

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

Gretchen Suzanne Lund (Gretchen Suzanne Hess)

2. **Position**: State the position for which you have been nominated.

United States District Judge for the Northern District of Indiana

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Elkhart Superior Court 4  
101 North Main Street  
Goshen, Indiana 46526

4. **Birthplace**: State year and place of birth.

1975; Elkhart, Indiana

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

1998 – 2001, Valparaiso University School of Law; J.D. (*summa cum laude*), 2001

1994 – 1998, Butler University; B.A. (*cum laude*), 1998

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2015 – present  
Elkhart Superior Court 4  
101 North Main Street  
Goshen, Indiana 46526  
Judge

2008 – 2014  
Goshen City Court  
111 East Jefferson Street  
Goshen, Indiana 46528  
Judge

2006 – 2007  
Elkhart County Prosecuting Attorney's Office  
301 South Main Street  
Elkhart, Indiana 46516  
Deputy Prosecutor

2002 – 2006  
United States District Court for the Southern District of Indiana  
Birch Bayh Federal Building and United States Courthouse  
46 East Ohio Street  
Indianapolis, Indiana 46204  
Law Clerk for the Honorable William T. Lawrence

2001 – 2002; summer 2000  
Ice Miller LLP  
One American Square  
Indianapolis, Indiana 46282  
Associate Attorney (2001 – 2002)  
Summer Associate (summer 2000)

2000 – 2001  
United States Court of Appeals for the Seventh Circuit  
204 South Main Street  
South Bend, Indiana 46601  
Extern for the Honorable Kenneth F. Ripple (uncompensated)  
Summer Extern (1999) (uncompensated)

1998  
Yoder Ainlay Ulmer and Buckingham LLP  
130 North Main Street  
Goshen, Indiana 46526  
Summer Intern

Teaching Affiliations:

2011 – 2014  
Indiana University South Bend  
Adjunct Professor, Introduction to Paralegal Studies  
1700 Mishawaka Avenue  
South Bend, Indiana 46615

2010 – 2014  
Goshen College  
Adjunct Professor, Business Law  
1700 South Main Street  
Goshen, Indiana 46526

Other Affiliations (uncompensated):

2022 – present  
Boys and Girls Club of Elkhart County  
102 West Lincoln Avenue, Suite 240  
Goshen, Indiana 46526  
Director, Board of Directors (Goshen Unit)

2020 – present  
Indiana State Bar Association  
201 North Illinois Street, Suite 1225  
Indianapolis, Indiana 46204  
Member

2015 – present  
Indiana Judicial Conference  
251 North Illinois Street, Suite 800  
Indianapolis, Indiana 46204  
Member, Judicial Education Committee (2020 – present) (Chair 2023)  
Member, Indiana Graduate Program for Judges Steering Committee (2023 – present)  
Indiana's Judicial Designee, Judges and Psychiatrists Leadership Initiative (2022 – present)  
Member, Board of Directors (2017 – present)  
Member, Indiana Supreme Court Records Access and Management Committee (2017 – 2023)

2015 – present  
Indiana Judges Association  
No Known Address  
Member, Civil Jury Instructions Committee (2015 – 2021)

2012 – 2014 (approximately)  
Miss Elkhart County Scholarship Program  
No Known Address  
Director, Board of Directors

2011 – 2014, 2016 – 2019  
Goshen Health Systems  
200 High Park Avenue  
Goshen, Indiana 46526

Director, Board of Directors  
Member, Nominating and Governance Committee (2016 – 2019) (Chair 2017 – 2019)  
Member, Executive Compliance Committee (2012 – 2014)

2008 – 2014  
Salvation Army of Goshen  
1013 North Main Street  
Goshen, Indiana 46528  
Member, Advisory Board

2006 – present  
Goshen Bar Association  
Attn: Nolan Miller, President  
Leatherman & Miller Law Office  
110 South Main Street  
Goshen, Indiana 46526  
President (2014)

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I did not serve in the military. I was not required to register for the selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Trailblazer of the Year, Recover Michiana (2023)

40 under 40 recognition, Goshen News (2015)

40 under 40 recognition, South Bend Tribune (2008)

Career Woman of the Year, Goshen Career Women's Guild (2008)

Valparaiso University School of Law  
Full-tuition scholarship (1998 – 2001)  
National Law School Dean's List (2001)  
*Summa cum laude* (2001)  
Senior Honors (2001)  
Course Honors: Trusts and Estates (2001), Advanced Legal Writing (2000),  
Employment Law (2000), Legal Writing, Reasoning and Appellate Advocacy (1999),  
Legal Writing (1998)  
Associate Editor, Law Review (2000 – 2001)

Teaching Assistant (1999 – 2000)

Butler University

*Cum laude* (1998)

High Honors (1998)

College of Liberal Arts and Sciences Journalism Award (1998)

Dean's List (1994 – 1998)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Goshen Bar Association (2006 – present)

President (2014)

Indiana Judges Association (2015 – present)

Civil Jury Instructions Committee (2015 – 2021)

Indiana Judicial Conference

Board of Directors (2017 – present)

Graduate Program Steering Committee (2023 – present)

Indiana's Judicial Designee, Judges and Psychiatrists Leadership Initiative (2022 – present)

Judicial Education Committee (2020 – present)

Chair (2023)

Indiana State Bar Association (2020 – present)

Indiana Supreme Court Records Access and Management Committee (2017 – 2023)

Judges and Psychiatrists Leadership Initiative (2022 – present)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Indiana, 2001

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States District Court for the Northern District of Indiana, 2001  
United States District Court for the Southern District of Indiana, 2001

There have been no lapses in membership.

**11. Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Boys and Girls Club of Elkhart County

Director, Board of Directors (Goshen Unit) (2022 – present)

Goshen Health Systems

Director, Board of Directors (2011 – 2014, 2016 – 2019)

Member, Executive Compensation and Compliance Committee (2012 – 2014)

Member, Nominating and Governance Committee (2016 – 2019)

Chair (2017 – 2019)

Miss Elkhart County Scholarship Program

Director, Board of Directors (approximately 2012 – 2014)

Salvation Army of Goshen

Member, Advisory Board (2008 – 2014)

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

The Miss Elkhart County Scholarship Program is a local affiliate of the Miss America Organization providing women with the opportunity to earn scholarships. To the best of my knowledge, none of the other organizations listed above discriminate nor have previously discriminated on the basis of race, sex, religion, or national origin either through formal membership requirements or the practical implementation of membership policies.

12. **Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

Based upon my recollection and a thorough review of my files and searches of publicly available databases, I have identified the following responsive materials, but it is possible that there are a few I have been unable to recall or identify.

Elkhart Co. LR20-AR00-312: Problem Solving Court – Drug Court. Copy supplied.

Indiana Judges Assoc., *Indiana Model Civil Jury Instructions Ch. 3100 (G) Privacy Torts Instructions 3191 to 3199* (Lexis 2021). I drafted jury instructions approved by the Indiana Judges Association Civil Jury Instructions Committee on July 16, 2020. Copy supplied.

Indiana Judges Assoc., *Indiana Model Civil Jury Instructions Ch. 2300 Products Liability Instructions 2305, 2307, 2316(B), 2329* (Lexis 2019). I drafted commentary for Jury Instructions 2305, 2307, 2316(B) and 2329 approved by the Indiana Judges Association Civil Jury Instructions Committee on August 2, 2018. Copy supplied.

Indiana Judges Assoc., *Indiana Model Civil Jury Instructions Ch. 2900 Emotional Distress Instructions 2903, 2911* (Lexis 2018). I drafted commentary for Jury Instructions 2903 and 2911 approved by the Indiana Judges Association Civil Jury Instructions Committee on August 4, 2017. Copy supplied.

During my 2007 campaign for election for Goshen City Court Judge, I submitted to local newspapers campaign materials including a press release, advertisement, flyer, and letter to the editor under the Campaign Corner section. I also sent a pamphlet to registered voters. Copies supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

None.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal

interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

Based upon my recollection and a thorough review of my files and searches of publicly available databases, I have identified the following responsive materials, but it is possible that there are a few that I have been unable to identify.

*Elkhart County Courts: Hearing on S.B. 76 Before the S. Judiciary Comm., 2023 Leg., 123rd Sess. (Ind. 2023) (Statement of Judge Gretchen Lund). Recording available at [https://iga.in.gov/session/2023/video/committee\\_judiciary\\_4200](https://iga.in.gov/session/2023/video/committee_judiciary_4200).*

*New Courts and new magistrates: H.B. 1114 Before the H. Comm. on Cts. and Crim. Code, 2023 Leg., 123rd Sess. (Ind. 2023) (Statement of Judge Gretchen Lund). Recording available at [https://iga.in.gov/session/2023/video/committee\\_judiciary\\_4200](https://iga.in.gov/session/2023/video/committee_judiciary_4200).*

Letter from Judge Gretchen Lund to the Indiana Criminal Justice Institute regarding support for YWCA North Central Indiana's application for the Sexual Assault Services and Program Grant (Oct. 19, 2022). Copy supplied.

Letter from Judge Gretchen Lund to the Indiana Criminal Justice Institute regarding support for YWCA North Central Indiana's application for the Victims of Crime Act Grant (Mar. 25, 2022). Copy supplied.

Letter from Judge Gretchen Lund to the Indiana Criminal Justice Institute regarding Victims of Crime Act Grant Program Solicitations (Mar. 17, 2022). Copy supplied.

Letter from Judge Gretchen Lund to Indiana Family and Social Services Administration regarding Emergency Funding for Clubhouse Programs in Indiana (June 28, 2021). Copy supplied.

*Request one new position "Court Services Facilitator," and two additional positions "Social Workers": Before the Elkhart Cnty. Council, Nov. 9, 2019. Minutes supplied.*

*Request one new Probation Officer/SP (Drug Court Case Manager): Before the Elkhart Cnty. Council; Request one new Probation Officer (pretrial): Before the Elkhart Cnty. Council, Aug. 10, 2019. Minutes supplied.*

*Request new Drug Court Coordinator Position (Supervisor Probation Officer): Before the Elkhart Cnty. Council, June 9, 2018. Minutes supplied.*

*Ordinance 4786, Abolish Goshen City Court: Before the Goshen Common Council, May 20, 2014. Minutes supplied.*



Letter to Members of the Goshen City Common Council regarding the closure of Goshen City Court, May 2014. I am unable to locate the letter.

*Court Department – Honorable Judge Gretchen Lund: Before the Goshen Common Council Ann. Retreat, July 30, 2013. Minutes supplied.*

*Court Department – Honorable Judge Gretchen Lund: Before the Goshen Common Council Ann. Retreat, Apr. 1, 2009. Minutes supplied.*

*Resolution Number 2009-07 titled Approving and Authorizing the Execution of an Interlocal Agreement for Probation Services Between the City of Goshen and the City of Nappanee: Before the Goshen Common Council, Mar. 3, 2009. Minutes supplied.*

*Ordinance 4519, amending Monetary Penalties for Ordinance Violations Bureau: Before the Goshen Common Council, Dec. 30, 2008. Minutes supplied.*

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

Based upon my recollection and a thorough review of my files and searches of publicly available databases, I have identified the following responsive materials, but it is possible that there are a few that I have been unable to recall or identify.

September 16, 2023: Speaker, Recover Michiana Fest 2023, South Bend, Indiana. Recording supplied.

September 15, 2023: Speaker, Recover Michiana Trailblazer Award Dinner, Granger, Indiana. Recording supplied.

September 15, 2023: Speaker, Final Plenary Session of the 2023 Annual Meeting of the Judicial Conference of Indiana, French Lick, Indiana. I have no notes, transcript, or recording. The address for the Judicial Conference of Indiana is 251 North Illinois Street, Suite 1225, Indianapolis, Indiana 46204.

September 13, 2023: Speaker, Opening Session of the 2023 Annual Meeting of the Judicial Conference of Indiana, French Lick, Indiana. Speech supplied.

August 28, 2023: Speaker, Elkhart County Drug Court Graduation, Goshen,

Indiana. Video available at <https://www.youtube.com/watch?v=S4z7E-IBSuI&t=219s>.

May 18, 2023: Speaker, Law Day 2023, Elkhart, Indiana. I made brief opening and closing remarks at the Goshen and Elkhart Bar Associations' Law Day. I have no notes, transcript, or recording. The address for the Goshen City Bar is Attn: Nolan Miller, President, Leatherman & Miller Law Office, 110 South Main Street, Goshen, Indiana 46526. The address for the Elkhart City Bar Association is Attn: Dean Leazenby, President, Warrick & Boyn LLP, 861 Parkway Avenue, Elkhart, Indiana 46516.

May 9, 2023: Panelist, Elkhart County Jail Ministry Banquet, Nappanee, Indiana. I spoke about the collaboration between Elkhart County Court Services and the Elkhart County Jail Ministry. I have no notes, transcript, or recording. The address for the Elkhart County Jail Ministry is 26861 County Road 26, Elkhart, Indiana 46517.

January 27, 2023: Speaker, Goshen Rotary, Goshen, Indiana. PowerPoint supplied.

December 2, 2022: Panelist, Judges Panel, 2022 Elkhart City Bar Association Continuing Legal Education event, Elkhart, Indiana. I spoke about my court operations and answered questions from attendees. I have no notes, transcript, or recording. The address for the Elkhart City Bar Association is Attn: Dean Leazenby, President, Warrick & Boyn LLP, 861 Parkway Avenue, Elkhart, Indiana 46516.

August 30, 2022: Speaker, Elkhart County Drug Court Graduation, Elkhart, Indiana. Video available at <https://www.youtube.com/watch?v=DdNwPXe-UPM&authuser=0>.

May 10, 2022: Speaker, Elkhart County Jail Ministry Banquet, Nappanee, Indiana. I spoke about the partnership between the Elkhart County Drug Court and the Elkhart County Jail Ministry. I have no notes, transcript, or recording. The address for the Elkhart County Jail Ministry is 26861 County Road 26, Elkhart, Indiana 46517.

May 5, 2022: Panelist, "On the frontlines of America's drug epidemic: Opioids, fentanyl, meth and our response," Oaklawn Psychiatric Center, Nappanee, Indiana. I participated in a panel on the opioid epidemic. I have no notes, transcript, or recording. The address for Oaklawn Psychiatric Center is 330 Lakeview Drive, Goshen, Indiana 46528.

March 18, 2022: Speaker, Goshen College Sociology of Crime and Deviance Class, Goshen, Indiana. I spoke to students about the Elkhart County Drug Court Program. I have no notes, transcript, or recording. The address for Goshen

College is 1700 South Main Street, Goshen, Indiana 46526.

February 7, 2022: Speaker, Elkhart County Drug Free Partnership Act, Elkhart, Indiana. I spoke about the Elkhart County Drug Court program. I have no notes, transcript, or recording. The Elkhart County Drug Free Partnership Act does not appear to have a mailing address.

December 5, 2021: Judge, Trial Advocacy Class, Notre Dame, Indiana. I judged a mock trial for law students and provided feedback at the conclusion of the trial. I have no notes, transcript, or recording. The address for Notre Dame Law School is 1100 Eck Hall of Law, Notre Dame, Indiana 46556.

December 3, 2021: Panelist, Judges Panel, 2021 Elkhart City Bar Association Continuing Legal Education event, Elkhart, Indiana. I spoke about my court operations and answered questions from attendees. I have no notes, transcript, or recording. The address for the Elkhart City Bar Association is Attn: Dean Leazenby, President, Warrick & Boyn LLP, 861 Parkway Avenue, Elkhart, Indiana 46516.

December 2, 2021: Panelist, "Addictions Treatment: Best Practices Drug Court Treatment Providers Panel," 2021 Elkhart City Bar Association Continuing Legal Education event, Elkhart, Indiana. I participated in a panel discussion about the Elkhart County Drug Court and best practices when working with substance use disorder cases. I have no notes, transcript, or recording. The address for the Elkhart City Bar Association is Attn: Dean Leazenby, President, Warrick & Boyn LLP, 861 Parkway Avenue, Elkhart, Indiana 46516.

August 30, 2021: Speaker, 2021 Elkhart County Drug Court Graduation, Elkhart, Indiana. Video available at <https://vimeo.com/668254746>.

January 29, 2021: Speaker, Goshen Rotary, Goshen, Indiana (Virtual Event). I spoke about the Elkhart County Drug Court. I have no notes, transcript, or recording. The address for the Goshen Rotary Club is 411 Hackett Road, Goshen, Indiana 46528.

May 31, 2019: Speaker, Goshen Rotary, Goshen, Indiana. I used the same PowerPoint that was provided for the January 27, 2023, presentation.

April 17, 2019: Speaker, Middlebury Exchange Club, Middlebury, Indiana. I used the same PowerPoint that was provided for the January 27, 2023, presentation.

April 15, 2019: Speaker, First United Methodist Church Women's Group, Middlebury, Indiana. I used the same PowerPoint that was provided for the January 27, 2023, presentation.

February 26, 2019: Speaker, Goshen Noon Kiwanis, Goshen, Indiana. I used the same PowerPoint that was provided for the January 27, 2023, presentation.

December 7, 2018: Panelist, Judges Panel, 2018 Elkhart City Bar Association Continuing Legal Education event, Elkhart, Indiana. I spoke about my court operations and answered questions from attendees. I have no notes, transcript, or recording. The address for the Elkhart City Bar Association is Attn: Dean Leazenby, President, Warrick & Boyn LLP, 861 Parkway Avenue, Elkhart, Indiana 46516.

November 12, 2018: Speaker, American Association of University Women, Goshen, Indiana. I spoke about the legal profession, being a judge, and giving back to my community. I have no notes, transcript, or recording. The national address for the American Association of University Women is 1310 L Street, Northwest, Suite 1000, Washington, DC 20005.

October 18, 2018: Speaker, Elkhart City Bar Association, Elkhart, Indiana. I used the same PowerPoint that was provided for the January 27, 2023, presentation.

October 18, 2018: Speaker, Elkhart County Re-Entry Initiative Committee, Elkhart, Indiana. I spoke about the Elkhart County Drug Court. I have no notes, transcript, or recording. The Elkhart County Drug Free Partnership Act does not appear to have a mailing address.

October 18, 2018: Speaker, Maple City Kiwanis, Goshen, Indiana. I used the same PowerPoint that was provided for the January 27, 2023, presentation.

September 18, 2018: Speaker, Nappanee Elementary School, Nappanee, Indiana. I spoke to 5th grade students about the legal profession, being a judge, and giving back to my community. I have no notes, transcript, or recording. The address for Nappanee Elementary School is 755 East Van Buren Street, Nappanee, Indiana 46550.

April 20, 2018: Speaker, Goshen Rotary, Goshen, Indiana. I used the same PowerPoint that was provided for the January 27, 2023, presentation.

April 19, 2018: Speaker, Elkhart County Re-Entry Initiative Committee, Elkhart, Indiana. I used the same PowerPoint that was provided for the January 27, 2023, presentation.

March 27, 2018: Panelist, NorthWood Middle School Honors Banquet, Nappanee, Indiana. I spoke to 8th grade students about my profession, schooling, and community involvement. I have no notes, transcript, or recording. The address for NorthWood Middle School is 301 North Elkhart Street, Wakarusa, Indiana 46573.

December 8, 2017: Panelist, Judges Panel, 2017 Elkhart City Bar Association Continuing Legal Education event, Elkhart, Indiana. I spoke about my court operations and answered questions from attendees. I have no notes, transcript, or recording. The address for the Elkhart City Bar Association is Attn: Dean Leazenby, President, Warrick & Boyn LLP, 861 Parkway Avenue, Elkhart, Indiana 46516.

December 8, 2016: Speaker, Retirement Dinner for Elkhart Circuit Court Judge Terry Shewmaker, Elkhart, Indiana. Speech supplied.

March 11, 2016: Speaker, Boys and Girls Club of Elkhart County, Goshen, Indiana. I spoke about my profession, schooling, and community involvement. I have no notes, transcript, or recording. The address for the Boys and Girls Club is 306 Crescent Street, Goshen, Indiana 46528.

November 6, 2015: Speaker, Goshen Rotary, Goshen, Indiana. I cannot recall the subject of this speech. I have no notes, transcript, or recording. The address for the Goshen Rotary Club is 411 Hackett Road, Goshen, Indiana 46528.

March 19, 2014: Candidate Forum for the League of Women Voters, Elkhart, Indiana. I spoke about my candidacy for Judge of Elkhart Superior Court 4. I have no notes, transcript, or recording. The address for the League of Women Voters is 23480 Greenwood Boulevard, Elkhart, Indiana 46516.

November 11, 2013: Speaker, Convocation: "Restorative Justice: Making Peace Between Victims and Offenders," Goshen College, Goshen, Indiana. Audio available at [podcast.goshen.edu/GCcast/chapel/20131111.mp3](http://podcast.goshen.edu/GCcast/chapel/20131111.mp3).

October 22, 2013: Speaker, "The View from Goshen City Court," Goshen College, Goshen, Indiana. I spoke at the Goshen College Lunch and Learn session about Goshen City Court. I have no notes, transcript, or recording. The address for Goshen College is 1700 South Main Street, Goshen, Indiana 46526.

October 8, 2013: Speaker, Goshen Noon Kiwanis, Goshen, Indiana. Speech supplied.

May 10, 2013: Speaker, Goshen Rotary, Goshen, Indiana. I used the same speech as was provided for the October 8, 2013, event.

January 29, 2013: Speaker, Middlebury Exchange Club, Middlebury, Indiana. I used the same speech as was provided for the October 8, 2013, event.

January 11, 2013: Speaker, Goshen Rotary, Goshen, Indiana. I do not recall the topic of my speech. I have no notes, transcript, or recording. The address for the Goshen Rotary Club is 411 Hackett Road, Goshen, Indiana 46528.

October 15, 2008: Speaker, American Association of University Women (Elkhart Chapter), Elkhart, Indiana. I spoke about growing up in Elkhart County and giving back to my community. I have no notes, transcript, or recording. The national address for the American Association of University Women is 1310 L Street, Northwest, Suite 1000, Washington, DC 20005.

June 7, 2008: Speaker, Elkhart County 4-H 10 Year Recognition Breakfast, Middlebury, Indiana. Speech supplied.

May 29, 2008: Speaker, Maple City Kiwanis, Goshen, Indiana. I spoke about my responsibilities as a judge and the number of cases I preside over at Goshen City Court. I have no notes, transcript, or recording. The Maple City Kiwanis does not appear to have a physical address.

January 2, 2008: Oath of Office, Goshen City Court, Goshen, Indiana. I took the oath of office and spoke to those in attendance. I have no notes, transcript, or recording, but press coverage is supplied. The address for Goshen City Court is 111 East Jefferson Street, Goshen, Indiana 46528.

October 26, 2007: Candidate Forum, Goshen Chamber of Commerce, Goshen, Indiana. As a candidate, I answered questions regarding my qualifications for the position of Goshen City Court Judge. I have no notes, transcript, or recording, but press coverage is supplied. The address for the Goshen Chamber of Commerce is 232 South Main Street, Goshen, Indiana 46526.

April 21, 2007: Candidate Forum, Goshen Chamber of Commerce, Goshen, Indiana. As a candidate, I answered questions regarding my qualifications for the position of Goshen City Court Judge. I have no notes, transcript, or recording, but press coverage is supplied. The address for the Goshen Chamber of Commerce is 232 South Main Street, Goshen, Indiana 46526.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Based upon my recollection and a thorough review of my files and searches of publicly available databases, I have identified the following responsive materials, but it is possible that there are a few that I have been unable to recall or identify.

Jordan Fouts, *Last chance: Drug court celebrates 2022-23 grads*, The Elkhart Truth (Aug. 29, 2023). Copy supplied.

Dani Messick, *Indiana Justice honors drug court graduates*, The Goshen News (Aug. 29, 2023). Copy supplied.

Jordan Morey, *One Legal Community: Attorneys, judges look forward to new consolidated courts campus in Elkhart County*, The Indiana Lawyer (Feb. 15, 2023). Copy supplied.

Olivia Covington, *6 counties seeking additional magistrates, judges, courts*, The Indiana Lawyer (Jan. 18, 2023). Copy supplied.

Jordan Fouts, *Drug court all about hard work, hope*, The Elkhart Truth (Aug. 31, 2022). Copy supplied.

*Senator Todd Young attends 2<sup>nd</sup> graduation for Elkhart County Drug Court* (WNDU news broadcast Aug. 30, 2022). Video available at <https://www.wndu.com/2022/08/30/senator-todd-young-attends-2nd-graduation-elkhart-county-drug-court>.

*Elkhart County Drug Court Program honors 13 graduates* (WSBT news broadcast Aug. 30, 2022). Video available at <https://wsbt.com/news/local/elkhart-county-drug-court-program-honors-13-graduates>.

Katie Stancombe, *Under the spotlight: IN Supreme Court candidates face myriad of legal, personal questions*, The Indiana Lawyer (Apr. 13, 2022). Copy supplied.

Katie Stancombe, *JNC questions final applicants for IN Supreme Court position before selecting 3 finalists*, The Indiana Lawyer (Apr. 5, 2022). Copy supplied.

Elkhart County Government, *Elkhart County Drug Court Graduates First Class*, County Lines (Sept./Oct. 2021). Copy Supplied.

Jordan Fouts, *Drug Court celebrates first 24 graduates*, The Elkhart Truth (Aug. 31, 2021). Copy supplied.

*Graduates commended by Elkhart County Drug Court* (WNDU news broadcast Aug. 30, 2021). Video available at <https://www.wndu.com/2021/08/31/graduates-commended-by-elkhart-county-drug-court>.

*Jury trials to resume in Elkhart County with coronavirus precautions* (WSBT news broadcast Aug. 13, 2020). Video available at <https://wsbt.com/news/first-at-4/jury-trials-to-resume-in-elkhart-county-with-coronavirus-precautions#>.

Jordan Fouts, *Drug Court on track to graduate first class*, The Elkhart Truth (Apr. 16, 2020). Copy supplied.

Jordan Fouts, *Judges reviewing jail inmates for release*, The Elkhart Truth (Apr. 9, 2020). Copy supplied.

Elkhart County Government, *Drug Court Offers Clients an Opportunity for Lasting Change*, County Lines (Feb./Mar. 2020). Copy supplied.

Jordan Fouts, *County Oks public defender, highway hires*, The Elkhart Truth (Nov. 12, 2019). Copy supplied.

Marshall King, *Drug Court is changing lives in Elkhart County*, The South Bend Tribune (Sept. 23, 2019). Copy supplied.

Jordan Fouts, *County to implement pretrial release rule*, The Elkhart Truth (Aug. 19, 2019). Copy supplied.

Jordan Fouts, *Drug court to hire 2<sup>nd</sup> case manager*, The Elkhart Truth (Aug. 12, 2019). Copy supplied.

*Elkhart County Drug Court seeing success 6 months in* (WSBT news broadcast June 10, 2019). Video available at <https://wsbt.com/news/local/elkhart-county-drug-court-seeing-success-6-months-in#>.

Ray Balogh, *Weekly nudges toward recovery*, The Paper (May 21, 2019). Copy supplied.

Katie Stancombe, *Web Exclusive: Text message reminders curb failures to appear*, The Indiana Lawyer (Apr. 30, 2019). Copy supplied.

Jordan Fouts, *First 'class' in drug court starts 18-month program*, The Elkhart Truth (Feb. 24, 2019). Copy supplied.

Jordan Fouts, *Drug Court digs at root of criminal behavior*, The Elkhart Truth (June 11, 2018). Copy supplied.

Sheila Selman, *Coordinator to get new drug court running*, The Goshen News (June 10, 2018). Copy supplied.

Sherry Van Arsdall, *Ministry helps change Elkhart County Jail inmates' hearts, minds*, The Goshen News (Oct. 25, 2015). Copy supplied.

John Kline, *Judge Lund leaving job*, The Goshen News (Aug. 6, 2014). Copy supplied.

John Kline, *Mayor says city court vote wasn't pragmatic*, The Goshen News (May 21, 2014). Copy supplied.

John Kline, *Mayor: Vote was political, emotional*, The Goshen News (May 21, 2014). Copy supplied.



Angela Barbazon, *Goshen council votes down move to close city court*, The Elkhart Truth (May 20, 2014). Copy supplied.

*Goshen City Council rejects mayor's plan to close city court*, (WSBT news broadcast May 20, 2014). Video available at <https://wsbt.com/news/local/goshen-city-council-rejects-mayors-plan-to-close-city-court#>.

Angela Barbazon, *Goshen mayor Allan Kauffman suggests cutting city court*, The Elkhart Truth (May 19, 2014). Copy supplied.

John Kline, *Council to decide fate of Goshen City Court*, The Goshen News (May 18, 2014). Copy supplied.

Sharon Hernandez, *Elkhart County judges announce they will not seek re-election*, The Elkhart Truth (Jan. 8, 2014). Copy supplied.

John Kline, *Annual retreat finds city departments looking for more employees*, The Goshen News (July 31, 2013). Copy supplied.

John Kline, *Police say sidewalk law will be used as last resort*, The Goshen News (May 20, 2012). Copy supplied.

Dan Spalding, *More than just a job? What some local leaders learned from early employment*, The Goshen News (Mar. 19, 2012). Copy supplied.

*Clerk, Judge uncontested in primaries*, The Goshen News (Apr. 24, 2011). Copy supplied.

*Officials remain hopeful for 2010*, The Goshen News (Jan. 2, 2010). Copy supplied.

Denise Fedorow, *From the halls of Northwood to the halls of Justice*, Elkhart County Living (Aug./Sept. 2009). Copy supplied.

Jesse Davis, *City Council ponders trash fee to boost revenue*, The Goshen News (Apr. 2, 2009). Copy supplied.

Justin Leighty, *Probation aid given to Nappanee court*, The Elkhart Truth (Mar. 4, 2009). Copy supplied.

Jesse Davis, *Judge opposes fine increase in light of economy*, The Goshen News (Jan. 2, 2009). Copy supplied.

Melissa Batka, *Judge invests in community*, The South Bend Tribune (May 25, 2008). Copy supplied.

Tara Layne, *Republicans win majority on Goshen council*, The Goshen News (Nov. 7, 2007). Copy supplied.

Tara Layne, *Two seeking City Court Judgeship*, The Goshen News (Nov. 3, 2007). Copy supplied.

Tim Vandenaek, *Two fresh faces run for judge*, The Elkhart Truth (Oct. 27, 2007). Copy supplied.

Tara Layne, *Mark Huser, picked as GOP mayoral candidate*, The Goshen News (May 9, 2007). Copy supplied.

Justin Leighty, *Lund, Lehman vie for city judge post*, The Elkhart Truth (May 9, 2007). Copy supplied.

*Two seek Goshen Judge nomination*, The Goshen News (Apr. 25, 2007). Copy supplied.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

Since 2015 I have served as the Judge of Elkhart Superior Court 4. I was elected to this position.

As the Judge of Elkhart Superior Court 4, I preside over civil matters including civil plenary, civil torts, civil collections, and small claims. I also preside over criminal matters, including felonies, misdemeanors, infractions, and ordinance violations. In 2018, Elkhart Superior Court 4 became the first designated problem-solving court in Elkhart County. I preside over the Elkhart County Drug Court. I have been appointed as a Special Judge on domestic relations cases. On a rotating basis, I serve as the on-call judge responsible for reviewing and approving mental health commitments, search warrants, and probable cause affidavits. In 2024, Elkhart Superior Court 4 will be designated solely as a criminal court.

From January 2008 until August 2014, I served as the Judge of Goshen City Court. I was elected to this position. As the Judge of Goshen City Court, I presided over criminal misdemeanors, infractions, and ordinance violations.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment?

After carefully reviewing quarterly reports filed with the Indiana Office of Court Services and internal reports generated by Elkhart County Court Services, I have presided over approximately 28,000 cases that have gone to verdict or judgment as the Judge of Elkhart Superior Court 4 and Goshen City Court. This number

does not include infractions or ordinance violations.

I have presided over approximately 27 jury trials and 489 bench trials. But for one jury trial involving an infraction, the remaining bench trials and jury trials listed above do not include infractions or ordinance violations.

i. Of these cases, approximately what percent were:

jury trials:	6%
bench trials:	94%

ii. Of these cases, approximately what percent were:

civil proceedings:	45%
criminal proceedings:	55%

b. Provide citations for all opinions you have written, including concurrences and dissents.

See attached list of citations.

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

1. *Jones v. HomeWorks*, 20D04-2012-PL-000238

This case involved claims of breach of contract and conversion. Defendant contracted to provide restoration services to Plaintiff after Plaintiff's home and personal property were destroyed by a fire. Plaintiff alleged that Defendant failed to provide restoration services as agreed and converted Plaintiff's property. I presided over a two-day bench trial, reviewed post trial briefing, and held supplemental hearings after the trial. After taking the matter under advisement, I found in favor of Plaintiff and awarded judgment for \$135,754 for breach of contract and conversion. Order supplied.

Former Counsel for Plaintiff

Jacqueline S. Homann  
1251 North Eddy Street, Suite 203  
South Bend, IN 46617  
(574) 575-4147

Counsel for Defendant

Jason D. May

9201 North Meridian Street, Suite 220  
Indianapolis, IN 46260  
(317) 218-3859

2. *State v. Ford*, 20D04-2003-F6-000403, *aff'd*, 176 N.E.3d 606 (Ind. Ct. App. 2021)

Defendant was charged with battery against a public safety officer, a Level 6 felony, battery by bodily waste on a public safety officer, a Level 6 felony, and public intoxication, a Class B misdemeanor. I heard arguments regarding Defendant's competency to stand trial and ordered competency evaluations. After reviewing the competency reports filed, I found Defendant competent to stand trial. Prior to the beginning of Defendant's trial, I ruled on several pre-trial motions involving potential hearsay statements and other statements relating to Defendant's mental health, spiritual, religious, or supernatural beliefs. Defendant was found guilty of battery on a public safety official and possession of marijuana. Defendant was found not guilty of battery by bodily waste on a public safety officer. Defendant's convictions were affirmed by the Indiana Court of Appeals.

State of Indiana

Jonathan E. Soverly  
Contact Information Unknown

Defense Counsel

Christopher Petersen  
119 North 3rd Street  
Goshen, IN 46526  
(574) 535-6734

3. *Stork v. Miller*, 20D04-1809-CT-000210

This case involved an automobile accident between Plaintiff and Defendant. Several discovery disputes arose between the parties. I held a hearing on Plaintiff's motion to exclude and suppress evidence and Plaintiff's motion for rebuttal witnesses. I denied the motion to suppress, finding that because Plaintiff had reopened discovery to depose two law enforcement officers, Plaintiff could not then suppress those same officers as witnesses in Defendant's case in chief. Further, I granted Plaintiff's motion for rebuttal witnesses, finding that while Plaintiff failed to disclose those witnesses in his case in chief, those witnesses could be offered to rebut the testimony of the law enforcement officers after Defendant's case in chief. The case subsequently settled. Order supplied.

Counsel for Plaintiff

Scott Seville  
714 North Main Street

Crown Point, IN 46307  
(219) 779-9952

Counsel for Defendant

Clint Zalas  
54391 30th Street  
South Bend, IN 46635  
(574) 232-5923

4. *Fox v. Jones et al.*, 20D04-1908-CT-000183

This case arose from a traffic accident between Plaintiff Fox and Defendant Jones. Jones was an employee of Norms Tool Chest, and Plaintiff sued Norms Tool Chest as well as Snap-On Tools, with which it had entered into a franchise agreement to use its trademark on its fleet of vehicles and sell Snap-On Tools. Defendant Snap-On Tools filed a motion for summary judgment asserting that it was not liable for Jones's alleged negligence because it had no employment relationship with Jones. Plaintiff argued that Snap-On Tools, as the franchisor of Norms Tool Chest, was vicariously liable for the alleged negligence of Jones under a respondeat superior theory. I held a hearing on the motion and granted summary judgment in favor of Snap-On Tools. The case subsequently settled. Order supplied.

Counsel for Plaintiff

Sarah Graziano  
8350 Sunlight Drive, Suite 300  
Fishers, IN 46037  
(317) 222-3945

Counsel for Defendant

Edward Holloran, III  
135 North Pennsylvania Street  
2400 BMO Building  
Indianapolis, IN 46204  
(317) 399-2892

5. *Barnhart v. Prop. Owners*, 20D04-1903-CT-000051

This case arose out of Plaintiff's home explosion and fire and Defendant's denial of Plaintiff's insurance claim, on the grounds that Plaintiff intentionally caused the explosion and fire. Plaintiff asserted claims for breach of contract and bad faith. Defendant counter-claimed for a declaratory judgment. Defendant moved for partial summary judgment and to strike evidence designated by Plaintiff. Extensive briefing occurred and I held a hearing on all pending matters. I issued an Order denying Defendant's motions. The case subsequently settled. Order supplied.

Counsel for Plaintiff

Edmond W. Foley  
1002 East Jefferson Boulevard  
South Bend, IN 46617  
(574) 288-7676

Counsel for Defendant

Scott E. Andres  
8440 Allison Pointe Boulevard, Suite 350  
Indianapolis, IN 46250  
(317) 635-7700

6. *State v. Thompson*, 20D04-1706-F6-000089, *aff'd*, 121 N.E.3d 147 (Ind. Ct. App. 2019)

Defendant was charged by information with a Level 6 felony of intimidation for threatening to shoot the victim. Defendant waived his constitutional right to a jury trial and requested that the matter be set as a bench trial. During the course of the trial, the victim testified that Defendant threatened to shoot up her house. I found that the material variance between the charging information and the evidence presented at trial did not prejudice Defendant in the preparation of his defense. I found Defendant guilty of intimidation as a Level 6 felony. The Indiana Court of Appeals affirmed. Bench Trial Order supplied.

State of Indiana

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Duke Law  
210 Science Drive  
Durham, NC 27708  
(919) 613-8684

Defense Counsel

Luke Krizek  
3115 Southeastern Avenue, Suite 3100  
Indianapolis, IN 46203  
(317) 327-3988

7. *State v. J.D.*, 20D04-1507-CM-001193

After being charged with Possession of Marijuana, a class B misdemeanor, Defendant filed a motion to suppress on the basis that law enforcement's search of her home violated the United States and Indiana State Constitutions. At the hearing on Defendant's motion, officers testified that they believed that Defendant had marijuana plants growing in her back yard. Officers further testified that they went to Defendant's home and told Defendant they were there

to investigate a child in need of services (CHINS) case. On that basis, Defendant allowed officers to search both inside and outside of her home. I held a hearing on Defendant's motion and determined that Defendant's consent to search was not the product of free and unconstrained choice and that Defendant's consent was involuntary. I granted the motion to suppress. The State subsequently dismissed the case. Opinion supplied.

State of Indiana

Martin Garry  
315 South 2nd Street  
Elkhart, IN 46516  
(574) 523-2318

Defense Counsel

Mark Altenhof  
315 South 2nd Street  
Elkhart, IN 46516  
(574) 523-2318

8. *State v. Bowman*, 20D01-1306-FB-000071, aff'd, No. 20A05-1503-CR-111, 2016 Ind. App. Unpub. LEXIS 287 (Ct. App. Mar. 11, 2016)

At the request of Judge Evan Roberts, I served as Pro Tem Judge presiding over this jury trial. During the course of the trial, the State moved to strike the alleged victim's testimony after she testified on behalf of Defendant and then on cross examination invoked her Fifth Amendment privilege against self-incrimination. I granted the State's request and admonished the jury that they were not to consider the testimony previously given by the alleged victim. Defendant was convicted of Class B felony unlawful possession of a firearm as a serious violent felon, Class C felony intimidation and Class D felony pointing a firearm at another person. On appeal, the Indiana Court of Appeals concluded that I did not abuse my discretion by striking the victim's testimony and affirmed Defendant's convictions.

State of Indiana

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Defense Counsel

Christopher Petersen  
119 North 3rd Street  
Goshen, IN 46526  
(574) 535-6734

9. *State v. Schlemmer*, 20D04-1503-F6-000291

Defendant pled guilty to operating a motor vehicle with a schedule 1 or 2 substance causing injury, a Level 6 felony, and possession of marijuana, a Class B misdemeanor. The case was significant because Defendant's actions caused injury to a two-month-old infant. In balancing aggravating and mitigating factors under Indiana law, I took into consideration the interests of public safety and Defendant's need for substance use treatment. On January 28, 2016, I sentenced Defendant to an enhanced sentence of two years in the Indiana Department of Correction followed by six months of probation. I agreed to consider a modification of Defendant's placement into community-based supervision if the Defendant completed substance abuse treatment successfully while incarcerated.

State of Indiana

Lucas Shoemake  
210 South Michigan Street, Suite 500  
South Bend, IN 46601  
(574) 234-3000

Defense Counsel

Andrea Beachkowsky  
61191 Old U.S. 31 South  
South Bend, IN 46614  
(574) 596-2907

10. *Van Daele v. Concord Comm. Sch.*, 20D04-1307-PL-000172, *aff'd*, No. 20A03-1509-PL-1539, 2016 WL 900459 (Ind. Ct. App. Mar. 8, 2016)

Plaintiff filed a case against Defendant Concord Community Schools, her former employer, alleging that she had been retaliated against and fired from her employer because she filed a worker's compensation claim. I presided over several discovery disputes and Defendant's motion for summary judgment. I granted summary judgment for Defendant, finding that Plaintiff failed to demonstrate that she was discharged solely in retaliation for filing a worker's compensation claim. The Indiana Court of Appeals affirmed. Superior Court 4 Order supplied.

Plaintiffs's Counsel

Patrick F. O'Leary  
3000 Windsor Court  
Elkhart, IN 46514  
(574) 264-6262

Defense Counsel

Lyle R. Hardman  
205 West Jefferson Street, Suite 300



South Bend, IN 46634  
(574) 232-4801

- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

1. *Jones v. HomeWorks*, 20D04-2012-PL-000238 (Jan. 10, 2023). Opinion previously supplied in response to Question 13c.

Former Counsel for Plaintiff

Jacqueline S. Homann  
1251 North Eddy Street, Suite 203  
South Bend, IN 46617  
(574) 575-4147

Counsel for Defendant

Jason D. May  
9201 North Meridian Street, Suite 220  
Indianapolis, IN 46260  
(317) 218-3859

2. *Barnhart v. Prop. Owners*, 20D04-1903-CT-000051 (Jan. 15, 2021). Opinion supplied.

Counsel for Plaintiff

Edmond W. Foley  
1002 East Jefferson Boulevard  
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(574) 288-7676

Counsel for Defendant

Scott E. Andres  
8440 Allison Pointe Boulevard, Suite 350  
Indianapolis, IN 46250  
(317) 635-7700

3. *State v. Weekly*, 20D04-1909-F6-001254 (Dec. 7, 2020). Opinion supplied.

State of Indiana

Kaitlynn E. Campoli  
301 South Main Street  
Elkhart, IN 46516  
(574) 296-1888

Counsel for Defendant  
Christopher J. Petersen  
119 North 3rd Street  
Goshen, IN 46526  
(574) 535-6734

4. *Stair v. McDonald's et al.*, 20D04-1805-CT-000120 (Oct. 23, 2020). Opinion supplied.

Counsel for Plaintiff  
Phillip D. Olsson  
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(317) 472-3333

Counsel for Defendant  
Robert S. O'Dell  
14747 Oak Road, Suite 100  
Carmel, IN 46033  
(317) 569-1400

5. *Harrington v. Patrick Indus.*, 20D04-1808-CT-000193 (June 1, 2020).  
Opinion supplied.

Counsel for Plaintiff  
Timothy O. Malloy  
9635 Saric Court  
Highland, IN 46322  
(219) 501-0737

Counsel for Defendant  
David Peter Burow Flak  
Liberty Mutual Group Field Legal Offices  
350 East 96th Street, Suite 100  
Indianapolis, IN 46240  
(219) 525-6057

6. *City of Goshen v. Davidhizer*, 20D04-1707-PL-000139 (July 17, 2018).  
Opinion supplied.

Counsel for City of Goshen  
Donald R. Shuler  
118 North Main Street  
Goshen, IN 46526  
(574) 533-3181

Counsel for Defendant

John W. Davis  
116 East Clinton Street  
Goshen, IN 46528  
(574) 534-1508

7. *Steele v. State*, 20D04-1012-PC-000002 (Feb. 23, 2017). Opinion supplied.

State of Indiana

Lucas Shoemake  
210 South Michigan Street, Suite 500  
South Bend, Indiana 46601  
(574) 234-3000

Petitioner was pro se

8. *State v. J.D.*, 20D04-1507-CM-001193 (Apr. 15, 2016). Opinion previously supplied in response to Question 13c.

State of Indiana

Martin Garry  
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(574) 523-2318

Defense Counsel

Mark Altenhof  
315 South 2nd Street  
Elkhart, Indiana 46516  
(574) 523-2318

9. *Van Daele v. Concord Comm. Sch.*, 20D04-1307-PL-000172 (July 10, 2015).  
Opinion previously supplied in response to Question 13(c).

Counsel for Plaintiff

Patrick O'Leary  
3000 Windsor Court, Suite B  
Elkhart, IN 46514  
(574) 264-6262

Counsel for Defendant

Lyle Hardman  
205 West Jefferson Boulevard, Suite 300  
South Bend, IN 46634  
(574) 232-4801

10. *Essig v. JR Sons & Prop.*, 20D04-1309-PL 218 (May 14, 2015). Copy supplied.

Counsel for Plaintiff

Howard Petersen  
2611 Golfside Court  
Naples, FL 34110  
(260) 463-3398

Counsel for Defendant

Robert Konopa (retired)

- e. Provide a list of all cases in which certiorari was requested or granted.

I am unaware of any cases that I presided over in which certiorari was requested or granted by the United States Supreme Court.

- f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

*State v. Rassi*, 20D04-1804-CM-000918, *aff'd in part & rev'd in part*, 132 N.E.3d 921 (Ind. Ct. App. 2019). At the conclusion of a bench trial, I found Defendant guilty of operating a vehicle while intoxicated and leaving the scene of an accident. The Indiana Court of Appeals found that the operating while intoxicated conviction was supported by sufficient evidence, but that the leaving the scene of an accident conviction was not supported by sufficient evidence.

*Young v. State*, 20D04-1210-PC-000009, *rev'd*, 86 N.E.3d 450 (Ind. Ct. App. 2017). I granted post-conviction relief on the basis that I believed there was newly discovered evidence and that the previous court failed to record over 40 minutes of closing argument during the trial. Mr. Young maintained that the prosecuting attorney misstated the law during closing argument. The Indiana Court of Appeals reversed, finding that the evidence was not newly-discovered and that Mr. Young waived the right to assert the failed recording as he had not raised it in his direct post-conviction relief petition or hearing.

- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

Based on a review of my records, I estimate that I have issued at least 58 opinions. All of my opinions are unpublished and filed in the Indiana Odyssey Case Management System. Public access is available at

<https://public.courts.in.gov/Portal/public.courts.IN.gov>.

- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

*State v. Weekly*, 20D04-1909-F6-001254 (Dec. 7, 2020). Opinion previously supplied in response to Question 13d.

*State v. Slabaugh*, 20D04-1811-F6-001642 (Apr. 4, 2019). Opinion supplied.

*State v. Knuckles*, 20D04-1804-F6-000613 (Feb. 14, 2019). Opinion supplied.

*State v. Caldwell*, 20D04-1801-F6-000135 (Sept. 28, 2018). Opinion supplied.

*State v. J.D.*, 20D04-1507-CM-001193 (Aug. 29, 2018). Opinion previously supplied in response to Question 13c.

*State v. McGuffy*, 20D04-1707-F6-001064 (June 5, 2018). Opinion supplied.

*State v. Weekly*, 20D04-1703-F6-000392 (Oct. 6, 2017), *analysis aff'd*, 105 N.E.3d 1133 (Ind. Ct. App. 2018). Opinion supplied.

*State v. Shorter*, 20D04-1606-F6-000697 (Mar. 27, 2017). Opinion supplied.

*State v. Webb*, 20D04-1601-F5-000011 (Jan. 4, 2017). Opinion supplied.

- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

I have never sat by designation on any federal court of appeals.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

Canon 1.2 of the Indiana Code of Judicial Conduct requires a judge to act at all times

with impartiality and to avoid impropriety and the appearance of impropriety. This is my guiding principle when considering recusal from a case assigned to my court. In addition, Elkhart County Local Rules provide a mechanism to transfer cases to another court in Elkhart County or to a county within its judicial district when recusal occurs. Using these guiding principles, I recused myself in the following matters.

In 20D04-2306-MI-000247, a Verified Petition for the Appointment of a Special Prosecutor was filed in my court. I recused in this case because I personally knew both the Petitioner and the other individuals named in the Petition.

In 20D04-1703-F6-342, 20D04-1701-F6-112, 20D04-1803-F6-462, 20D04-1812-F6-1752, and 20D04-2109-CM-1507, all cases involving the same Defendant, I recused myself at the request of the Defendant. Indiana Problem Solving Court Rules allow Defendants to request a change in judge when a Petition to Terminate Participation is filed.

In 20D04-1910-F6-01383, I recused myself in this case because Plaintiff had previously filed judicial complaints against me.

In 2018, I recused myself from a special judge case referred to me by another county because it involved that county's 4-H Fair. My family is involved in the 4-H program and I wanted to avoid the appearance of impropriety.

In 20D04-1009-FD-253, I recused myself because the Defendant had previously threatened me and was criminally charged for those threats.

15. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have not held any public office, other than judicial office.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

To the best of my recollection, I have not held a position or played a role in a political campaign other than my own campaigns for judicial office.

16. **Legal Career:** Answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

From 2002 to 2006, I served as a law clerk to Magistrate Judge William T. Lawrence of the United States District Court for the Southern District of Indiana.

ii. whether you practiced alone, and if so, the addresses and dates;

I have never practiced law alone.

iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each;

2001 – 2002  
Ice Miller LLP  
One American Square  
Indianapolis, Indiana 46282  
Associate Attorney

2006 – 2007  
Elkhart County Prosecuting Attorney's Office  
301 South Main Street  
Elkhart, Indiana 46516  
Deputy Prosecutor

iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

b. Describe:

i. the general character of your law practice and indicate by date when its character has changed over the years.

In September 2001, I began my legal career at the law firm of Ice Miller LLP as a Litigation Associate. In September 2002, I learned of the recent appointment of Judge William T. Lawrence as a Magistrate Judge to the United States District Court for the Southern District of Indiana. I applied

for the clerkship, was selected, and began my clerkship with Judge Lawrence in November 2002. In 2006, my spouse and I decided to move to my hometown of Goshen, Indiana, and I joined the Elkhart County Prosecuting Attorney's Office as a Deputy Prosecutor. I handled both misdemeanor and felony cases. In 2007, I learned of an upcoming vacancy at Goshen City Court. I ran for the position of Goshen City Court Judge, was elected, and took the bench in January 2008. In 2014, I announced my intention to run for Judge of the Elkhart Superior Court 4. I was elected and took the bench in Elkhart Superior Court 4 in January of 2015, and I have served on that court since.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

As an Associate at Ice Miller LLP, I primarily handled medical malpractice, insurance defense, and tort cases. My typical clients were corporate defendants and health care providers such as hospitals.

As a Deputy Prosecutor, my client was the State of Indiana.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

As a Litigation Associate at Ice Miller LLP, I occasionally appeared in court for hearings on dispositive motions. As a Deputy Prosecutor, I appeared in court daily for trials, evidentiary hearings, status conferences, and the entry of plea agreements.

- i. Indicate the percentage of your practice in:

- 1. federal courts: 0%
- 2. state courts of record: 100%
- 3. other courts: 0%
- 4. administrative agencies: 0%

- ii. Indicate the percentage of your practice in:

- 1. civil proceedings: 50%
- 2. criminal proceedings: 50%

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

After a thorough review of cases I handled as a Deputy Prosecutor, I have identified approximately 73 cases I took to judgment or final decision. In each of



those cases, I would have served as sole or co-counsel.

- i. What percentage of these trials were:
  1. jury: 0%
  2. non-jury: 100%

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have never practiced before the Supreme Court of the United States.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *Caudle v. Hardy*, 20D01-9706-DR-00436

As a deputy prosecutor, I handled cases assigned to the IV-D Division (child support). The State of Indiana moved to intervene in this domestic relations case due to the parties' receipt of state services. In this case, on three separate court dates, I appeared at court hearings, informed the court of the parties' child support obligations, and made recommendations regarding sanctions. This was typical of the hundreds of cases I was responsible for while working at the Elkhart County Prosecuting Attorney's Office, IV-D Division. This particular case was filed in Elkhart Superior Court 1 before the Honorable Evan Roberts.

Dates of Representation: 2007

Co-Counsel

Bruce A. Wells (retired)

Counsel for Petitioner

Rebecca Butler Power (deceased)

Counsel for Respondent

Tyler S. Haines  
305 South Main Street  
Leesburg, IN 46538  
(574) 453-4334

2. *State v. Wilson*, 20D06-0608-FC-00027

As a deputy prosecutor, I handled felony non-support of a dependent child cases. In this case, I offered and Defendant accepted, with counsel, a stipulated plea agreement for eight years at the Indiana Department of Correction with a recommendation for home detention and an agreement on weekly child support payments and arrearages. This was typical of the cases I was responsible for while assigned to Elkhart Superior Court 6. The presiding judge in Elkhart Superior Court 6 is the Honorable David Bonfiglio.

Dates of Representation: 2007

Co-Counsel

Bruce A. Wells (retired)

Counsel for Defendant

Kelley S. Schweinzger  
106 West Lexington Avenue  
Elkhart, IN 46516  
(574) 293-4242

3. *State v. Watson*, 20H01-0603-CM-004705

This case was filed in Elkhart City Court while I was the assigned Deputy Prosecuting Attorney. A bench trial was held in this case and Defendant was found guilty of interference with reporting a crime, a Class A misdemeanor. The presiding judge in Elkhart City Court is the Honorable Charles Grodnik.

Dates of Representation: 2006

Defense Counsel

Pauline Michalos  
Elkhart Legal Aid  
315 South 2nd Street  
Elkhart, IN 46516  
(574) 294-2658

4. *Heyob v. Sears Roebuck & Co. et al.*, 09C01-0205-CT-00010

Plaintiff sustained injuries from a bicycle accident following the purchase of a bicycle

from Defendants. Plaintiff alleged that at the time of the manufacturing, delivering and/or assembly of the bicycle, the product was defective in its condition and unreasonably dangerous. Further, Plaintiff alleged that as a result of the defective condition of the bicycle, Plaintiff sustained injuries to her head, neck, and face, including scarring. I served as co-counsel for Defendants. I was responsible for drafting and filing the answer to Plaintiff's complaint, drafting and serving discovery on Plaintiff, answering discovery served on Defendants, and taking Plaintiff's deposition. The case settled following my departure from Ice Miller LLP. The case was filed in Cass County Circuit Court, State of Indiana. I do not recall the name of the presiding judge.

Dates of Representation: 2002

Counsel for Plaintiff

Sherrill W. Colvin  
444 East Main Street  
Fort Wayne, IN 46802  
(260) 426-0444

Co-Counsel

Richard A. Smikle  
Ice Miller LLP  
One American Square, Suite 2900  
Indianapolis, IN 46282  
(317) 236-2400

5. *Est. of Jackson v. Ind. Case Mgmt., Inc. et al.*, 48D01-0202-CT-000200

This case involved breach of contract and negligence claims for the death of Plaintiff while residing in a group home. I was counsel for Defendant Independent Case Management, Inc., a business that had an agreement with Indiana Family and Social Services Administration to provide certain services to Medicaid patients. I was responsible for answering Plaintiff's amended complaint and responding to discovery requests and preparing written discovery to Plaintiff. The case settled following my departure from Ice Miller LLP. The case was filed in Madison Circuit Court 6, State of Indiana. To the best of my knowledge, the presiding judge was the Honorable Dennis D. Carroll.

Dates of Representation: 2002

Counsel for Plaintiff

Douglas N. Ryan  
8122 South Meridian Street  
Indianapolis, IN 46217  
(317) 881-2501

Counsel for Co-Defendant

Donald K. McClellan  
400 North High Street, Suite 200  
Muncie, IN 47305  
(765) 808-2629

6. *Voss et al. v. Barber et al.*, 18D01-9712-CP-000224

This case arose as a proposed complaint of medical malpractice filed with the Indiana Department of Insurance. I was co-counsel for one of the named Petitioners, Ball Memorial Hospital. I was responsible for preparing and appearing in Court on a preliminary determination of law and motion to dismiss on behalf of Ball Memorial Hospital. The motion to dismiss was granted. The case was filed in Delaware Circuit Court 3, State of Indiana. The presiding judge was the Honorable Robert L. Barnet, Jr.

Dates of Representation: 2002

Co-Petitioner Counsel

Michael D. Conner  
122 East Fourth Street  
P.O. Box 927  
Marion, IN 46952  
(765) 664-7307

Co-Petitioner Counsel

Joseph D. McPike, II  
9465 Counselors Row, Suite 104  
Indianapolis, IN 46240  
(317) 844-5200

Co-Counsel

Kelly J. Pitcher  
101 West Ohio Street, Suite 600  
Indianapolis, IN 46204  
(317) 410-9769

7. *Stocks v. Mi-Klo Mgmt., Inc. et al.*, 87D01-0107-CP-000179

This case involved the loss of a package that Plaintiff brought to Defendant for the purpose of shipping it via UPS. I was counsel for Co-Defendant Mi-Klo Management, Inc. I was responsible for reviewing Plaintiff's motion for partial summary judgment, and preparing and filing Defendant's response. The parties stipulated to a dismissal of the case following my departure from Ice Miller LLP. The case was filed in Warrick Superior Court 1, State of Indiana. To the best of my knowledge, the presiding judge was the Honorable Keith A. Meier.

Dates of Representation: 2002

Counsel for Plaintiff

Jonathan D. Weinzapfel  
7800 Col. H. Weir Cook Memorial Drive  
Indianapolis, IN 46241  
(812) 598-1198

Counsel for Co-Defendant

Nelson D. Alexander  
201 North Illinois Street, Suite 1900  
P.O. Box 44961  
Indianapolis, IN 46244  
(317) 237-3800

Co-Counsel

James L. Petersen (retired)

8. *Maplewood Golf Club v. Deere & Co. et al.*, 18C01-9804-CP-0102

This case involved a breach of contract. Plaintiff sued Defendants to be released from leases involving utility mowers. Plaintiff alleged that the utility mowers had non-conformities resulting in damage to its grounds and causing loss of play and sales in its restaurant and lounge. I was co-counsel for Defendant Deere & Company. I was involved in this case from February 2002 to October 2002. I do not recall specifically what work I performed on this case, but typically, I was responsible for responding to correspondence, preparing discovery, drafting and filing dispositive motions, and attending court hearings. The matter was dismissed following my departure from Ice Miller LLP. The case was filed in Delaware Circuit Court 1, State of Indiana. To the best of my knowledge, the presiding judge was the Honorable Steven R. Caldemeyer.

Dates of Representation: 2002

Counsel for Plaintiff

John H. Brooke  
112 East Gilbert Street  
Muncie, IN 47305  
(765) 741-1375

Counsel for Co-Defendant

H. Joseph Certain  
300 West Third Street  
Marion, IN 46952  
(765) 664-9041

Co-Counsel

James L. Petersen (retired)

9. *Myers et al. v. Deere & Co. et al.*, 24C01-0106-CT-000179

This case involved claims of negligence, products liability, and breach of warranties. Plaintiff alleged that a bearing on the top idler roll of a John Deere Baler deteriorated resulting in fire that damaged the baler and a tractor owned by Plaintiff. I served as co-counsel for Deere & Company. Although I do not have any recollection of specific work that I performed in this case other than drafting the amended answer to the complaint, typically, I was responsible for responding to correspondence, preparing discovery, drafting and filing dispositive motions, and attending court hearings. The matter was dismissed following my departure from Ice Miller LLP. The case was filed in Franklin Circuit Court 1, State of Indiana. To the best of my knowledge, the presiding judge was the Honorable Steven J. Cox.

Dates of Representation: 2002

Counsel for Plaintiff

Robert S. O'Dell  
14747 Oak Road, Suite 100  
Carmel, IN 46033  
(317) 569-1400

Co-Counsel

James L. Petersen (retired)

10. *Beach v. Golden Star, Inc. et al.*, 22C01-0007-CT-00355

This case involved a fall at the VFW Hall in New Albany, Indiana. Plaintiff sustained injuries while attending a dance at the VFW. I represented Golden Star, Inc., a company that sold dance floor wax used at the VFW. I was responsible for drafting and filing the preliminary witness and exhibit list and amended answer to Plaintiff's complaint. I was also responsible for attending mediation which resulted in a settlement. The case was filed in Floyd Circuit Court, State of Indiana. To the best of my knowledge, the presiding judge was the Honorable Terrence Cody.

Dates of Representation: 2001 – 2002

Counsel for Plaintiff

Gregory M. Reger  
506 State Street  
New Albany, IN 47151  
(812) 949-1000

Counsel for Co-Defendant

Richard T. Mullineaux (Deceased)

Co-Counsel

James L. Petersen (retired)

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.

Elkhart County, like other counties across the nation, suffers from an ongoing substance abuse epidemic. As a trial court judge, I see the devastating impact that drug addiction and alcohol abuse have on the lives of my fellow community members and their families.

In 2017, I assembled a team consisting of the Elkhart County Prosecuting Attorney, the Elkhart County Public Defender's Office, the Elkhart County Office of Court Services, and community mental health and substance abuse providers, to establish the first problem-solving court in Elkhart County. The Elkhart County Drug Court removes non-violent, chemically addicted persons from the traditional criminal justice model and places them into a therapeutic court setting where they receive court ordered treatment, drug testing, and court supervision. The program lasts at least 18 months. If successful, the participants earn dismissals or reductions to their felony charges. The Elkhart County Drug Court is a collaborative effort utilizing evidenced based practices to save lives, reduce recidivism, and restore families.

In addition to overseeing the Elkhart County Drug Court, I also oversee the Elkhart County Pre-Trial Release Program. This program, currently serving approximately 450 clients, uses evidenced based tools to assess persons in custody, provide written reports to the judicial officer making bail decisions, and monitor those placed on pre-trial supervision.

In addition to my local efforts, I have served on a variety of state committees and boards. Specifically, I have served on the Civil Jury Instructions Committee, Records Access and Management Committee, and the Judicial Conference Board of Directors. Most recently, I was named Chair of the Indiana Judicial Education Committee and a member of the Steering Committee for the Indiana Graduate Program for Judges. While the specific purpose of each of these committees and board differs, their commitment to improve our justice system is the same. As a member of these various groups, I have represented District 5 at quarterly Board of Director meetings, researched and drafted model jury instructions, and participated in discussions related to technology, access to information, and judicial education. I frequently serve as a judicial faculty member at judicial conferences and workshops.

In addition to my state court work, I have participated in several national programs and initiatives. At the request of the Indiana Supreme Court, I am the Indiana judicial officer

designated to receive training from the Judges and Psychiatrists Leadership Initiative (JPLI). In this capacity, I receive training on how to work with justice involved persons with behavioral health issues. I then bring this training back to the State of Indiana and share it with other Indiana judicial officers at our Indiana judicial education events.

I have not engaged in any lobbying activities nor registered as a lobbyist.

19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I served as an Adjunct Professor at Indiana University South Bend from Fall Semester 2011 through the Fall Semester 2014. As an Adjunct Professor, I taught Introduction to Paralegal Studies. This course was taken both by persons pursuing their paralegal certificate and by undergraduate students interested in the legal profession. 2014 syllabus supplied.

I served as an Adjunct Professor at Goshen College from Spring Semester 2010 through Fall Semester 2014. As an Adjunct Professor, I taught Business Law. This course was taken by undergraduate students pursuing a business degree. 2014 syllabus supplied.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

None.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

When my nomination is formally submitted to the Senate, I will file my Financial Disclosure Report and will supplement this Questionnaire with a copy of that Report.



23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

A conflict of interest could arise from any matter arising from a case I handled as a Superior Court Judge. I will evaluate any real or potential conflict, or relationship that could give rise to the appearance of such a conflict, on a case-by-case basis and determine appropriate action, including recusal, where necessary.

My spouse is a partner at the law firm of Yoder Ainlay Ulmer and Buckingham LLP. I will not hear cases where an associate or partner from Yoder Ainlay Ulmer and Buckingham LLP enters his or her appearance. Those cases would be transferred in accordance with local rule to another judicial officer in the Northern District of Indiana.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If confirmed, I will handle any matters involving actual or potential conflicts of interest by applying the Code of Conduct for United States Judges, 28 U.S.C. § 455, and other applicable ethical canons or rules.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

I have served as a judge for the past 15 years, and have made it my priority as a public servant to be an active community member. I have used my time off the bench to speak to students in our local schools, participate in career days, and speak and interact with young people at youth related activities. I have also participated as a director or advisory member on several community boards including the Elkhart County Boys and Girls Club, Goshen Health System, Salvation Army of Goshen, and the Miss Elkhart County Scholarship Program. I also regularly speak to community service clubs and share the state of our local courts in these forums. I believe this outreach promotes confidence in our judicial system.

26. **Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

On September 25, 2023, I spoke with staff from the office of Senator Todd Young concerning possible judicial selection. I met with staff from the offices of Senator Young and Mike Braun on September 28, 2023, and October 4, 2023. I was interviewed by attorneys from the White House Counsel's Office on October 6, 2023. Since that day, I have been in contact with the officials from the Office of Legal Policy at the Department of Justice. On November 15, 2023, the President announced his intent to nominate me.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.