

Application for Judicial Vacancy Indiana Appellate Courts

PART ONE

This document will become a matter of public record and may be published on the courts.in.gov website once your application is complete, so do not include confidential information that must be redacted.

1. Contact/General Information

A. Full legal name and any former names.

Andrew Sean Williams

B. State the full name (use initials for minor children), age, and relationship of each person residing in your household. For each adult living in the household (other than yourself), also state the person's occupation and employer.

1. **Kimberly Williams**
49 years old
Spouse
Teacher
Northwest Allen County Schools
2. **Zachary Williams**
20 years old
Son
Student at Ball State University
3. **LW**
17 years old
4. **GW**
13 years old

INDIANA JUDICIAL NOMINATING COMMISSION

C. Business address, email, and telephone number.

**715 S. Calhoun Street
Rm 317
Fort Wayne, Indiana 46802
Andrew.Williams@allensuperiorcourt.us
(260) 449-7589**

D. Attorney number.

23797-02

E. Month and year you were admitted to the Indiana Bar.

November 2002

a. Indicate current law license status (i.e. active/inactive/retired).

Active

b. If you are or have been a member of the Bar of any other state, identify the jurisdiction and provide date(s) of admission and current license status.

Texas, May 2002, inactive—I have not practiced law in the State of Texas. I moved back to Indiana after taking the Texas bar exam, but before I was admitted.

United States District Court for the Northern District of Indiana, November 2002, active

United States District Court for the Southern District of Indiana, November 2002, active

United States Court of Appeals for the Seventh Circuit, August 2004, active

F. Date and place of birth.

March 29, 1974

Marion, Indiana

G. County of current residence and date you first became a resident.

Allen County, Indiana

May 2002

2. Secondary Education/Military Experience

- A. List all undergraduate colleges and universities you attended. Include the school name; dates enrolled; degree or certificate earned; and any academic honors, awards, or scholarships you received and when. **As part of your Supplemental Materials, provide a transcript—including a certified transcript for your original hard copy—for each school listed; redact your Social Security number if it appears on the transcript.*

Ball State University
August 1991 to May 1995
Bachelor of Science
Presidential Scholarship recipient 1991 to 1995
Dean's List 1991-1995
Cum Laude

- B. If applicable, list any military service. Include the name of the military branch; dates of service; last rank achieved; and any honors, awards, or commendations received and when. **As part of your Supplemental Materials, provide a copy of your Certificate of Release or Discharge from active duty ("DD 214" paperwork).*

Not applicable.

3. Post-Secondary Education

- A. List all law schools, graduate schools, and post-J.D. programs attended. Include the school name; dates enrolled; degree or certificate earned; class rank; and any academic honors, awards, or scholarships you received and when. **As part of your Supplemental Materials, provide a transcript—including a certified transcript for your original hard copy—for each school listed; redact your Social Security number if it appears on the transcript.*

Baylor University School of Law
August 1999 to November 2001
Juris Doctorate
Graduate in the top 25%; 3.19 GPA
Baylor Law Review—Senior Editor
Moot Court Barrister

I am a graduate of the National Institute of Trial Advocacy (2008).

4. Employment

- A. Provide your employment history since graduation from college. Include name of employer, titles or positions, locations, and dates of employment.

Allen Superior Court

Judge

715 S. Calhoun Street, Rm 317

Fort Wayne, Indiana

I was appointed August 2020 and elected November 2022

Hunt Suedhoff Kalamaros, LLP

803 S. Calhoun Street

Fort Wayne, Indiana

Associate Attorney—April 8, 2002 to July 1, 2010

Partner—July 1, 2010 to August 2020

Executive Committee Member—January 2018 to August 2020

Naman Howell Smith & Lee, PLLC

Roosevelt Tower

400 Austin Avenue, Suite 800

Waco, Texas 76701

Law Clerk—December 2001 to April 2002

Grant County Correctional Services

501 S. Adams Street

Marion, Indiana

Juvenile Probation Officer—January 1996 to August 1999

Walmart

Marion, Indiana

Management Trainee—May 1995 to January 1996

- B. If applicable, describe the nature and extent of your practice of law (present and former), and provide the names of your partners, associates, office mates, and employers.

Prior to becoming a judge, I practiced law at Hunt Suedhoff Kalamaros, LLP for eighteen years. My practice consisted of cases involving, federal and state civil rights law, personal injury law, products liability, medical malpractice, municipality law, construction law, family law, estate administration, employment law, and appellate law. I appeared in numerous cases throughout Indiana's state and federal courts and before state and federal

administrative agencies. I also briefed and argued appeals before the Indiana Supreme Court, the Indiana Court of Appeals, and the Seventh Circuit Court of Appeals. I represented clients in jury trials, bench trials and administrative hearings. I was named a “Rising Star” by Indiana Super Lawyer in 2012 and 2013. I was named a “Super Lawyer” in 2014, 2015, 2016, 2017, and 2018.

To the best of my recollection, my law partners included the following: Branch Lew, Linda Polley, Michelle Floyd, Daniel Palmer, Scott Bunnell, David Stewart, Dane Tubergen, Art Surguine, Lyle Hardman, Tim DeGroot, Brian England, Jean Schendel, Kevin Kearney, P. Michael Miller, Eric Wilkins, Kathleen Kilar, James Shea, Michael Mustard, Tom Ewing, Phil Kalamaros, Lynn Kalamaros, Stephen Dever, Christopher Riley, Michael Getty, Dina Sampson, and Robert Kabisch.

I worked with the following associates: Orfej Najdeski, Ragna Urberg, Jason Custer, Jeremy Lemon, Kathryn Yarnelle, Jonathan Slagh, John Hamilton, Joshua Burkhardt, Pete Bagiackas, Charles Bassford, Kirsten Andrews, Dustin Tirpak, Codie Ross, David Felts, Austin Kearney, and Vincent Campiti.

5. Trial/Judicial Experience

- A. Describe the extent of your jury trial experience, if any.

As an attorney, I represented clients in eight jury trials. I was lead counsel in some and second chair in others. In every trial, I presented evidence, cross-examined witnesses, and addressed the jury during voir dire, opening statements, and/or closing argument.

- B. Describe the extent of your bench trial experience, if any.

As an attorney, I represented clients in dozens of bench trials in small claims court, in domestic relations court, and before administrative tribunals.

- C. If applicable, describe the nature and extent of your judicial experience (including as a judge pro tempore). Include a description of your experience presiding over jury trials, if any.

I have been a judge in the Civil Division of the Allen Superior Court for four years. In this role, I have presided over three jury trials and hundreds of contested hearings where evidence was presented and/or oral arguments were presented. I have issued rulings on hundreds of dispositive motions, discovery motions, default judgment motions, and proceeding supplemental motions.

In my role as mental health judge, I hear an average of three to four Petitions for Involuntary Commitment and two to three commitment reviews every week. I also have ruled on thousands of requests for Emergency Detention Orders.

Prior to becoming a judge, I served as Judge *Pro Tempore* on several occasions for Judge David Avery and Judge Stanley Levine (retired). I also served as Judge *Pro Tempore* in Small Claims Court on numerous occasions beginning in 2005.

6. Professional Experience

**As part of your Supplemental Materials, include as writing samples four selections (in total) from the written materials listed below in Questions 6A through 6C.*

- A. If applicable, list up to five trial or appellate briefs and/or judicial opinions you have written. Refer to them by caption, case number, and filing date.

JUDICIAL OPINIONS

Majors v. City of Fort Wayne

Cause No. 02D01-2110-CT-549

March 29, 2024

Carmien v. Lincoln Financial Advisors Corporation

Cause No. 02D01-2311-PL-457

March 22, 2024

Scavo v. 33 Carpenters Construction, Inc.

Cause No. 02D01-2308-PL-349

December 27, 2023

APPELLATE BRIEFS

Goodwin, et al. v. Yeakle's Sports Bar and Grill, Inc.

27S02-1510-CT-627

July 22, 2015

Parish v. City of Elkhart and Steve Rezutko

Seventh Circuit Court of Appeals Case No. 11-1669

December 30, 2011

- B. If applicable, list up to five legislative drafts or court rules you have written or to which you contributed significantly. Refer to them by official citation, date, and subject matter.

Not applicable.

- C. If applicable, list up to five of your contributions to legal journals or other legal publications. Provide titles, official citations, and a brief description of the subject matter.

No applicable.

- D. Identify the five most significant legal matters entrusted to you, whether as a judge or lawyer, and describe why you believe them to be so.

1. Mental Health Cases

In September 2020, in addition to my docket of civil cases, I began hearing all of Allen County's emergency detention requests, Petitions for Involuntary Commitment, and Review of Commitments. The last four years, I have decided more than 7,000 cases. I consider these mental health cases to be the most significant legal matters entrusted to me.

Every mental health case impacts an individual's freedom, Constitutional rights, dignity, and life. These cases also impact the lives of the patient's family, the patient's friends, and the community. The Court is in the unique position of requiring treatment in situations where the patient is incapable, because of mental illness, from making the decision to seek help.

In addition to ensuring that some of the most vulnerable in our community are receiving help, the Court provides necessary oversight in the treatment process. While ordering mental health treatment is often the only way a patient will receive help, the Court also monitors treatment through reporting by the provider and review hearings to ensure that the patient is given opportunities to return to a life without Court intervention and that the patient has a support system in place to be successful.

I have had the privilege of seeing patients transformed from being severely mental ill and incapable of caring for their basic human needs to being able to manage their mental illness and live productive lives. This has truly been the most rewarding part of my career as a lawyer and a judge.

**2. *Goodwin v. Yeakle's Sports Bar and Grill, Inc.*
Case No. 27S02-1510-CT-627**

I consider this case to be one of the most significant in my career because it resulted in Indiana Supreme Court precedent that clarified the foreseeability aspect of the duty element of negligence claims. I became involved in the case as counsel for Yeakle's Sports Bar and Grill, Inc. after the trial court had granted summary judgment and an appeal had been initiated.

The *Yeakle's* case involved a shooting at a neighborhood bar in Marion, Indiana. The incident began when a bar patron, Rodney Carter, thought he heard a derogatory remark

about his wife by another patron, Javon Washington. Mr. Carter left the bar, retrieved a gun from his car, reentered the bar and fired multiple shots at Mr. Washington. Mr. Carter's actions resulted in three people being shot: April Goodwin, Tiffany Randolph and Javon Washington. Fortunately, the shooting victims survived.

Later, the victims sued Yeakle's alleging it was negligent for failing to provide security to prevent the shooting. The trial court granted summary judgment for the bar, concluding that the shooting, based on a totality of the circumstances, was not foreseeable. Consequently, no duty was owed.

The Court of Appeals reversed the trial court's decision. It noted that "reasonable foreseeability" in the context of duty is "an issue that has created confusion at every level of our judiciary."

After losing before the Court of Appeals, I filed a Petition to Transfer to the Indiana Supreme Court. Transfer was granted, and I had the opportunity to argue the case before our Supreme Court.

In its decision, the Supreme Court clarified how Indiana's courts should analyze foreseeability as part of the duty element. This case is now frequently cited by attorneys in negligence cases.

3. *Richardson v. CSINet Internet Access Corporation*
Cause No. 71D07-1609-CT-406

I consider this case significant because Plaintiff John Richardson's injuries were horrific, and I was hired to represent the Defendant less than one month before the jury trial was set to begin. The Plaintiffs were represented by seasoned and highly-skilled attorneys, James Groves and Clint Zalas.

After assuming the defense of CSINet, the Court granted a continuance of approximately four months; however, discovery had been completed. Consequently, there was much to review in a very short period of time. My partner, Michelle Floyd, and I worked hard to get up to speed.

This lawsuit arose from Mr. Richardson accidentally touching a live power line while modifying a cellphone tower. As a result of the electrocution, Mr. Richardson lost toes on one foot and had severe burns on the other foot. While his doctors attempted to save his badly burned foot, the severity of the burns left the doctors with no choice but to amputate his leg below the knee. There were dozens of photos of Mr. Richardson's injuries prior to and after the amputation.

In addition to the pain and suffering from his terrible injury, Mr. Richardson had enormous medical bills, lost income, and future medical expense. His wife and his brother (who was present when the accident occurred) also made claims.

The CSINet had been in the business of providing rural internet service in St. Joseph and Elkhart counties. Several years before the accident, the CSINet had constructed the tower in proximity to the power lines. It also employed Mr. Richardson and his brother.

While CSINet had owned the tower at one time, it sold its internet business and the tower, and the Richardsons left CSINet to work for the new owner. Nevertheless, the Plaintiffs proceeded under a theory that CSINet was negligent for its decision to place the tower close to power lines. The Plaintiffs also alleged that the power company and the homeowner (who owned the land surrounding the tower) were negligent.

At the time of the accident, Mr. Richardson and his brother were working to increase the height of the tower to provide better internet coverage. The increase in height brought the tower much closer to the power line which also brought Mr. Richardson closer to the power line while he worked near the top of the tower.

Prior to trial, the power company and the homeowner settled the Plaintiffs' claims against them. I attempted to settle the claims against CSINet at a second mediation, but could not obtain enough settlement authority to bridge the gap.

The trial lasted for three full days. While the jury deliberated, we made a last-ditch effort to settle, but we were unsuccessful. Ultimately, the jury concluded the CSINet was not liable.

A few days after the trial, I received an unexpected letter from Attorney Groves. He congratulated me on the outcome, but more significantly, expressed gratitude for the manner in which I conducted myself at trial. Having lost trials myself, I was very impressed and touched by the letter. I have kept the letter and refer back to it from time to time.

4. *Keith Cooper v. City of Elkhart, Steve Rezutko, Edward Windbigler, Steven Ambrose, and Tom Cutler*

United States District Court for the Northern District of Indiana
Case No. 3:17-cv-834

This case is important to me, not because of the facts or the outcome, but because of the unfortunate events that occurred during the discovery phase.

Keith Cooper and Christopher Parrish were convicted of robbing and shooting Michael Kershner in 1998. Steve Rezutko was the primary detective who investigated the crimes.

In 2005, after serving eight years in prison, Mr. Parrish's conviction was overturned as a result of his ineffective assistance of counsel argument. The Elkhart County Prosecutor offered a plea agreement in lieu of a second trial. Mr. Parrish rejected the offer, but was never retried.

As with Mr. Parrish, Mr. Cooper was offered a plea agreement wherein he would admit to the robbery and attempted murder charges in exchange for time served. Mr. Cooper accepted the plea agreement.

Following his release from prison, Mr. Parrish filed a Section 1983 lawsuit against the City of Elkhart, Steve Rezutko, and various other officers who were voluntarily dismissed prior to trial (the "Parrish Lawsuit"). My law partner, Lynn Kalamaros, and I represented Steve Rezutko. Martin Kus represented the City of Elkhart. I participated in the trial of the Parrish Lawsuit as a second chair.

At the time of the trial, in 2010, many of the witnesses were no longer employed by the Elkhart Police Department, including, Mr. Rezutko. In fact, Mr. Rezutko had been retired for nearly ten years and was approaching seventy years of age. Not surprisingly, Mr. Rezutko's memory had substantially faded.

After nearly two weeks of evidence, the jury found that Mr. Rezutko and the City of Elkhart had violated Mr. Parrish's Constitutional rights and awarded \$73,125.00 in compensatory damages and \$5,000.00 in punitive damages. Mr. Parrish appealed the amount of the verdict, arguing that the amount awarded was "monstrously low" (my appellate brief has been attached as a writing sample). The Seventh Circuit Court of Appeals affirmed the jury's determination of liability, but set aside the damages award and ordered a new trial on damages only. The case settled prior to the second trial.

Shortly after Mr. Parrish's settlement, Mr. Cooper petitioned for a pardon. Initially, the pardon was denied; however, after a second petition, Mr. Cooper received a pardon.

After receiving the pardon, Mr. Cooper filed a Section 1983 lawsuit against the City of Elkhart and Steve Rezutko (as with the Parrish Lawsuit, several other officers were named as defendants, but later dismissed) (the "Cooper Lawsuit"). I represented Mr. Rezutko, along with my law partner, Michelle Floyd. Martin Kus represented the City of Elkhart.

During the course of the Cooper Lawsuit, the local media and media in Chicago closely followed the case. The media frequently published unsubstantiated allegations of professional and personal misconduct by Mr. Rezutko. The constant barrage of unsupported allegations in the local news resulted in Mr. Rezutko's friends, family, and acquaintances in the community questioning his character. It all began to take a severe toll on Mr. Rezutko.

On February 4, 2019, Mr. Rezutko and I had a telephone conversation in preparation for an upcoming hearing. It was apparent that he was troubled by the media attention. Our telephone conversation ended with plans to meet later that week.

Following our conversation, Mr. Rezutko took his own life. I had known him and his wife for more than ten years. She was devastated, as was I. I regret not recognizing how depressed and hopeless he was. I regret not meeting with him in person that night.

Following his death, I continued to represent Mr. Rezutko's estate for another year and a half until I took the bench. I did not see the end of the Cooper Lawsuit, but I had several conversations with Mrs. Rezutko. I feel fortunate that I was able to help her.

5. *Ludy Diaz v. Indiana State Bar Association*, 20C01-0312-CT-91

This was one of the first cases that I handled without any significant supervision by any partners. When I began working on it, I was a second year associate. I represented the Indiana State Bar Association (the "ISBA") when it was sued for defamation as the result of statements made during a press conference.

The plaintiff, Ludy Diaz, was a notary public. She opened an office in downtown Goshen with signs on the outside of the building with the words "notario publico" written in large type. In Latin America, the term "notario publico" refers to a high ranking official with considerable legal skills and training. Not surprising, many Hispanic individuals in Elkhart County went to Ms. Diaz for legal advice.

The ISBA brought an original action before the Indiana Supreme Court to enjoin Ms. Diaz from engaging in the unauthorized practice of law (I was not directly involved in the original action). The crux of the allegations against Ms. Diaz involved a Hispanic individual who was deported as a result of faulty legal advice given by Ms. Diaz.

After the petition was filed, the ISBA held a press conference to inform the public about the original action. Ms. Diaz sued the ISBA, claiming it had defamed her.

I obtained summary judgment for the ISBA by arguing truth and substantial truth in the lawsuit in Elkhart County. As for the original action, the Indiana Supreme Court entered an order enjoining Ms. Diaz from holding herself out as a "notario publico".

7. Efforts to Improve the Legal System, Administration of Justice, or Society

- A. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) toward the improvement of the law, the legal system, or the administration of justice. Include a description of any management or leadership roles**

you undertook to achieve these goals, and describe any specific instances in which your collaborative efforts helped achieve these goals.

1. Allen County Bar Association

The ACBA is composed of more than 600 lawyers from Allen County and the surrounding counties. The ACBA provides legal education to its members, increases civility through social events and mentorship programs, and serves the entire community through its lawyer referral program and Legal Line (a call-in, legal advice program).

I have been an active member of the ACBA since 2002. I served as a member of the New Lawyers Section Leadership Committee from 2003 to 2007 and was the New Lawyers Section President from 2005 to 2006. I joined the ACBA Board of Directors in 2015 and remained on the Board until I reached the term limit in 2020. I was Board Secretary from 2016 to 2017 and Board President from 2018 to 2019. I currently serve on the Civil Litigation Section Leadership Committee.

Prior to taking the bench, I was a volunteer attorney for Legal Line. In this role, I would answer phone calls from the public and provide free legal advice. The calls received covered every imaginable legal issue. The advice tended to be rather basic, but was often enough to provide direction and reassurance to the caller.

2. Allen County Bar Foundation

The ACBF is the charitable fundraising and philanthropic arm of the Allen County Bar Association. The ACBF provides grants for the development and maintenance of community programs that promote civics education to students and non-lawyers and initiatives that improve the local bar.

I was a member of the ACBF from 2017 to 2018 and from 2020 to 2024. I served as the Secretary of the Board from 2021 to 2023. During my time on the Board, the ACBF identified the need to increase the diversity of lawyers practicing in Allen County. Through the leadership of attorneys Sarah Beiswonger and Nikki Quintanna and the Board of Directors, the ACBF created a scholarship and mentoring program.

Scholarships are offered to prospective and current law school students. Once a scholarship is awarded, the recipient is matched with a practicing attorney or judge. The mentors have regular conversations with the students to intentionally build relationships, help with the challenges of law school, and introduce the students to members of the legal community. Ultimately, the goal is to assist the student in the successful completion of law school and to encourage the student to return to Allen County to practice. I am currently a mentor for a prospective law school student.

3. Benjamin Harrison Inns of Court

The Inns of Court is an organization which focuses on the continued education of attorneys and the promotion of civility within the legal profession. The Benjamin Harrison chapter conducts monthly meetings which are attended by attorneys and judges in Allen County. Each meeting is composed of a social hour and an educational program.

The social hour is designed to encourage attorneys from diverse practice areas to share experiences, connect and create friendships. The benefit of these connections is the development of mentorships between new attorneys and seasoned attorneys and increased civility within the bar.

The monthly educational programs are produced and presented by the members of the Inn. Each member of the Inn is responsible for presenting at least one program a year. Because the programs are presented by practicing attorneys, the topics focus on current legal issues faced by attorneys locally and nationally.

I have been a member of the Benjamin Harrison Inns of Court since 2003. I began as an associate member shortly after being admitted to the bar. I currently have the designation of "Master" within the Inn. Over the last twenty years, I have made dozens of presentations to my fellow members of the Inn. I have also been able to share my experiences and provide direction and encouragement to other lawyers.

4. We the People

We the People is an educational program for middle school and high school students that teaches young people the history of our democracy, the responsibilities of the three branches of government and the inter-relationships between the branches. The culmination of the program is a competition between groups of students from area schools who present an issue in a simulated congressional hearing. The hearing is conducted by a panel of judges. Following the presentation and questions by the panel, the members of the panel evaluate the students' performances.

I have had the privilege of serving on panels for the We the People competition on many occasions. I have always found the experience to be tremendously rewarding. The knowledge the students gain and the respect they learn for our system of government is invaluable.

5. Behavioral Health and Justice Commission

This commission was created by Chief Justice Rush and the Office of Judicial Administration a few months ago. I was appointed to serve on the commission in May 2024.

I am very pleased to be a part of this commission. Helping those who suffer from mental illness is a top priority for me. I have seen first-hand the impact of mental illness on every

aspect of our society. It touches the lives of everyone. Mental illness can strike anyone at any time without warning. I believe this commission will prove invaluable in fostering a statewide approach which incorporates best practices for trial courts and treatment providers.

6. Court Security Committee

In recent years, the frequency of incidents within our courthouses and attacks on our judicial officers outside of courthouses has increased dramatically. It is essential for the effective administration of justice that judges and court staff not be in fear of reprisal from disgruntled litigants. The Court Security Committee is responsible for initiatives that increase the security in our courthouses and the safety of judges and staff outside of the courthouse.

I was appointed to serve on the Court Security Committee in June 2021. Since joining the committee, we have assisted and strongly encouraged every county in Indiana to formulate and implement security plans. We have worked to obtain funding for increased courthouse security, especially in our rural counties. We have examined and recommended solutions for the removal of judicial officers' personal contact information from the public domain. The committee's work is still in the early stages, but significant progress has already been made.

7. Character and Fitness Interviewer

I was selected as a Character and Fitness Interviewer for the Indiana Board of Law Examiner in August 2022. In this role, I meet with candidates for the bar exam and determine whether they meet the character requirements for admission to the bar. In addition to screening prospective lawyers, I can have a positive impact on these candidates by impressing upon them the importance of ethics and civility during the course of our meeting.

- B. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) concerning civic, political, or social issues. Include a description of any management or leadership roles you undertook in this area, and describe any specific instances in which your collaborative efforts in this area led to a successful result.

1. Allen County Mental Health Task Force

In September 2020, Judge David Avery entrusted me with Allen County's mental health cases. The significance of this transition was not lost on me. I quickly recognized that, while I had a good foundation, I still had a lot to learn about the mental healthcare system.

I immediately began scheduling meetings with local mental healthcare providers, law enforcement officers, advocacy groups and community leaders. It soon became clear to me that, while everyone involved in our mental healthcare system had a desire to help,

there was a lack of communication between organizations. Consequently, the system was not as efficient or effective as it should be.

In early 2021, I began inviting a small group of healthcare providers and law enforcement officers to meet monthly by Zoom to discuss issues we were encountering and ideas for how Allen County's mental healthcare system could be improved. Over the course of less than a year, the group grew to include mental healthcare providers from Allen County and the surrounding counties, representatives from Allen County's law enforcement agencies and the jail, representatives from the Prosecutor's Office and the Public Defender's Office, a representative from NAMI, and a representative from Purdue University Fort Wayne. The group is currently known as the "Allen County Mental Health Task Force".

As a result of our Mental Health Task Force discussions, it became apparent that communication still was not broad enough. Consequently, I was determined to bring together all of the mental health stakeholders in our community (including patients and patients' family members) to discuss the strengths and weaknesses of our mental healthcare system.

On September 21, 2023, with help from three equally determined Task Force members, we had the first ever Northeast Indiana Regional Mental Health Summit at Purdue University—Fort Wayne. The Summit was attended by more than 300 mental health professionals, law enforcement officers, judges, lawyers, political leaders, clergy, patients, and family and friends of patients. We had an entire day of frank discussions about what was working and what was not working.

Because of the success of the first Summit, my team and I have organized a second Mental Health Summit which will occur on October 11, 2024 at the Parkview Mirro Center. This year's Summit will feature a candid talk about suicide with Kevin Hines. Mr. Hines is a national suicide prevention advocate who will share the story of his mental illness and suicide attempt off the Golden Gate Bridge. There will also be a panel of young people who will discuss their mental health journeys.

The first Mental Health Summit also inspired Laura Murphy of Parkview Behavioral Health to create a Youth Mental Health Task Force (on which I serve) and to conduct a Youth Mental Health Summit (which occurred May 2024).

2. Homeless Shelter's Mental Health Clinic

During my first six months of being on-call for Emergency Detention Orders, I noticed that a significant percentage of the EDO's were originating at the Fort Wayne Rescue Mission. I scheduled a meeting with the CEO of the Rescue Mission, Pastor Donovan Coley, to discuss what could be done. Pastor Coley suggested that an onsite mental health

professional who could administer medications and provide evaluations might be an effective solution.

On November 19, 2021, Pastor Coley, Chuck Clark of Parkview Behavioral Health, and I met to discuss Pastor Coley's idea. As a result of our meeting, Parkview volunteered to staff a mental health clinic at the Rescue Mission with mental health professionals.

Almost instantly, the frequency of police officers dispatched to the Rescue Mission dropped. Now, it is extremely rare for law enforcement to be called to the Rescue Mission.

- C. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) to improve your local, state, or national community through charitable work or public service. Include a description of any management or leadership roles you undertook in this area, and describe any specific instances in which your collaborative efforts in this area led to a successful result.

1. Inasmuch Ministries

Inasmuch ministers to the homeless and working poor in our community. Through its volunteers, it evaluates individual needs and provides assistance to those in need in the form of bus passes, utility bill payments, coordination of services with other agencies, assistance with housing, and financial counseling. My middle son became acquainted with Inasmuch through our church's youth group. He recognized the value of Inasmuch's work and began volunteering every Monday after school. As a result of his work, I was contacted by Mary Ann Ming, Inasmuch's Director, to discuss how I might be helpful.

Ms. Ming invited me to participate in a group composed of local leaders who are considering ways in which we can give financial education and life skills to the working poor through a structured program called "Circles". The goal of Circles is to train and equip those who complete the program to be financially self-sufficient and to obtain long term housing.

My role has been to provide ideas and direction to the group and Ms. Ming. It also has been to facilitate relationships between Ms. Ming and community leaders. Since many of the clients of Inasmuch suffer from untreated mental illness, on occasion, I have helped connect clients to mental health services.

2. Civics Education

For the last four years, it has been my pleasure to give tours of our beautiful courthouse and speak to groups of young people about our judicial system and the vital role it plays in our society. The groups I have spoken to at the courthouse have included students from area schools, scouting groups, YMCA summer camps, and home school associations.

3. Youth Mental Health Task Force

I am a member of the Allen County Youth Mental Health Task Force. It formed following the adult Regional Mental Health Summit to address a need identified during the Summit. The goal of the Task Force is to increase communication between schools, parents and treatment providers, to improve adolescent mental health services and to decrease the stigma associated with mental illness.

While I am not frequently involved with youth in my role as a judge, I recognize that adolescents eventually become adults and it is more effective to reach people in the early stages of mental illness. As a member of the Youth Task Force, I am able to bring a different perspective to our monthly discussions, and I learn information and make connections which benefit the adults in my court.

D. Describe the nature and extent of any *pro bono* legal services you have contributed.

Prior to taking the bench, I provided *pro bono* legal services through the Allen County Bar Association’s Legal Line. I also represented numerous clients, without charge, in legal matters including, dissolution and post-dissolution matters, estate planning, mental health hearings, and general litigation.

E. Indicate your experience teaching law. Provide the dates, names of institutions or programs, and a description of the subject matter taught.

<u>Date</u>	<u>Program</u>	<u>Subject Matter</u>
07/09/24	FYPD CIT Training Public Safety Academy	Law and procedure related to EDO’s and commitments
04/18/24	Slip, Trip and Fall 101 ACBA	The law applicable to premises liability cases
02/23/24	2024 Bench Bar Conference ACBA	Civil case law update
01/26/24	Podcast Fort Wayne Rescue Mission	Law and procedure related to EDO’s and commitments and mental health treatment in Allen County
01/18/24	Filing 101: The Importance of Correctly	Judges’ practice pointers for court hearings

I N D I A N A J U D I C I A L N O M I N A T I N G C O M M I S S I O N

	Designating the Case Type ACBA	
11/09/23	Mental Health Podcast Allen Superior Court	Law and procedure related to EDO’s and commitments
10/26/23	Mental Health Law Parkview Behavioral Health	Law and procedure related to EDO’s and commitments
09/21/23	NEI Mental Health Summit—Purdue FW	Panel discussion regarding involuntary treatment
09/12/23	Let’s Talk Juries Inns of Court	Judges’ perspective of jury trials and verdicts in Allen County
08/29/23	Mental Health Seminar ACBA	Law and procedure related to EDO’s and Involuntary Commitments
06/27/23	Mental Health Law Ivy Tech Community College Nursing Program	Law and procedure related to EDO’s and commitments
03/14/23	Mental Illness: What You Need to Know Inns of Court	Law and procedure related to commitments
02/28/23	Mental Health Law Ivy Tech Community College Nursing Program	Law and procedure related to EDO’s and commitments
02/03/23	2023 Bench Bar Conference ACBA	Civility in the Law
01/05/23	Mental Health Training Maple Heights Behavioral Health	Law and procedure related to EDO’s and commitments
10/31/22	CIT Training Parkview Hospital	Law and procedure related to EDO’s and commitments

I N D I A N A J U D I C I A L N O M I N A T I N G C O M M I S S I O N

09/23/22	2022 Hot Topics for Indiana Lawyers ACBA	Civil case law update
05/03/22	Mental Health Law Ivy Tech Community College Nursing Program	Law and procedure related to EDO's and commitments
02/23/22	Jury Trial on a Disputed Car Collision—Voir Dire ACBA	The rules and practical matters related to jury selection
08/10/21	Rules & Procedures: A Discussion with Civil Jurisdiction Judges ACBA	The local rules and judges' expectations
04/27/21	Navigating Guardianship & Mental Health Commitments ACBA	Emergency detention orders and the civil commitment process
03/18/21	Mental Health Training St. Joseph Hospital	Law and procedure related to EDO's and commitments
08/17/20	The Trial Process in the Age of COVID ACBA	Changes to litigation and the trial process in Allen County related to COVID
08/17/16	Wizard of Technology ACBA	Overcoming challenges with new technology
02/19/10	Allen County Bench Bar Conference	What to do and not do in Small Claims Court
04/27/05	Legal Stuff You Should Know	New Lawyer's Perspective on the Law

8. Memberships and Other Activities

A. List any memberships and offices you have held in professional organizations, including dates and descriptions of both the organization's purpose and your involvement.

1. **Allen County Bar Association**
Board Member—2016 to 2020
President—2018 to 2019
Secretary—2016 to 2017
Civil Litigation Section Leadership Committee—2020 to present
New Lawyers Section Chair—2005 to 2006
2. **Allen County Bar Foundation**
Board Member—2020 to 2024
Secretary—2021 to 2023
3. **Defense Trial Counsel of Indiana**
Member—2002 to 2020

I attended continuing legal education programs, but I have not been an active member of DTCL.

4. **Defense Research Institute**
Member—2002 to 2020

I was not an active member.

5. **Indiana State Bar Association**
Member—2002 to present

I have attended continuing legal education programs, but I have not been an active member of the ISBA.

B. List any memberships and offices you have held in civic, charitable, or service organizations, including dates and descriptions of both the organization's purpose and your involvement.

1. **Parkview Family YMCA**
Advisory Board Member—2015 to present
Board President—2021 to 2023
Board Vice-President—2018 to 2021
Fundraising Committee Chair—2017 to 2018

In addition to providing a facility for people to exercise, the YMCA offers services and programs which enrich the quality of life of all in our community regardless of the individual's ability to pay. The YMCA offers after school childcare, cancer support groups, parenting and childcare classes, youth and adult sports and exercise programs, financial counseling, health and wellness counseling, and many more programs to strengthen and support individuals and families.

- 2. RemedyLive
Board Member—2023 to present
Board Secretary—2024 to present**

I became acquainted with RemedyLive through a presentation made by its director, Clinton Faupel, during a church service. RemedyLive provides mental health education and suicide prevention tools to students through its Get Schooled Tour and to adults through its Wired Experience. Both programs rely heavily on technology and audience polling to show in real-time the level of anxiety, depression, and mental illness impacting the group to increase awareness and decrease the stigma.

In addition, RemedyLive operates a telephone and internet hotline to give those who are struggling someone they can talk to who cares and who can refer them to service providers. The hotline pre-dates our current 988 system.

- 3. Fort Wayne Rotary Club
Member—August 2021 to May 2024**

The Rotary Club is composed of community leaders who engage in service projects to improve our city. Through weekly meetings, members network and hear from local government officials, business leaders, and social service providers who share challenges and opportunities in which members can engage.

In May 2024, I determined it was necessary for me to withdraw from Rotary because of other obligations.

- C. List any memberships and offices you hold in social clubs or organizations. If any club or organization restricts its membership on the basis of race, sex, religion, or national origin, please describe your efforts within the organization to eliminate restrictions.**

None

D. Describe your hobbies and other leisure activities.

In my spare time, I enjoy being with my family. I like to complete projects around my house and work on our cars. I enjoy watching sports, including, Notre Dame football, Indianapolis Colts football, college basketball and major league baseball.

On Wednesday nights during the school year, I am a small group leader for the middle school youth group at our church. On Sunday mornings, I volunteer at the guest services desk for the children's department at our church.

When my children were younger, I coached their teams in baseball, basketball, flag football, and soccer.

9. Legal Proceedings

A. List any lawsuits or legal proceedings in any jurisdiction, including but not limited to bankruptcies, dissolutions, and criminal matters to which you have been a party. Provide dates, case numbers, courts, names of other parties, and, if needed, a brief explanation. (If minor children are involved [i.e. an adoption], use initials only.)

Williams v. Miles, 27D03-9801-PO-33, January 21, 1998. I was the victim of a battery and obtained a protective order against the person who hit me.

B. If you ever have been arrested or cited for any violation of the law other than for routine traffic violations, provide dates, jurisdictions, and an explanation of the event and its resolution.

Not applicable

C. If you have been disciplined or cautioned, formally or informally, by the Indiana Supreme Court Disciplinary Commission, by the Indiana Commission on Judicial Qualifications, by the Indiana Supreme Court, or by similar entities in any other jurisdiction, identify each instance by date, case number (if applicable), and describe the circumstances and the nature of the outcome or resolution.

Not applicable

D. If you have any outstanding federal, state, or local tax obligations, please itemize and explain.

Not applicable

10. References

A. Provide the names of three attorneys who have been your professional adversaries in your practice or who have litigated substantial cases in your court and who would be in positions to comment on your qualifications for appointment to an Indiana Appellate Court (*contact information to be included in Part Two of this application*).

1. **Tom Manges**
2. **David Farnbauch**
3. **Chad Romey**

B. Provide the names of three professional references other than those listed in Question 10A (*contact information to be included in Part Two of this application*).

1. **Bert Dahm**
2. **Kevin Fitzharris**
3. **Mary Pappas-Finch**

Provide the names of three personal references other than those listed in Question 10A or 10B (*contact information to be included in Part Two of this application*).

1. **Rev. Dr. Steven Schumacher**
2. **Michael Ensign**
3. **Ash Odisho**