

**Special Courts Committee  
Judicial Conference of Indiana**

**Minutes  
January 13, 2023  
via Microsoft Teams**

1. Attendance: The following members participated in the meeting: Kathleen Belzeski, Michael Douglass, Steven Hagen, David Happe, Kyle Noone, Matthew Raper, Travis Sandifur, and Kimberly Bacon, Chair. The meeting was staffed by Mindy Pickett from IOCS and led by Kathleen Belzeski.
2. Approval of Minutes: The committee reviewed and unanimously approved the minutes from the October 14, 2022 meeting.
3. Best Practices Small Claims: The committee continued the discussion from the last meeting on initial hearings/hearing timeframes and eviction sealing. Mag. Belzeski reported that she is working with Judge Bacon to come up with best practice recommendations on hearings for the benchbook that she hopes to circulate prior to our next meeting. Mag. Raper and Mag. Douglass drafted best practice recommendations on eviction sealing for both the small claims manual and benchbook. The committee reviewed the proposals and agreed to post the recommendations in the small claims manual. The group tabled the recommendations for the benchbook until the next meeting to supplement additional guidance.
4. Other business:
  - a. Interest Infraction/Ordinance violation cases: The committee discussed post-judgment interest on these types of cases and made a change to the default judgment traffic form.
  - b. City and Town Court manual: The committee looked at two current best practice recommendations regarding mental health cases and search warrants. The committee approved supplementing the recommendation on mental health cases and tabled the discussion on search warrants for a more thorough review. Committee members are going to look at the recommendation and statutes regarding search warrants and make a recommendation via email by February 24, and then take a vote at the April meeting.
  - c. The committee reviewed one published case: Ayers v. Stowers, 22A-SC-295, 2022 WL 17491771 (Ind. App. Dec. 8, 2022).

**2023 Meeting Dates: April 14, July 14\*, and October 13**

The meetings will be held virtually at 11am (eastern) on Microsoft Teams unless otherwise stated. \*July 14 meeting will be held in person in Indianapolis.

**Special Courts Committee  
Judicial Conference of Indiana**

**Minutes  
April 14, 2023  
via Microsoft Teams**

1. Attendance: The following members participated in the meeting: Kathleen Belzeski, Sam Conrad, Steven Hagen, David Happe, Kyle Noone, Matthew Raper, Roman Ricker, and Travis Sandifur. The meeting was staffed by Mindy Pickett from IOCS and led by Kathleen Belzeski.
2. Approval of Minutes: The committee reviewed and unanimously approved the minutes from the January 13, 2023, meeting.
3. Best Practices Small Claims: Mag. Belzeski and Judge Bacon drafted best practice recommendations to be inserted in the judicial benchbook. The committee reviewed and unanimously approved the recommendations for publication.
4. 2023 Legislative Update: The committee reviewed and discussed the current proposed legislation that is relevant to the committee including SB 114, HB 1015, HB 1156 and HJR 6.
5. Other business:
  - a. The committee reviewed and discussed three published cases: Johnson v. Hous. Auth. of S. Bend, 204 N.E.3d 940 (Ind. App. 2023), Turner v. Knowles, 22A-EV-2622, 2023 WL 2748427 (Ind. App. Apr. 3, 2023), and Ford v. Slate, 22A-SC-1018, 2023 WL 2800402 (Ind. App. Apr. 6, 2023). The committee agreed that Johnson should be included in the benchbook to reiterate that even if federal issues are at a play, those issues and any witnesses should be considered. Mag. Raper volunteered to draft a synopsis of this case for the benchbook. The committee also agreed that Turner warrants mention in the benchbook for its discussion on surrender and damages notices. The committee suggested a legislative change to Ind. Code 32-31-3-14 to allow for a landlord to send the itemized list of damages via electronic mail. Mag. Belzeski volunteered to draft a synopsis of this case.
  - b. The committee discussed:
    - i. How courts address landlords filing an eviction case that names the L.L.C. and an individual as plaintiff
    - ii. Amendments to Indiana Code of Judicial Conduct Rule 2.17 – cameras in the courtroom
  - c. The following members were thanked for their service to the committee: Kimberly Bacon, Kathleen Belzeski, and Jeffrey Thode. They will rotate off the committee on July 1, 2023.

**2023 Meeting Dates: July 14 and October 13**

The meetings will be held virtually at 11am (eastern) on Microsoft Teams.

**Limited Jurisdiction and Traffic Law Committee**  
**Judicial Conference of Indiana**

**Minutes**  
**July 14, 2023**  
**via Microsoft Teams**

1. Attendance: The following members participated in the meeting: James Burns, Michael Douglass, Garland Graves, David Happe (chair), Kyle Noone, Steven Poore, Matthew Raper, and Travis Sandifur. Jeff Wiese, Deputy Director of Legal Support at IOCS attended as a guest. The meeting was staffed by Mindy Pickett from IOCS.
2. Approval of Minutes: The committee reviewed and unanimously approved the minutes from the April 14, 2023, meeting.
3. License suspensions for non-moving violations: Jeff Wiese explained that Court Technology suggested programming Odyssey to prevent creation of an SR-16 for non-moving Failure to Appear or Failure to Pay violations. A CCS entry would be entered on the case if an SR-16 was attempted to be created on a charge that does not qualify. The committee agreed that this technology and the CCS entry would be helpful. Jeff reported that a BMV workgroup consisting of BMV employees, judicial officers, and other stakeholders would be restarted in the near future to address any issues that arise and create workable solutions for all stakeholders.
4. Updates to Benchbook: Mag. Raper and Douglass presented eviction best practice recommendations to be added to the benchbook. The committee discussed the recommendations and agreed to them being added. At our next meeting we will have a further discussion on automatic sealing. Mag. Raper drafted a case law update for Johnson v. HSB that will be added to the benchbook in the small claims chapter.
5. New Committee Name: Mindy Pickett explained the committee's name change from "Special Courts" which will hopefully better explain what this committee covers. Misdemeanors will be removed from the benchbook, but information and guidance regarding OWIs will stay. Misdemeanors will still be covered in the City and Town Court Manual.
6. 2023 Legislation: Judge Happe and Mag. Sandifur agreed to split the legislation list and draft revisions for the manuals and benchbooks.
7. Other business:
  - a. The committee reviewed and discussed two published cases: Falletti v. State, 209 N.E.3d 456 (Ind. App. 2023) and Wang v. Sun, 22A-SC-1473 (Ind. App. 2023).
  - b. The Indiana Rules of Criminal Procedure are amended effective January 1, 2024. The committee will need to update the City and Town Court Manual. Mindy will circulate a list via email to obtain volunteers to complete the revisions.
  - c. The chair Judge Happe asked members to brainstorm ideas or topics that the committee should look at in the future. Judge Happe mentioned possibly creating a judicial listserv for small claims questions, creating best practices for proceedings supplemental, and discussing the pre-eviction diversion program advisement. Mindy will obtain statistics on advisements and participation to be shared at the next meeting.

**2023 Meeting Dates: October 13**

The meeting will be held virtually at 11am (eastern) on Microsoft Teams.