

February 26, 2021

Format: Remote via Teams

The Protection Order Committee met remotely via Teams on Friday, February 26, 2021, from 12:15 p.m. - 2:00 p.m.

Roll Call and approval of prior meeting minutes

Members present

Andrew K. Antrim, Marshelle Broadwell, Alexis V. Dedelow, Michael T. Douglass, Sara A. Dungan, Danielle Gaughan, Mary Margaret Lloyd, Darren Murphy, Christopher Nancarrow, Frank M. Nardi and Sean M. Persin, Chair.

Staff Present

Melissa Arvin, Tom Jones, and LaJuan Epperson, Court Technology provided staff assistance.

Minutes from October 23, 2020 approved

Legislative update- no bills this year

Issues

Schedule for Protection Order Bench Book rewrite

- Chapter assignments have been determined
- Procedures for round two
 - Chapters that have not been reviewed are due by May 17 to Melissa
 - Please be sure to use track changes in Word so that everyone can see what changes have been made
 - Committee will review 3 chapters each day
 - Meetings on May 20 and 21 will start at 10:00 a.m. Eastern and we will take breaks for lunch
 - Schedule as to which chapters will be reviewed each day will be sent out
 - All chapter drafts will be sent to the committee by email

Vote on request for additional case type for Harassment POs and/or domestic vs. non-domestic POs

- Committee reviewed the statistics on harassment POs
- Discussion and a vote on a new case type for harassment or non-domestic PO cases
- A consensus was not reached on having a new case type

Translation Pilot Update

- Pilot has been approved
- Pilot will start after training is complete on April 1 and go for 4 months

Other Issues:

- Findings and Conclusions
 - General text box is the easiest change to make and a check box to add additional Findings box. If the box is not checked then will just read as it is now.
 - Change to the form has been approved, can go back to court technology for development
- Additional information for respondent and/or petitioner (age, same residence, email, social media, etc.) on Petition
 - Tabled until next meeting
- R.W. v. J.W.—no requirement to transfer PO to other state

New Business:

- Judge Antrim asked for guidance on the fee that was imposed by a county in Michigan to serve a protection order. Discussion by the committee was had and alternatives were discussed.

Proposed meeting dates and times (usually 4th Friday of month):

March 26, 2021	12:15 p.m. – 2:00 p.m.	Remote via Teams
June 25, 2021	12:15 p.m. – 2:00 p.m.	Remote via Teams
August 27, 2021	12:15 p.m. – 2:00 p.m.	Remote via Teams
October 22, 2021	12:15 p.m. – 2:00 p.m.	Remote via Teams

March 26, 2021

Format: Remote via Teams

The Protection Order Committee met remotely via Teams on Friday, March 26, 2021, from 12:15 p.m. - 2:00 p.m.

Roll call and approval of February 26, 2021 minutes

Members present.

Andrew K. Antrim, Jonathan Brown, William Dawkins, Michael T. Douglass, Sara A. Dungan, Danielle Gaughan, Mary Margaret Lloyd, Darren Murphy, Christopher Nancarrow, Frank M. Nardi, Jay Phelps and Sean M. Persin, Chair.

Staff present.

Melissa Arvin, Tom Jones, and LaJuan Epperson, Court Technology; provided staff assistance.

Minutes from February 26, 2021 meeting approved

Issues:

Translation Pilot training

- Begun in St. Joseph, Tippecanoe and Allen counties
- On track to start 4/1
- Development for findings & conclusions underway
 - Looking for funding
 - Will be ready to roll out July 2021

SB79 #2: Enhances penalty for domestic violence in violation of PO or NCO

SB79 #3: Notice to schools

- Box on the petition itself
 - Should we require petitioner to advise on the petition if it would impact the school because otherwise there would not be a way for the court to know?
 - If yes, please indicate which schools?
 - Also indicate which schools impacted to ensure that they go to the same school
 - Box needs to be near the top of the form so that it can be apparent to the petitioner
- Do we need a new form for notification of the schools?
- Most counties create an exception on the order for school and notify the school when there is an issue
- Concerns about language of having to wait to enter the order—the language seems to prohibit issuing the ex parte order and having to wait to issue the order
- Does it apply to college/university or just high school? School corporation may not apply to charter schools or private schools.

- The amendment does not indicate who at the school will get notice or if it is the district office, the school, etc.
- How much notice is required?
- Lead on changes to petitions—Magistrate Nardi
 - Lead on new form to notify schools

New Business:

- Hearing is required if party requests firearm
- Memo for Wednesday message—on NCO and using the form that we have, not their own forms due to the issue of it not being in Incite or being available to law enforcement

Schedule for Bench Book Rewrite

Proposed meeting dates and times (usually 4th Friday of month):

May 20, 2021 (BB rewrite)	Time TBD	Remote via Teams
May 21, 2021 (BB rewrite)	Time TBD	Remote via Teams
June 25, 2021	12:15 p.m. – 2:00 p.m.	Remote via Teams
August 27, 2021	12:15 p.m. – 2:00 p.m.	Remote via Teams
October 22, 2021	12:15 p.m. – 2:00 p.m.	Remote via Teams

June 25, 2021

Remote Mtg. via Teams

The Protection Order Committee met remotely via Teams on Friday, June 25, 2021, from 12:15 p.m. - 2:00 p.m.

Roll call and approval of prior meeting minutes

Members Present:

Andrew K. Antrim, Jonathan Brown, Michael T. Douglass, Sara A. Dungan, Danielle Gaughan, Mary Margaret Lloyd, Darren Murphy, Christopher Nancarrow, Frank M. Nardi, and Sean M. Persin, Chair.

Guests

Patricia McMath, Kristen McVey, Therese Hannah

Staff present

Melissa Arvin, Tom Jones, Carl Cowan

Minutes from March 26, 2021 approved

Issues

Outgoing member thank you and Introductions for all the members

Statutory changes regarding school

- School Notification Forms from Magistrate Nardi
 - Discussion and review of the statute and the intent of the legislature
 - Language of the statute is unclear as to whether it prohibits ex parte orders being issued but legislative intent from debate on the language indicates it did not intend to prohibit ex parte orders from being issued
 - Need to amend the petitions to gain additional information
 - Suggested language to include also respondent works for or is regularly present at the school
 - Form as written by Magistrate Nardi has been approved

PO Notice for address from Magistrate Hannah

- Form is for use in harassment cases only
- Should perhaps include a blank as to number of days to allow judges to put in number of days
- Set this form for a vote in the next meeting

K.B. v. B.B. (re: whether an evidentiary hearing is necessary)

- Footnote specifically states that the court is not ruling on the ultimate issue of whether all harassment PO petitions need to be set for hearing

Increased information on the PO Petition form

- Drop down findings box
 - How do we get that information before the judges

Benchbook chapters for August

Proposed meeting dates and times (usually 4th Friday of month):

August 27, 2021	12:15 p.m. – 2:00 p.m.	Remote via Teams
October 22, 2021	12:15 p.m. – 2:00 p.m.	Remote via Teams

August 27, 2021

Format: Remote Mtg. via Teams

The Protection Order Committee met remotely via Teams on Friday, August 27, 2021, from 12:15 p.m. - 2:00 p.m.

Roll call and approval of prior meeting minutes

Members Present:

Marshelle Broadwell, Jonathan Brown, Michael T. Douglass, Danielle Gaughan, Kristina Kantar, Patricia McMath, Kristen McVey, Christopher Nancarrow, and Sean M. Persin, Chair.

Staff present

Melissa Arvin, Tom Jones, Carl Cowan

Minutes from June 2021 were approved

Votes Held

School Notification Forms from Magistrate Nardi

- Condense to fewer forms
- Can we condense to 2 or 1?

PO Notice for address from Magistrate Hannah

- Making the dates flexible to allow the court to amend the number of days for petitioner to respond
- Form is approved by consensus

Issues

Increased information on the PO Petitions

- Approval for added boxes re: firearms
- Extra information for Respondent
 - Currently residing together
 - DOB
 - Own weapons?
 - Social media accounts
 - Concern that it will make the forms too daunting as forms are already not filled out correctly
 - Tabled until 2022

Benchbook chapters for August

Chapter 1

Miscellaneous Notes

- Limiting the number of protected parties in EFSP
- Translation project is being extended
- Abusive litigants
- Cohabitators in harassment POs

Proposed meeting dates and times (usually 4th Friday of month):

October 22, 2021	12:15 p.m. – 2:00 p.m.	Remote via Teams
January 28, 2022	12:15 p.m. – 2:00 p.m.	Remote via Teams
February 25, 2022	12:15 p.m. – 2:00 p.m.	Remote via Teams
March 25, 2022 (tentative)	12:15 p.m. – 2:00 p.m.	Remote via Teams
April 22, 2022	12:15 p.m. – 2:00 p.m.	Remote via Teams
June 24, 2022	12:15 p.m. – 2:00 p.m.	Remote via Teams
August 26, 2022	12:15 p.m. – 2:00 p.m.	Remote via Teams
October 28, 2022	12:15 p.m. – 2:00 p.m.	Remote via Teams

October 22, 2021

Format: Remote via Teams

Roll call and approval of prior meeting minutes

Members Present

Marshelle Broadwell, Jonathan Brown, Alexis Dedelow, Michael Douglass, Danielle Gaughan, Patricia McMath, Mary Margaret Lloyd, Frank Nardi, Sean Persin, Chair.

Staff Present

Melissa Arvin, Tom Jones, Carl Cowan

Meeting minutes from August 27, 2021 approved

Updates

School Notification Forms

New form condensed to one form which also now contains the school corporation's intent to participate. Discussion was had on the form as amended. One form passes and approved.

Follow up: New form will need a form number and to be put into Odyssey, Registry and on the website.

Benchbook: Chapter 3 finalization.

Discussion was held on the few remaining issues.

- Possible Update to Order information:
 - Judge Brown requested additional information or an additional text box to include remote hearing information such as Zoom links, etc.
 - This issue was tabled until further guidance from the Supreme Court on the extension of remote hearings.
- Expungement in PO after ex parte petition:
 - There is no button to allow court staff to expunge the order after petition is denied.
 - Request came from Magistrate Douglass.
 - Committee approves change to be implemented for a button at all stages in the protection order registry.
- PO Case law update was sent to all the committee members. B.B. v. K.B was discussed with regard to verbal findings being upheld by the court.
 - Memo to the judiciary will go out soon.
- Entire bench book has been reviewed and will be sent out as a whole to the committee for final review.
 - Final edits will be discussed at the January 2022 meeting.

Proposed meeting dates and times (usually 4th Friday of month):

January 28, 2022	12:15 p.m. – 2:00 p.m.	Remote via Teams
February 25, 2022	12:15 p.m. – 2:00 p.m.	Remote via Teams
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