Organizations in the following practice areas:

- **24** Business Bankruptcy specialists
- **26** Civil Pretrial Practice specialists
- **33** Civil Trial Advocacy specialists
- **13** Consumer Bankruptcy specialists
- **3** Criminal Trial Advocacy specialists
- **2** Creditors Rights specialists
- **18** Elder Law specialists
- **67** Family Law specialists
- **101** Trust and Estate Planning specialists

Courses Accredited Ten Year Comparison

The number of attorney and judicial education courses accredited by the Commission decreased slightly during this fiscal year, due to the January 2015 effective date of application fees.



Top: Perry Hammock, Chair of the Bicentennial Commission, encourages CLE program attendees to participate in outreach to students. **Above:** Court of Appeals Chief Judge Nancy Vaidik asks a question during a CLE program in April.

The **Indiana Supreme Court 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 annual registration fee paid by Indiana lawyers in good standing.

courts.in.gov/discipline

Disciplinary Commission

G. Michael Witte, Executive Secretary

Rule Amendments

A comprehensive revision of Admission and Discipline Rule 23, which is the foundation for the establishment of the Commission and the guide for investigation and litigation procedures for lawyer discipline, continued during the fiscal year.

The goal was to streamline the discipline process and organize the rule in a user friendly manner. A final draft was published for public comment in March 2016. The comments and final draft were submitted to the Court for consideration. The Court determines if any rule changes will be formally adopted.

Resignation of License

License resignation is a sanction that can only occur if there is a pending misconduct investigation or prosecution. Resignation is not equivalent to retirement or inactive status. A resigned lawyer is not in good standing on the Roll of Attorneys.

License resignation is a useful tool for removing attorneys from the practice of law in serious misconduct cases when the lawyer knows that defense to the misconduct would not be successful. Four lawyers resigned their license during the fiscal year.

Trust Account Focus

The Commission continues a focused enforcement of trust account management. In the fiscal year, trust account actions resulted in:

- 3 disbarments
- 2 license resignations
- 1 discipline without automatic reinstatement
- 2 disciplines with stayed suspension and probation

Attorney Discipline Case Highlights

An overview of the number and types of cases reviewed by the Commission.

1,437 **Requests for Investigation**
(submitted to the Commission by the public)

53 **Commission Grievances**
(initiated by the Commission)

33 **Verified Complaints**
(misconduct charges filed by Commission)

57 **Counts of Misconduct**
(from verified complaints)

99 **Cases Disposed**

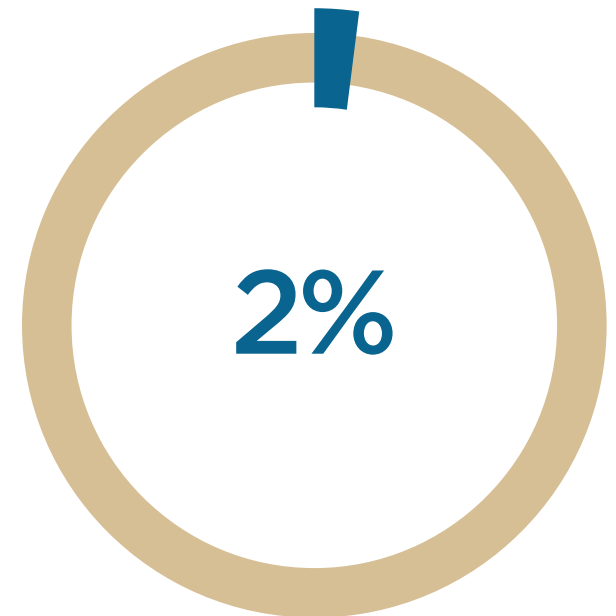
102 **Overdraft Notices**

76 **Overdraft Inquiries Closed**

238 **CLE/Fees Suspensions**
(for failure to fulfill mandatory education requirements or pay fees)

Charges Compared to Total Grievances

The percentage of grievances submitted to the Disciplinary Commission that resulted in charges being filed in a verified complaint to the Indiana Supreme Court.



Attorney Discipline Case Inventory

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

64 Matters Pending
JUL 1, 2015

92 New Matters Received

99 Matters Disposed

57 Matters Pending
JUN 30, 2016

New Discipline Matters Received

Details of the types of discipline matters filed with the Supreme Court between July 1, 2015 and June 30, 2016.

Petitions to Show Cause for Noncooperation	28
Verified Complaints for Disciplinary Action	33
Private Administrative Admonitions Tendered	1
Affidavits of Resignation (tendered before filing Verified Complaint)	4
Petitions for Emergency Interim Suspension	-
Notices of Findings of Guilt (Felony)/ Requests for Interim Suspension	4
Notices of Foreign Discipline/ Requests for Reciprocal Discipline	2
Motions for Release from Reciprocal Discipline	-
Petitions for Reinstatement	4
Petitions to Revoke Probation	1
Petitions to Terminate Probation	7
Contempt of Court Proceedings	7
Miscellaneous	1
TOTAL	92

Discipline Matters Disposed by the Supreme Court

Some disciplinary matters are handled by the Commission; others are disposed of by the Supreme Court. The table below details how the Court handled the matters that came before it during the fiscal year.

Dismissal on Compliance with Show Cause Order	19	Accepting Resignation	6
Terminating Noncooperation Suspension on Compliance with Show Cause Order	2	Emergency Interim Suspension Granted	1
Dismissal of Show Cause Proceeding Due to Other Suspension	16	Emergency Interim Suspension Denied	-
Converting Noncooperation Suspension to Indefinite Suspension	7	Interim Suspension on Finding of Guilt (Felony)	3
Private Administrative Admonition	1	Reciprocal Discipline (Suspension)	1
Rejection of Private Administrative Admonition	-	Release from Reciprocal Suspension	-
Private Reprimand	2	Finding or Judgment for Respondent	-
Public Reprimand	3	Granting Reinstatement	3
Suspension with Automatic Reinstatement (after Verified Complaint)	6	Withdrawal or Dismissal of Petition for Reinstatement	1
Suspension without Automatic Reinstatement (after Verified Complaint)	7	Denying Reinstatement	1
Suspension with Conditions/Probation (after Verified Complaint)	2	Revoking Probation	1
Suspension Due to Disability Determination	-	Terminating Probation	7
Disbarment	3	Finding Contempt of Court	4
		Miscellaneous Dismissing or Withdrawing Action	3
		Miscellaneous	-
		TOTAL	99

The **Indiana Judicial Nominating Commission** and the **Indiana Commission on Judicial Qualifications** are established by the Indiana Constitution and staffed by the Division of State Court Administration. One seven-member body serves both Commissions.

The Nominating Commission recruits and interviews applicants to fill vacancies on the appellate courts and certifies former Indiana judges as senior judges.

The Qualifications Commission investigates and prosecutes allegations of ethical misconduct by judicial officers and candidates for judicial office.

courts.in.gov/jud-qual

Indiana Judicial Nominating Commission and Commission on Judicial Qualifications

Adrienne L. Meiring, Counsel

Changes on the Appellate Courts

During the previous fiscal year, the Nominating Commission submitted three names as finalists for a vacancy created by the retirement of Judge Ezra Friedlander. On July 17, 2015, Governor Mike Pence appointed Hon. Robert R. Altice, Jr. to the Court of Appeals.



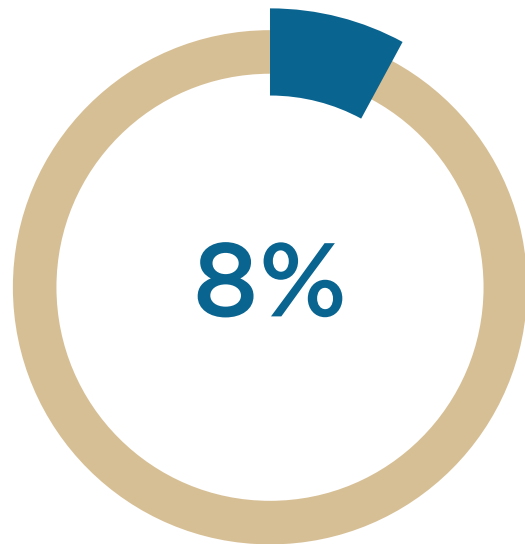
Media interview Geoffrey Slaughter following the announcement of his appointment as the 109th Justice.

On November 9, 2015, Justice Brent E. Dickson announced his plans to retire from the Indiana Supreme Court after 30 years of service. The Commission interviewed 29 applicants over a three-day period in February 2016 and invited 15 candidates back for a second round of interviews in March.

After deliberations, the Commission submitted names of three finalists to the Governor: Hon. Steven L. Hostetler, Hon. Matthew C. Kincaid, and Mr. Geoffrey G. Slaughter. On May 9, 2016, Governor Pence selected Geoffrey Slaughter to become the 109th Indiana Supreme Court Justice. He was sworn-in on June 13, 2016.

Investigations Compared to Grievances Submitted

The percentage of grievances submitted to the Commission that resulted in the initiation of a formal investigation.



Handling Discipline Issues

During the fiscal year, the Qualifications Commission considered 393 complaints alleging judicial misconduct. Of those, 362 complaints were dismissed summarily as failing to raise valid issues of ethical misconduct or were dismissed following informal investigation by Commission staff and a determination that no misconduct occurred.

In the remaining 31 cases, the Commission required the judges to respond to the allegations and conducted formal investigations. After reviewing the judges' responses, the Commission dismissed seven of the complaints as not establishing ethical misconduct. During the fiscal year, the Commission took action in 24 cases:

- 2 judicial officers left the bench while investigations were underway. In both instances, the pending investigations were closed without prejudice, subject to being reopened if these individuals seek judicial office in the future.
- 3 complaints were dismissed without prejudice, giving the Commission the right to reopen these investigations if new circumstances develop.

- 2 judges received advisory letters noting their actions may have fallen short of violating the Code of Judicial Conduct and providing instructions on how to avoid similar complaints.
- 2 judges received private cautions which must be disclosed to nominating commissions or other judicial evaluation bodies if the judge seeks state appellate or federal judicial positions.
- 2 judges entered into deferred resolution agreements which provide for a period of supervised monitoring. If the judge abides by the terms of the agreement, the complaint is resolved with a private caution at the end of the deferral period.

13 inquiries or investigations were pending at the end of the fiscal year.

Judicial Discipline Case Highlights

Some disciplinary matters are handled by the Commission; others are disposed of by the Supreme Court. The following details the outcomes for Commission and Court handled matters.

393 **Complaints Submitted** (against judges to the Commission)

362 **Dismissed Summarily** (no valid issue of misconduct)

31 **Complaints** (investigations with responses from judges)

7 **Complaints** (dismissed after investigation)

2 **Advisory Letters**

3 **Complaints** (dismissed without prejudice)

2 **Complaints** (dismissed after judicial officer resigned or left bench)

2 **Private Cautions**

2 **Deferred Resolution Agreements**

13 **Investigations Pending** (at the end of the fiscal year)

Advising Judges and Judicial Candidates

Advisory opinions do not carry the weight of law, but they are intended to guide judicial officers in handling common ethical dilemmas. The Qualifications Commission issued one advisory opinion in November 2015 addressing judges' ability to privately collect fees for solemnizing marriages during court hours or on court property.

A judge's adherence to the recommendations in such opinions is considered a good-faith effort to comply with the Code of Judicial Conduct.

The **Indiana State Public Defender's Office** provides investigation and representation at trial court hearings and on appeal to indigent prisoners in capital (death penalty) and non-capital post-conviction relief cases. Court rules allow a narrow challenge—called a post-conviction relief proceeding—to a conviction or sentence.

The Office serves as counsel for the prisoners who request representation in post-conviction cases. The Office also finds private counsel to provide representation in certain cases when requested by trial courts. The Indiana Supreme Court appoints the Public Defender and the Office follows procedural rules established by the Court.

courts.in.gov/defender

State Public Defender's Office

Stephen T. Owens, Public Defender of Indiana

Life without Parole and Death Penalty Cases

This fiscal year, three death penalty cases— involving defendants Kevin Isom, Jeffrey Weisheit, and William Gibson—were referred to the Public Defender's Office. The cases are being reviewed and investigated by teams of attorneys in the Office. The cases will be litigated in 2016 or early 2017.

The Office represented 13 Department of Correction prisoners serving sentences of life in prison without parole. Representation in these cases is considerably more time-consuming than in general felony cases.

Non-Capital Cases

Demand for the Office's services correlates with the Department of Correction's population, which reached 26,142 adult and juvenile prisoners on May 1, 2016.

The Office received 587 petitions from prisoners seeking post-conviction counsel. The petitions, written by prisoners without an attorney, are called *pro se*, self-represented, or unrepresented.

Upon receipt of a petition, the Office represents these prisoners in matters of post-conviction relief, and seeks a correction of sentence, a new trial, or other relief, if arguable merit exists in the case. Relief was granted in 43 cases during the fiscal year; the outcomes of these cases included:

- Sentence adjustments totaling over 275 years
- Pre-trial jail time credit totaling nearly 1,600 days
- Convictions vacated in 5 cases, with the cumulative vacated sentences totaling 170 years
- Permission for a belated appeal granted in 2 cases
- New sentencing hearing granted in 1 case

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 the potential harm caused by impairment. All interactions with JLAP are confidential.

courts.in.gov/ijlap

Judges and Lawyers Assistance Program

Terry L. Harrell, Executive Director

Responding to National Research

In February 2016, the American Bar Association (ABA) and the Hazelden Betty Ford Foundation released the first empirical study on lawyer well-being in 25 years. The study confirmed what many have long suspected: lawyers suffer from substance abuse or other mental health issues at a significantly higher rate than other professionals or the general population. Still, many do not seek help due to societal stigma and fear that it will hurt their careers.

In response to the research, JLAP launched a campaign with 15 presentations to inform the bench and bar of the study results. The campaign let struggling judges/lawyers know they are not alone, aimed to reduce the stigma related to mental health and addiction issues, and informed the profession that JLAP is a safe and confidential place to seek help.

2015-2016 JLAP By the Numbers



237
Calls for Help
assisting judges & lawyers



211 Hours
preparing/presenting
to the legal community



5,437
Attendees
at 64 presentations
including 12 to law
schools and 6 to judges

Educating the Bench & Bar

JLAP collaborated with the Indiana Judicial Center to spotlight judicial wellness at the Annual Judicial Conference in September. The Honorable Robert Childers, former chair of the ABA Commission on Lawyer Assistance Programs, presented a plenary session, "Helplines, not Headlines," emphasizing how reaching out to help colleagues can prevent both personal pain and professional disaster. A breakout session focused on case scenarios exploring when JLAP is able to provide assistance and when judicial officers have an ethical duty to report to the Commission on Judicial Qualifications.

JLAP also expanded its outreach to the federal courts by presenting information about lawyer assistance programs to attendees at a conference sponsored by the Federal Judicial Center and to judicial clerks in the Southern District.

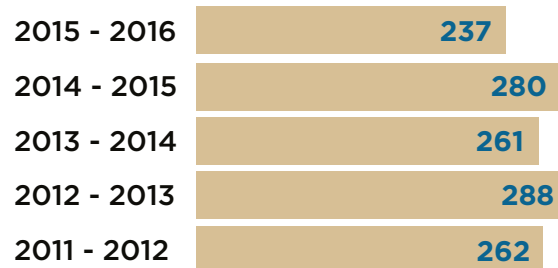
JLAP continued to make its presence in Indiana law schools a priority. The national research indicated that the youngest lawyers are experiencing the most distress. In response, JLAP participated in mental health and wellness days, provided exam stress relief with therapy dogs, and presented in professional responsibility classes. It also provided faculty education by convening the second annual meeting of law school deans of students.

“One of life’s great rewards is to be a part of the JLAP community of service to our fellow judges and lawyers ... volunteers reach out to mentor, monitor, listen to and reflect with fellow practitioners.”

Mark Robinson, New Albany, JLAP Committee Member

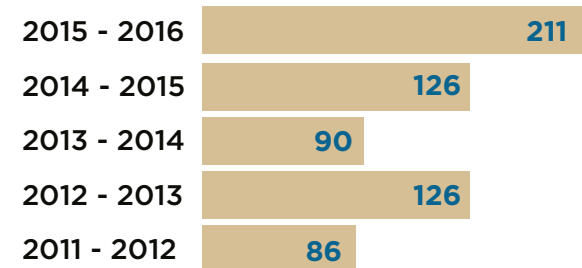
Calls for Help Five Year Comparison

JLAP received 237 calls for help during FY 2015-2016, the lowest in the past 5 years.



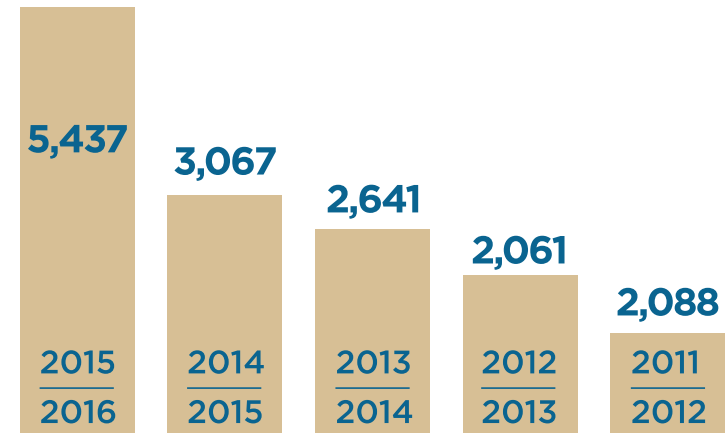
Hours Presenting Five Year Comparison

JLAP spent 211 hours preparing/presenting to the legal community in FY 2015-2016, the most in the past 5 years.



Number of Attendees at Programs Five Year Comparison

Along with the increase in number of hours presenting to the legal community, the number of program attendees increased significantly.



Definitions

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. Mandates of funds are typically ordered 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.

An **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.



Indiana Supreme Court

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