



# Journal of the House

State of Indiana

121st General Assembly

First Regular Session

Eighth Day

Wednesday Afternoon

January 16, 2019

The invocation was offered by Pastor James Farris of Second Reformed Presbyterian Church in Indianapolis.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Gutwein.

The Speaker ordered the roll of the House to be called:

Abbott	Huston
Austin	Jackson
Aylesworth	Jordan
Bacon	Judy
Baird	Karickhoff
Barrett	Kirchhofer
Bartels	Klinker
Bartlett	Lauer
Bauer <input type="checkbox"/>	Lehe
Beck	Lehman
Behning	Leonard
Borders	Lindauer
Boy	Lucas
T. Brown <input type="checkbox"/>	Lyness
Burton	Macer <input type="checkbox"/>
Campbell	Mahan
Candelaria Reardon	Manning
Carbaugh	May
Cherry	Mayfield
Chyung	McNamara
Clere	Miller
Cook	Moed
Davisson	Morris
Deal	Morrison
DeLaney	Moseley
DeVon	Negele
Dvorak <input type="checkbox"/>	Nisly
Eberhart <input type="checkbox"/>	Pfaff
Ellington	Pierce
Engleman	Porter
Errington	Prescott
Fleming	Pressel
Forestal <input type="checkbox"/>	Pryor
Frizzell	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Smaltz
Goodrich	V. Smith
Gutwein	Soliday
Hamilton	Speedy
Harris	Steuerwald
Hatcher	Stutzman
Hatfield	Sullivan
Heaton	Summers
Heine	Thompson
Hostettler	Torr

VanNatter  
Wesco  
Wolkins   
Wright

J. Young  
Zent  
Ziemke  
Mr. Speaker

Roll Call 11: 93 present; 7 excused. The Speaker announced a quorum in attendance. [NOTE:  indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 17, 2019, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1004, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 7, line 32, delete "thirty (30)" and insert "**ninety (90)**".

Page 8, line 26, delete "an agreement" and insert "**a memorandum of understanding for referral**".

Page 8, line 28, after "students," insert "**A memorandum of understanding for referral shall be developed by the division of mental health and addiction.**".

(Reference is to HB 1004 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

Frye R , Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1005, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1005 as introduced.)

Committee Vote: Yeas 10, Nays 1.

BEHNING, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1063, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 26, delete "provides" and insert "**provide**".

Page 3, line 26, delete "corporation" and insert "**corporations**".

Page 3, line 26, after "charter" delete "school" and insert "schools".

Page 3, line 27, delete "employees who volunteer" and insert "have a minimum of five (5) individuals".

Page 3, line 27, delete "must" and insert "who".

(Reference is to HB 1063 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1155, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1155 as introduced.)

Committee Vote: Yeas 10, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1173, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1173 as introduced.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Select Committee on Government Reduction, to which was referred House Bill 1270, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 41 through 42.

Delete pages 3 through 9

Page 10, delete lines 1 through 25, begin a new paragraph and insert:

**"(b) The governor shall appoint the member described in section 8(a)(1) of this chapter effective July 1, 2019. The term of a member appointed under this subsection begins on July 1, 2019, and the member serves a four (4) year term as provided in section 11 of this chapter.**

**(c) The county executive from each respective county shall appoint the member described in section 8(a)(2) from each of the following counties effective July 1, 2019:**

- (1) LaPorte.
- (2) Marshall.
- (3) Porter.
- (4) Starke.

**The term of a member initially appointed under this subsection begins on July 1, 2019.**

**(d) Notwithstanding section 11 of this chapter, the term of a member appointed under subsection (c) is two (2) years. After July 1, 2021, the term of a member appointed from a county described in subsection (c) is four (4) years in accordance with section 11 of this chapter.**

**(e) The county executive from each respective county shall appoint the member described in section 8(a)(2) from each of the following counties effective July 1, 2019:**

- (1) Jasper.
- (2) Lake.
- (3) Newton.
- (4) St. Joseph.

**A member appointed to an initial term under this subsection begins the member's term on July 1, 2019, and serves a four (4) year term as provided in section 11 of this chapter.**

**(f) On July 1, 2019, all powers, duties, agreements, and liabilities of the Kankakee River basin commission are transferred to the commission.**

**(g) On July 1, 2019, all records and property, including appropriations and other funds, under the control of the Kankakee River basin commission are transferred to the commission.**

**(h) Employees of the Kankakee River basin commission on June 30, 2019, become employees of the commission on July 1, 2019, without change in compensation, seniority, or benefits and are entitled to have their service under the commission included for purposes of computing any applicable employment and retirement benefits.**

**(i) After June 30, 2019, a reference to the Kankakee River basin commission in any statute, rule, or other document is considered a reference to the commission.**

**(j) This section expires July 1, 2024.**

**Sec. 1. As used in this chapter, "basin" refers to the Kankakee River basin.**

**Sec. 2. As used in this chapter, "commission" refers to the Kankakee River basin development commission established by this chapter.**

**Sec. 3. (a) As used in this chapter, "Kankakee River basin" means the area in Jasper County, LaPorte County, Lake County, Marshall County, Newton County, Porter County, St. Joseph County, and Starke County that is drained by the Kankakee River and tributaries of the Kankakee River in Indiana.**

**(b) The term includes the following:**

**(1) The area in Kankakee County and Iroquois County in Illinois that is drained by the Kankakee River and the tributaries of the Kankakee River in Illinois.**

**(2) The Yellow River basin.**

**Sec. 4. As used in this chapter, "Yellow River basin" means the area in Marshall County, Starke County, and St. Joseph County that is drained by the Yellow River in Indiana.**

**Sec. 5. The Kankakee River basin development commission is established as a public body corporate and politic.**

**Sec. 6. The exercise of the powers granted by this chapter is for the benefit of the people of Indiana and for the increase of their commerce, health, enjoyment, and prosperity. The operation, creation, development, and maintenance of the projects by the commission constitute the performance of essential governmental functions.**

**Sec. 7. The commission shall limit the commission's activities to the Kankakee River basin.**

**Sec. 8. (a) The commission consists of the following individuals:**

**(1) One (1) representative appointed by the governor, who is a voting member.**

**(2) One (1) representative appointed by the county executive of each county in the basin in Indiana, who is a voting member.**

**(b) A member appointed under subsection (a)(2) must reside in the Indiana county within the basin for which the member is appointed.**

**Sec. 9. (a) The commission may invite the executives of the counties located in the basin in Illinois to appoint one (1) member who meets the qualifications described in section 10 of this chapter to the commission.**

**(b) If a member is appointed under this section, the member serves as a nonvoting advisory member of the commission.**

**(c) If a member is appointed under this section, the member:**

**(1) is not entitled to reimbursement for traveling**

expenses or a salary per diem as provided in section 16 of this chapter; and

(2) may not be elected as an officer of the commission as provided in section 13 of this chapter.

Sec. 10. Each member of the commission appointed under section 8(a) of this chapter must have a background in:

- (1) construction;
- (2) project management;
- (3) flood control;
- (4) drainage; or
- (5) another similar professional background.

Sec. 11. The term of office of a member of the commission is four (4) years and continues until a successor is appointed.

Sec. 12. (a) An individual who is appointed to the commission is eligible for reappointment.

(b) If a vacancy occurs in the position of a member of the commission, the authority that appointed the member shall appoint a new member to fill the vacancy in the same way that the member to be replaced was appointed.

(c) If an appointee is appointed to serve an unexpired term, the appointee serves only until the end of the unexpired term.

Sec. 13. (a) This section does not apply to a member appointed under section 9 of this chapter.

(b) The commission shall elect the following officers:

- (1) A chairman.
- (2) A vice chairman.
- (3) A secretary.
- (4) A treasurer.

(c) The:

- (1) terms of the officers elected under subsection (b) may not exceed one (1) year; and
- (2) officers are eligible for reelection.

(d) The commission may establish and fill other offices the commission considers necessary.

(e) Each officer of the commission shall perform the duties usually pertaining to the office.

Sec. 14. The commission shall meet:

- (1) at least four (4) times per calendar year; and
- (2) on the call of any of the following:

- (A) The chairman.
- (B) The executive director.
- (C) A quorum of the members of the commission.

Sec. 15. (a) The following rules apply to proceedings of the commission:

- (1) Five (5) voting members constitute a quorum.
- (2) At least five (5) affirmative votes are required for the commission to take action.
- (3) The commission shall keep a record of the commission's resolutions, transactions, and findings. This record is a public record.

(b) The commission may adopt additional rules for the transaction of business.

Sec. 16. (a) This section does not apply to a member appointed under section 9 of this chapter.

(b) Each commission member is entitled to reimbursement for traveling and other expenses as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) Each appointed commission member is entitled to the minimum salary per diem as provided in IC 4-10-11-2.1(b).

Sec. 17. (a) The commission:

- (1) shall coordinate the development of the basin; and
- (2) may request assistance of the regional planning commissions affected in the preparation of a comprehensive development plan for the basin.

(b) All planning and development programs of the commission must be approved by the following:

- (1) Each regional planning commission affected.
- (2) The department.

Sec. 18. The commission may do the following:

(1) Conduct all studies necessary for the performance of the commission's duties.

(2) Publicize, advertise, and distribute reports on the commission's purposes, objectives, and findings.

(3) When requested, provide recommendations in matters related to the commission's functions and objectives to the following:

- (A) Political subdivisions in the basin.
- (B) Other public and private agencies.

(4) When requested, act as a coordinating agency for programs and activities of other public and private agencies that are related to the commission's objectives.

Sec. 19. (a) The commission may receive grants and appropriations from the following:

- (1) Federal, state, and local governments.
- (2) Individuals, foundations, and other organizations.

(b) The commission may enter into agreements or contracts regarding the acceptance or use of these grants and appropriations for the purpose of carrying out the commission's activities under this chapter.

(c) The commission must expend money appropriated to the commission for the purpose for which the money is appropriated.

Sec. 20. (a) The commission may:

- (1) acquire and dispose of real or personal property by grant, gift, purchase, lease, devise, or otherwise; and
- (2) hold, use, improve, maintain, operate, own, manage, or lease as lessor or lessee real or personal property or any interest in that property;

for the purposes prescribed by this chapter.

(b) The commission may exercise the powers granted by this section for the development of the water resources of the basin.

Sec. 21. The commission may sue and be sued.

Sec. 22. The commission may, with the approval of the regional planning commissions affected and the department, enter into agreements with agencies in another state that are responsible for the planning or development of all or part of the basin in the other state.

Sec. 23. The commission may appoint advisory committees consisting of individuals whose experience, training, or interest in the program enables the individuals on the commission by an individual who is not the county surveyor, then the county surveyor is a member of any advisory committee. A member of an advisory committee is not entitled to compensation for the member's services.

Sec. 24. (a) The counties in the basin may budget, appropriate, and disburse an aggregate amount not to exceed fifty thousand dollars (\$50,000) per year to carry out the purposes of the commission under this chapter. The appropriation shall be apportioned among the counties in the basin in direct relationship to the amount of land area lying within the basin boundaries.

(b) The department shall certify the boundaries and the drainage area of each county within the basin after consultation with the respective county surveyors and the United States Army Corps of Engineers. The determination and certification shall be prepared before submission of budgets to the appropriating bodies so that the correct amount can be appropriated.

(c) A regional planning commission may, upon request from the commission, furnish for a reasonable charge the support staff necessary for the commission.

Sec. 25. (a) The commission shall do the following:

- (1) Prepare and adopt by majority vote an annual budget.
- (2) Submit the budget to each county, municipality, or agency appropriating money for the use of the

commission.

(b) After approval of the budget by the commission, money may be expended only as budgeted unless a majority vote of the commission authorizes other expenditure.

(c) Any appropriated amounts remaining unexpended or unencumbered at the end of the year become part of a nonreverting cumulative fund to be held in the name of the commission. The commission may authorize unbudgeted expenditures from this fund by a majority vote of the commission.

(d) The commission is responsible for the safekeeping and deposit of money the commission receives under this chapter. The state board of accounts shall:

- (1) prescribe the methods and forms for keeping; and
- (2) periodically audit;

the accounts, records, and books of the commission.

(e) The treasurer of the commission may receive, disburse, and handle money belonging to the commission, subject to the following:

- (1) Applicable statutes.
- (2) Procedures established by the commission."

(Reference is to HB 1270 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

GUTWEIN, Chair

Report adopted.

### INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 13 were read a first time by title and referred to the respective committees:

**HB 1479** — Borders

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1480** — Borders

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1481** — Borders

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1482** — Sullivan

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1484** — Clere, Porter, Behning, Thompson

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1485** — Mayfield, Harris

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1486** — Bartels, Miller D, Pressel, Goodin

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1487** — Carbaugh

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

**HB 1488** — Clere, Karickhoff, Porter

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1489** — Errington, Campbell

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1490** — Errington, Negele

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1491** — Baird

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

**HB 1492** — Baird

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

**HB 1493** — DeLaney

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1494** — DeLaney

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance and to make an appropriation.

**HB 1496** — Summers

Committee on Courts and Criminal Code

A BILL FOR AN ACT concerning the general assembly.

**HB 1497** — Summers

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1498** — Summers

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1499** — Summers

Committee on Public Health

A BILL FOR AN ACT concerning the general assembly.

**HB 1500** — Summers

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1501** — Summers

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

**HB 1502** — Smith V

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1503** — Smith V, Harris

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1504** — Boy

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**HB 1505** — Hostettler

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1507** — Smith V, Jackson

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1508** — Moseley

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1509** — Borders

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1510** — Borders

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**HB 1511** — Borders

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HJR 7** — Torr

Committee on Courts and Criminal Code

A JOINT RESOLUTION proposing an amendment to Article 1, Section 13 of the Constitution of the State of Indiana concerning victim's rights.

Because of the lack of a quorum, the House recessed until the fall of the gavel.

**RECESS**

The House was called back to order at 1:55 p.m. by the Speaker.

**JOINT CONVENTION**

The Speaker introduced Governor Eric Holcomb, Lt. Governor Suzanne Crouch, President Pro Tempore Rodric Bray, Senate Minority Leader Timothy S. Lanane, and House Minority Leader Philip GiaQuinta, and the honored guests as followed: 70 trial court judges from around the State, Former Justices of the Supreme Court Randall Shepard, Myra Selby and Brent Dickson; Family of current Spreme Court Justices; Jim Rush, Sarah Rush, Luke Rush, Helene Bishop, Julia Ann Slaughter, Raquel Goff, Eva-Elena Goff and Isabel Goff; Elected state office holders; Curtis Hill, Attorney General; Tera Klutz, Auditor of State; Jennifer McCormick, Superintendent. Office of Judicial Administration Chief Administrative Officer, Justin Forkner; Other guests; Judge and Mrs. Nelson; Brandon

George; Judges Diekhoff, Welch and Lee; Franci Gartin; Laurie Goggins; Bryan Strawbridge Andy Detherage; Mark Payne; Becca Streit; Phyllis Emerick; and Erika Oliphant.

The Speaker yielded the gavel to Lt. Governor Suzanne Crouch, President of the Senate, who convened the Joint Session and presented the Chief Justice as follows:

Members of the Joint Assembly: Pursuant to Section 3 of Article 7 of the Constitution of the State of Indiana, this joint session of the two houses of the Indiana General Assembly is now convened for the purpose of hearing a message from the Chief Justice of Indiana. It is my privilege to present to you the Distinguished Chief Justice of Indiana, the Honorable Loretta Rush.

Chief Justice Rush was escorted to the rostrum by Senators Koch, Freeman, Taylor and Randolph and Representatives Torr, McNamara, Beck and Hatcher.

Chief Justice introduced Supreme Court Justices, Steven David, Mark Massa, Geoffrey Slaughter and Christopher Goff and Court of Appeals Justices Nancy Vaidik, John Baker, Edward Najam, Patricia Riley, James Kirsch, Melissa May, Paul Mathias, Terry Crone, Cale Bradford, Elaine Brown, Rudy Pyle, Robert Altice, Elizabeth Tavitias and Tax Court Judge Martha Blood Wentworth.

**STATE OF THE JUDICIARY**

Welcome to the 2019 State of the Judiciary.

You just saw photographs of judges from all 92 counties, standing in front of their courthouses, and what a view! Those magnificent structures were proudly built in the center of our communities, open to those seeking justice.

Each day, our 600 judges serve as problem solvers, carefully listening to the millions of people who walk through those courthouse doors. The 1.3 million new cases filed in Indiana courts last year are not anonymous case numbers; they are our neighbors, employers, people we see at the ball park, church, the grocery store.

We are so fortunate to have Legislative leaders and a Governor who understand what happens in our courts, who share our commitment to solving the problems that bring people to court, and who work with us in the spirit of mutual respect. Today, I speak for your Hoosier judges and lawyers to affirm that the state of your Indiana judiciary is sound, steady, and strong.

**Customer Focused**

Our mission is to protect individual rights and liberties, to impartially apply the laws of our state and nation, to remain free from the pull of political influence, and to provide a neutral forum for the peaceful resolution of disputes. This requires an independent judiciary; one that continually refines and adapts itself to meet the evolving needs of its customers.

Yes, I said “customers.” It’s not common for us to call court users customers. Justice is not for sale, and we don’t have a product that can be changed to satisfy the needs of every person. But what we do have is a constitutional charge to provide open, accessible, and fair courts. That is achieved only when we place litigants, victims, witnesses, jurors—all court customers—at the center of every equation, just as our courthouses are at the center of every community.

A quarter of a century ago, then-Chief Justice Randall Shepard stood at this podium pledging to make the judiciary “cheaper, faster, simpler.” He boldly announced that the courts for the first time ever would accept paperwork via fax machine. That decision laid the foundation for today’s electronic filing, which accepts a half-million electronic documents each month.

He dared to proclaim that we would have a statewide network of volunteer lawyers, giving birth to our modern Coalition for Court Access. And when he told you we would do more to help the children of divorcing parents, who could have known how crucial that framework would be to the initiatives we have today, which help children who face issues far deeper than a split household?

We've stuck with the cheaper-faster-simpler mantra because it allows us to concentrate on customer-focused service. Thank you, Chief Justice Shepard, for yet again leading the way.

#### Public Health Epidemic

It is a sad truth that substance abuse and addiction have invaded every Indiana community. Last year, when we talked about the opioid crisis, we pledged judicial branch action to attack this public health epidemic. And we agreed that none of us could solve this extraordinarily complicated problem alone. So, what did we do?

We partnered with the Indiana Family and Social Services Administration, Indiana University Addictions Grand Challenge, and the Association of Indiana Counties to host an Opioid Summit.

We asked judges to convene their own county team for the training. Because from the 9-1-1 call, to arrest, to court, to relapse, to getting someone back on their feet, a person struggling with addiction interacts with a multitude of our justice professionals.

With all 92 counties in attendance, 1,000 of us rolled up our sleeves; and as only Hoosiers can, we got to work. Our first speaker of the day, Bill Nelson, shared a devastating 9-1-1 call that he and his wife, Kristy, made when they found their son had died of an opioid overdose.

Their willingness to open up about such a personal story helped define the day. Their tragic narrative not only reminded attendees why we hosted the event; it also exposed that this epidemic has no boundaries. When Bill Nelson introduced himself to the audience, he left out one fact: his title. Marion County Superior Court Judge Bill Nelson takes the bench everyday knowing both the pain of losing a loved one to addiction and the hope of a judge trying to keep other families from suffering a loss that he knows only too well.

Those 92 community teams with judges, prosecutors, public defenders, probation officers, law enforcement, correctional officers, health professionals, and local officials brought strong resolve to join Judge Nelson in this fight. As Wabash County Probation Officer Sarah Lochner said, "One of the greatest things from the summit was it sparked action. It was the catalyst for making new ideas happen right now!"

The teams took home concrete tools on the science of addiction and which treatments work, models for family recovery courts, how to connect people to care, jail-based treatment programs, workforce development, program opportunities, and how to share data across systems. And we will sustain the momentum this year with trainings and workshops throughout Indiana to continue to bring community-based solutions to this scourge.

While the Summit began heavy hearted, it ended with the hopeful message of Brandon George. Like Judge Nelson, Brandon too carries a job title: Director of the Indiana Addiction Issues Coalition. Having taken his own road to recovery, he told the audience what titles he is most proud to hold—father, husband, son, and good person. He explained, "I am proof that recovery is possible, and treatment works."

#### Vulnerable Children

We have several other important initiatives dealing with addictions. Less than a year ago, Indiana was proud to have seven Family Recovery Courts across the state. Today, we have

18 of these specialty courts that are certified or in the planning stages.

Family Recovery Courts are imperative to address the addictions crisis. They require judges to work with many community partners to create a path for parents with addiction to work toward safe reunification with their children, thereby preserving their families.

Future generations depend on their parents' sobriety—because from that sobriety comes safety, love, and stability. Our own Justice Christopher Goff led a Family Recovery Court when he was a trial court judge in Wabash County. He says, "The graduation ceremony is more than a successful completion of a difficult case. It is the celebration of lives reclaimed and the anticipation of positive change for generations to come." Governor Holcomb, thank you for getting behind this initiative. The impact of your support is enormous.

Courts are in a unique position to support our most vulnerable customers—our children. And there are many reasons children and families come to court. Right now, we have about 135,000 cases involving children—matters like divorce, paternity, delinquency, support and custody, adoption, child welfare, termination of parental rights, and more. In Indiana, over one-third of our children live in single-parent households and almost 60,000 are being raised by grandparents. Tragically, Indiana is one of the top states in the country with children whose parents are incarcerated.

Last year, Senator Travis Holdman and Superintendent Jennifer McCormick invited me to meet with Hoosier educators. When I did, those educators expressed tremendous concern for students who are shuttled from house to house, parent to parent, and the impact it can have on these children's education and well-being. Judges share the educators' concerns, and we have many effective tools in place to address the challenges facing our Indiana families. Let's talk about just a few.

This past year, we created the Parenting Time Calendar. This online application follows the Indiana Parenting Time Guidelines and works in concert with the Department of Education's school calendars. Providing a conflict-free, predictable schedule through our electronic calendar simplifies the process for families—our customers.

Another online tool we developed is the Child Support Calculator. Would you believe that this past year nearly one billion dollars was collected in Indiana through court-ordered child support? Our regular review of Indiana's Child Support Guidelines is underway, led by Fulton County Judge Christopher Lee.

As part of the review, the judges and lawyers on the Domestic Relations Committee look at the fundamental needs of children—food, healthcare, education, clothes, housing. And the committee gets information from economists and many other partners to create the guidelines. You know who else they heard from? Parents! Mothers and fathers in real world situations sent us letters and emails and came to our State House courtroom to explain what they need from the Child Support Guidelines. Judge Lee delivered the message these customers deserved, "Your voice will be heard."

#### Technology

Quality court customer service depends on reliable and useful technology. Courts no longer close their doors at the end of the day; we provide court access after-hours with the ability to pay fines, file cases, and many other services. This means our customers don't have to miss work, leave family, stand in line, pay postage, make copies—all to pay a traffic ticket, file a case, or learn about a court date.

Today, 80% of the state's new caseload is in one central court case management system, and our court customers readily take advantage of the free online access. More than 6 million users

visited our mycase.in.gov website more than 20 million times last year.

Electronic filing of court documents has proven to be a game changer for the judicial branch. Over a half-million documents are electronically filed each month. In a short time, we have already saved 25 million pieces of paper. Chief Justice Shepard, thank you for installing that first fax machine.

Just last May we started a program to send text messages to criminal defendants to remind them of their next court hearing. This simple tool is already used by 40 counties, and nearly 350,000 text reminders have been sent both five days and one day before a person's upcoming hearing.

The goal here is simple: to reduce the number of people who fail to show up for their court hearing. Fewer failures to appear means fewer arrest warrants need to be issued, which means fewer defendants are re-arrested, which means fewer people are sent to our already overcrowded jails. How's that for an inexpensive and effective way to use court technology?

#### Criminal Justice Reform

While we're talking about safe and effective ways to manage our local jail populations, imagine you're sitting in the county jail, awaiting trial in a criminal case. You have not been convicted of anything, so you're presumed innocent. The problem is you don't have the money to pay your bond.

Even if you are a low-risk, non-violent offender, you sit in jail—you may lose your job, your entire family suffers while you await trial—and the county taxpayers foot the bill. At the same time, a high-risk offender who has access to cash and posts bond is back on the street within hours of an arrest. Why do we keep doing this?

In one snapshot last year, 99% of our jails were at capacity—some counties were at 250% capacity. And over half of the statewide jail population is awaiting trial.

Last session we joined forces with you, the Legislature, to tackle the interrelated criminal justice issues of pretrial release and bail reform. Make no mistake, like you, community safety remains our number one goal. But keeping non-violent, non-convicted, presumed-innocent community members in jail is counterproductive. The toll it takes is crushing.

One vital step in revamping our system is to examine pretrial detention. What happens once a person is arrested? Here's one example. In Monroe County this past year, a 20-year-old man was brought to court for a drug-possession charge. His parents were willing to help him, but not by bailing him out of jail.

They told Judge Mary Ellen Diekhoff that they feared he would simply be released and use again. But instead of languishing in jail, the Monroe County pretrial team coordinated his release straight to treatment, giving him a much better chance at recovery and a path to avoid re-arrest or overdose. Thank you to Judge Diekhoff, Monroe County Prosecutor Erika Oliphant, Chief Public Defender Phyllis Emerick, and Pre-Trial Services Supervisor Becca Streit for a job well done.

It is a heavy lift to reform the front end of our entire criminal justice system, but we are seeing promising early results. In Monroe County, over 90% of those released made all court appearances and were not re-arrested. We already have 31 counties researching, developing, and implementing pretrial best practices.

Our pretrial efforts are joined with the expansion of problem-solving courts. By the end of this year, we should have over 110 courts, representing a 40% increase in just the last three years.

These courts have a proven track record of reducing recidivism while keeping our citizens safe. We are very proud to say 85% of all Indiana problem-solving court participants

remained arrest-free last year. We are working hard to close that long-standing revolving door back into the criminal justice system.

#### Commercial Courts

In looking to the needs of our business customers, we are in the third year of a Commercial Court Pilot project. It's no secret: a strong, predictable court system is good for our state's businesses and workforce, and in turn, good for our economy. That is why we developed the program with support from the business community.

Picture, if you will, a lawsuit with two large corporations at loggerheads over a contractual dispute regarding certain leasing provisions. Millions of dollars are at stake. These businesses need prompt decisions and learned guidance from the judge.

In truth, there is no need to imagine such a situation at all. Both sides are here today, because their case is resolved, not bogged down in costly litigation detrimental to both businesses. While the nature of a lawsuit is adversarial, the nature of business is to get back to work—and after just 143 days, this complicated case is over.

Today these corporations, Simon and Starbucks, are developing new business ventures together. Marion County Judge Heather Welch; the attorneys on that case, Andy Detherage and Bryan Strawbridge; their clients; and all our commercial court judges are here. Thank you for being a part of the pilot—it will help guide how the courts can best serve our business customers.

#### Access to Justice: Civil Legal Aid

At the opposite end of the spectrum from that commercial case are those cases where no lawyer is present, and a person is left to navigate the court system on their own, even though life-shattering outcomes may be at stake. Imagine yourself in court with no access to a lawyer, in a case where you could lose your children, you could lose your home, you could lose your livelihood.

While no one is above the law, it is equally true that no one is beneath it. According to a recent survey, more than 70% of low-income households have been involved in eviction cases, employment disputes, or other civil legal matters in the last year. In 80% of those cases, they lacked legal counsel. Justice only for those customers who can afford it is not justice for all. In fact, it is not justice at all.

To address this vital need of fundamental fairness, we created the Coalition for Court Access, made up of 20 legal stakeholders who provide a focused and comprehensive organizational structure for Indiana's civil legal-aid programs.

Thank you, thank you, thank you to the 7,780 Hoosier attorneys and hundreds of law students who donated over a half-million hours of volunteer legal services last year to help meet the Coalition's goals of improving the quality of civil legal services for those of limited means.

Last year, the Legislature appropriated 1.5 million dollars for basic legal services, and we are asking you to increase that to two million dollars. There is a remarkable return on your investment. An Indiana Economic Impact Study showed that for every one dollar invested in legal aid, nearly seven dollars goes back into the economy. Legal aid helps court customers be productive.

To illustrate the good that comes from bringing civil legal aid to Hoosiers, let me tell you about Franci. Franci is in her seventies. She has an independent spirit and has worked hard to meet her own needs. But some health issues crept in, and she was cited for ordinance violations that she wasn't able to resolve on her own. Franci was in very real danger of losing her home.

Fortunately, Laurie Goggins, an attorney with Indianapolis Legal Aid Society, received a referral from the Marion County

Health Department and represented Franci in numerous court hearings. Today, Franci is in her home. Having a lawyer represent her made all the difference. Your Hoosier judiciary is committed to closing the justice gap for customers like Franci, and we are tremendously grateful for your support.

Conclusion

Our judges care so deeply for the people they serve—those customers at the center of our judicial system. When a person walks into their county courthouse, they are often facing the toughest day of their life. And you know who they face on the bench—people like Bill Nelson, who has faced his own tough times; Chris Lee, who is pledging to listen; and Mary Ellen Diekhoff, who made sure someone’s son got to treatment. You saw their pictures at the beginning of this address, and many of them are here today.

There is no one I’d rather see standing at the center of our communities than you—our judges—because I know that means our customers are the center of everything we do.

Thank you, and may God continue to bless our great State.

**OTHER BUSINESS ON THE SPEAKER’S TABLE**

**Referrals to Ways and Means**

The Speaker announced, pursuant to House Rule 127, that House Bills 1155 and 1173 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Miller be added as coauthor of House Bill 1002.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Chyung be added as coauthor of House Bill 1029.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Torr and Smaltz be added as coauthors of House Bill 1036.

PRYOR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moseley be added as coauthor of House Bill 1054.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as coauthor of House Bill 1069.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wright be added as coauthor of House Bill 1088.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Aylesworth be added as coauthor of House Bill 1090.

JACKSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Shackelford be added as coauthor of House Bill 1113.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cook be added as coauthor of House Bill 1209.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Gutwein be added as coauthor of House Bill 1210.

STUTZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moseley be added as coauthor of House Bill 1217.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Candelaria Reardon be added as coauthor of House Bill 1227.

CHYUNG

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as coauthor of House Bill 1395.

NEGELE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be added as coauthor of House Bill 1396.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be added as coauthor of House Bill 1397.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be added as coauthor of House Bill 1398.

COOK

Motion prevailed.



HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as coauthor of House Bill 1422.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Barrett be added as coauthor of House Bill 1441.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Bill 1444.

BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bacon, Kirchhofer, VanNatter and Hostettler be added as coauthors of House Concurrent Resolution 5.

SAUNDERS

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 22, 28, 198, 206, 218 and 220 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 5 and the same is herewith returned to the House.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Lehman, the House adjourned at 2:30 p.m., this sixteenth day of January, 2019, until Thursday, January 17, 2019, at 10:00 a.m.

BRIAN C. BOSMA  
Speaker of the House of Representatives

M. CAROLINE SPOTTS  
Principal Clerk of the House of Representatives