

AN EXAMINATION OF THE INDIANA SUPREME COURT DOCKET, DISPOSITIONS, AND VOTING IN 2007*

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It would be unfair to measure the contribution of any of the justices of the Indiana Supreme Court simply by the numbers of opinions they hand down or the statistics pertaining to their voting record. All five justices serve in a number of capacities and they are public servants in the truest sense of the term. For instance, Chief Justice Shepard is not only the head of the state's judiciary and involved in administering the various administrative functions served by an entire branch of government, he also recently served as co-chair of a statewide committee examining important local government reform issues.¹ As another example, Justice Sullivan heads the committee charged with the monumental and important task of updating and integrating the state's judicial records and case management systems across all 92 of Indiana's counties.² Almost all of the justices teach (or have taught) law and serve the public in capacities beyond their work in handing down the court's appellate opinions.

Moreover, handing down opinions is not even the only judicial duty placed on the justices. In addition to overseeing the judicial and attorney disciplinary systems and hearing oral argument in virtually all of their cases, the justices must also review more than 900 transfer petitions in a year. Given that each petition to transfer typically involves three rounds of briefing (as well as the accompanying merits briefs filed in the Indiana Court of Appeals), petitions to transfer alone require the justices to read more than 2700 briefs in a single year, a Sisyphian task on top of their existing caseloads. Indeed, the number of

* The Tables presented in this Article are patterned after the annual statistics of the U.S. Supreme Court published in the *Harvard Law Review*. An explanation of the origin of these Tables can be found at Louis Henkin, *The Supreme Court, 1967 Term*, 82 HARV. L. REV. 63, 301 (1968). The *Harvard Law Review* granted permission for the use of these Tables by the *Indiana Law Review* this year; however, permission for any further reproduction of these Tables must be obtained from the *Harvard Law Review*.

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1. Press Release, Ind. Comm'n on Local Gov't Reform, Indiana Commission on Local Government Releases Report (Dec. 11, 2007), <http://www.in.gov/judiciary/supreme/dlgf-release.html>.

2. Judicial Technology and Automation Committee, <http://www.in.gov/judiciary/committees/jtac.html> (last visited June 25, 2008).

petitions has continued to skyrocket. In 2005 and 2006, the court ruled on 907 and 926 petitions to transfer, respectively. That number rose again in 2007, as the court addressed 951 petitions to transfer. Just five years ago, litigants filed only 655 petitions to transfer. In other words, the court has received an annual increase of 60 additional transfer petitions in each of the past five years. The practical effect of this increase is a reduced chance that any given case will be granted transfer. As recently as 2002, the court granted transfer 15% of the time (including 23% of petitions in civil cases). As the number of petitions continues to rise, the percentage chance that any one case will be granted transfer has dropped. In 2007, only 7% of all petitions to transfer were granted (including just 10% of petitions filed in civil cases).

Given the workload placed on each of the justices, it is hardly surprising that the number of opinions the court hands down continues to drop. In 2007, the court handed down 78 opinions, the lowest total in the past five years. For reasons already discussed, it would of course be unfair to credit this drop to the effort of the justices. The primary cause—beyond the many other demands on the justices' time—appears to be an unusual number of death penalty and life without parole cases coming before the court at the same time in 2007. The court reviewed 16 different cases in 2007 in which the sentence was either death or life in prison without parole. It heard more direct criminal appeals in 2007 than in the two previous years combined. There were five direct appeals of death sentences alone, up from only two the year before.

The court is precise and careful in opinions including the sentence of death or life in prison without parole because of the gravity of these cases. One example of the detailed work the court puts into these cases is the 47-page opinion in *Overstreet v. State*.³ Justice Rucker's opinion for the court itself spanned 40 pages and addressed in detail no less than 20 different issues. Although most opinions do not produce a single dissenting or concurring opinion, the *Overstreet* case produced three, as all but one justice wrote on at least one aspect of the case. Obviously, the amount of attention and care that goes into such a case far exceeds that of cases where the consequences are less severe.

In addition, the court places great care to achieve consensus in its cases to the extent that consensus is possible. As with any other consensus-building process, achieving these results can take time and effort. The results of this work certainly showed in 2007, as 74.4% of the court's decisions were unanimous, the highest total since 2004. Moreover, only 10 of the court's opinions were so-called "split decisions" in which a single vote the other way would have changed the result.

Table A. The court issued 78 opinions in 2007, down from 106 in 2006, 132 in 2005, and 92 in 2004. This number marked the lowest in any of the past five years. In 2002, before the effects of the change in the court's jurisdiction were fully felt, the court handed down 190 opinions, more than in 2007 and 2006

3. 877 N.E.2d 144 (Ind. 2007).

combined. Chief Justice Shepard authored the most opinions with 18, while Justice Rucker had the least at nine opinions. The year also saw more criminal opinions than civil for the first time since 2002.

Table B-1. In perhaps the strongest example yet of how much variation in voting patterns can exist from year-to-year, Justices Rucker and Sullivan were the two most aligned justices in civil cases, agreeing 91.4% of the time. In 2006, however, they had the least amount of alignment in civil cases, as they only voted together in 73% of civil cases. In the previous three years, they never agreed more than 80% of the time. The nature and outcome of cases that come before the court obviously influences these patterns.

In previous years, this Article had noted a trend in alignment between Chief Justice Shepard, Justice Boehm, and Justice Sullivan in civil cases. That trend remained true to an extent in 2007, as Chief Justice Shepard and Justice Sullivan were aligned in 88.6% of all civil cases. Similarly, Chief Justice Shepard and Justice Boehm were aligned in 80% of civil cases. However, the alignment between Justices Sullivan and Boehm dropped from 87.3% in 2006 (tied for the highest for that year) to just 77.1% in 2007, which was tied for the lowest amount of agreement of any two justices for 2007.

Table B-2. Justices Sullivan and Boehm found more agreement in criminal cases, where they agreed the most of any two justices at 93% of the time. Given the complexity and importance of the issues in the criminal cases before the court in 2007, the justices displayed a remarkable amount of consensus. The lowest percentage of agreement between any two justices was only 86%. By comparison, the lowest percentages were 71.7% and 72.9% in 2006 and 2005, respectively.

Table B-3. When looking at all cases, Justice Sullivan was aligned with either the Chief Justice or Justice Rucker in 89.7% of all cases, which tied for the most of any voting alignment. In previous years, Justice Sullivan had aligned with Justice Rucker 78.9% and 79.5% of the time spread over all cases. As an indicator of how well the court was able to build consensus in 2007, no two justices aligned together in less than 83.3% of the cases in 2007, while that occurred more than 15 times over the course of the past three years.

Table C. The percentage of unanimous opinions remained high for 2007, as 74.4% of the court's opinions drew neither a dissent nor a concurring opinion. This figure is a slight increase from 2005 (67%) and 2006 (64.3%). Civil cases were far more likely to draw a dissenting opinion, as 11 of the court's 35 civil cases included a dissenting opinion, while a mere five of the court's 43 criminal cases drew a dissent.

Table D. The total number of split decisions dropped again in 2007, as this time the court split in only 10 cases. The court issued 21 split decisions in 2005, and that number dropped to 11 in 2006.

Table E-1. As has typically been the case, the court continues to reverse the lower courts in almost all cases in which it grants transfer. The court reversed in 93.5% of the civil transfer cases it handed down in 2007. Criminal transfer cases fared slightly better, as the court reversed in only 74.2% of those cases.

Table E-2. An immense amount of the court's work rests in reviewing the high number of transfer petitions that come before it. In 2007, litigants filed 951 petitions for transfer, up from the 926 filed in 2006. Civil petitions had a slightly higher chance of being granted, as the court granted 10.7% of civil petitions and only 5.3% of all criminal petitions.

Table F. The court continues to show a remarkable breadth in the type and complexity of cases that it decides. The court handed down opinions addressing more than 20 different areas of law in 2007. The topics addressed by the court in 2007 stretch from family and property law to complex issues under the Indiana and federal constitutions. The court also continues to show its ability to revisit certain areas of law that might need updating as warranted by a court of last resort. For instance, for years the court infrequently addressed insurance law, typically handing down only a single case in a given year. However, insurance issues have come to be a hot topic for the court. The court handed down six insurance cases in 2006 and another three in 2007. Last year, this survey predicted that environmental law might be a ripe topic in that the court had not handed down an environmental law opinion since 2004. The court did exactly that in 2007. In this vein, it would appear the Uniform Commercial Code ("U.C.C.") might be an area ripe for the court to revisit. The court handed down no U.C.C. cases in 2007 and has handed down only a single case that focused primarily on that body of law since 2003.

TABLE A
OPINIONS^a

	OPINIONS OF COURT ^b			CONCURRENCES ^c			DISSENTS ^d		
	Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total
Shepard, C.J.	9	9	18	3	1	4	0	3	3
Dickson, J.	11	6	17	1	0	1	1	3	4
Sullivan, J.	5	10	15	0	0	0	1	2	3
Boehm, J.	10	7	17	0	1	1	1	5	6
Rucker, J.	7	2	9	0	0	0	3	0	3
Per Curiam	1	1	2						
Total	43	35	78	4	2	6	6	13	19

^a These are opinions and votes on opinions by each justice and in per curiam in the 2007 term. The Indiana Supreme Court is unique because it is the only supreme court to assign each case to a justice by a consensus method. Cases are distributed by a consensus of the justices in the majority on each case either by volunteering or nominating writers. The chief justice does not have any power to control the assignments other than as a member of the majority. See Melinda Gann Hall, *Opinion Assignment Procedures and Conference Practices in State Supreme Courts*, 73 JUDICATURE 209 (1990). The order of discussion and voting is started by the most junior member of the court and follows reverse seniority. See *id.* at 210.

^b This is only a counting of full opinions written by each justice. Plurality opinions that announce the judgment of the court are counted as opinions of the court. It includes opinions on civil, criminal, and original actions.

^c This category includes both written concurrences, joining in written concurrence, and votes to concur in result only.

^d This category includes both written dissents and votes to dissent without opinion. Opinions concurring in part and dissenting in part or opinions concurring in part only and differing on another issue are counted as dissents.

TABLE B-1
VOTING ALIGNMENTS FOR CIVIL CASES^e

		Shepard	Dickson	Sullivan	Boehm	Rucker
Shepard, C.J.	O		27	30	27	30
	S		0	1	1	0
	D	---	27	31	28	30
	N		35	35	35	35
	P		77.1%	88.6%	80.0%	85.7%
Dickson, J.	O	27		27	27	28
	S	0		0	3	0
	D	27	---	27	30	28
	N	35		35	35	35
	P	77.1%		77.1%	85.7%	80.0%
Sullivan, J.	O	30	27		27	31
	S	1	0		0	1
	D	31	27	---	27	32
	N	35	35		35	35
	P	88.6%	77.1%		77.1%	91.4%
Boehm, J.	O	27	27	27		28
	S	1	3	0		0
	D	28	30	27	---	28
	N	35	35	35		35
	P	80.0%	85.7%	77.1%		80.0%
Rucker, J.	O	30	28	31	28	
	S	0	0	1	0	
	D	30	28	32	28	---
	N	35	35	35	35	
	P	85.7%	80.0%	91.4%	80.0%	

^e This Table records the number of times that one justice voted with another in full-opinion decisions, including per curiam, for only civil cases. For example, in the top set of numbers for Chief Justice Shepard, 27 is the number of times Chief Justice Shepard and Justice Dickson agreed in a full majority opinion in a civil case. Two justices are considered to have agreed whenever they joined the same opinion, as indicated by either the reporter or the explicit statement of a justice in the body of his or her own opinion. The Table does not treat two justices as having agreed if they did not join the same opinion, even if they agreed only in the result of the case or wrote separate opinions revealing little philosophical disagreement.

“O” represents the number of decisions in which the two justices agreed in opinions of the court or opinions announcing the judgment of the court.

“S” represents the number of decisions in which the two justices agreed in separate opinions, including agreements in both concurrences and dissents.

“D” represents the number of decisions in which the two justices agreed in either a majority, dissenting, or concurring opinion.

“N” represents the number of decisions in which both justices participated and thus the number of opportunities for agreement.

“P” represents the percentage of decisions in which one justice agreed with another justice, calculated by dividing “D” by “N.”

TABLE B-2
VOTING ALIGNMENTS FOR CRIMINAL CASES^f

		Shepard	Dickson	Sullivan	Boehm	Rucker
Shepard, C.J.	O		38	39	39	37
	S		1	0	0	0
	D	---	36	39	39	37
	N		43	43	43	43
	P		90.7%	90.7%	90.7%	86.0%
Dickson, J.	O	38		38	39	37
	S	1		0	0	0
	D	39	---	38	39	37
	N	43		43	43	43
	P	90.7%		88.4%	90.7%	86.0%
Sullivan, J.	O	39	38		40	38
	S	0	0		0	0
	D	39	38	---	40	38
	N	43	43		43	43
	P	90.7%	88.4%		93.0%	88.4%
Boehm, J.	O	39	39	40		40
	S	0	0	0		0
	D	39	39	40	---	40
	N	43	43	43		43
	P	90.7%	90.7%	93.0%		93.0%
Rucker, J.	O	37	37	38	40	
	S	0	0	0	0	
	D	37	37	38	40	---
	N	43	43	43	43	
	P	86.0%	86.0%	88.4%	93.0%	

^f This Table records the number of times that one justice voted with another in full-opinion decisions, including per curiam, for only criminal cases. For example, in the top set of numbers for Chief Justice Shepard, 38 is the number of times Chief Justice Shepard and Justice Dickson agreed in a full majority opinion in a criminal case. Two justices are considered to have agreed whenever they joined the same opinion, as indicated by either the reporter or the explicit statement of a justice in the body of his or her own opinion. The Table does not treat two justices as having agreed if they did not join the same opinion, even if they agreed only in the result of the case or wrote separate opinions revealing little philosophical disagreement.

“O” represents the number of decisions in which the two justices agreed in opinions of the court or opinions announcing the judgment of the court.

“S” represents the number of decisions in which the two justices agreed in separate opinions, including agreements in both concurrences and dissents.

“D” represents the number of decisions in which the two justices agreed in either a majority, dissenting, or concurring opinion.

“N” represents the number of decisions in which both justices participated and thus the number of opportunities for agreement.

“P” represents the percentage of decisions in which one justice agreed with another justice, calculated by dividing “D” by “N.”

TABLE B-3
VOTING ALIGNMENTS FOR ALL CASES[§]

		Shepard	Dickson	Sullivan	Boehm	Rucker
Shepard, C.J.	O		65	69	66	67
	S		1	1	1	0
	D	---	66	70	67	67
	N		78	78	78	78
	P		84.6%	89.7%	85.9 %	85.9 %
Dickson, J.	O	65		65	66	65
	S	1		0	3	0
	D	66	---	65	69	65
	N	78		78	78	78
	P	84.6%		83.3%	88.5 %	83.3 %
Sullivan, J.	O	69	65		67	69
	S	1	0		0	1
	D	70	65	---	67	70
	N	78	78		78	78
	P	89.7 %	83.3 %		85.9 %	89.7 %
Boehm, J.	O	66	66	67		68
	S	1	3	0		0
	D	67	69	67	---	68
	N	78	78	78		78
	P	85.9%	88.5 %	85.9%		87.2 %
Rucker, J.	O	67	65	69	68	
	S	0	0	1	0	
	D	67	65	70	68	--
	N	78	78	78	78	
	P	85.9%	83.3%	89.7 %	87.2%	

[§] This Table records the number of times that one justice voted with another in full-opinion decisions, including per curiam, for all cases. For example, in the top set of numbers for Chief Justice Shepard, 65 is the total number of times Chief Justice Shepard and Justice Dickson agreed in all full majority opinions written by the court in 2007. Two justices are considered to have agreed whenever they joined the same opinion, as indicated by either the reporter or the explicit statement of a justice in the body of his or her own opinion. The Table does not treat two justices as having agreed if they did not join the same opinion, even if they agreed only in the result of the case or wrote separate opinions revealing little philosophical disagreement.

“O” represents the number of decisions in which the two justices agreed in opinions of the court or opinions announcing the judgment of the court.

“S” represents the number of decisions in which the two justices agreed in separate opinions, including agreements in both concurrences and dissents.

“D” represents the number of decisions in which the two justices agreed in either a majority, dissenting, or concurring opinion.

“N” represents the number of decisions in which both justices participated and thus the number of opportunities for agreement.

“P” represents the percentage of decisions in which one justice agreed with another justice, calculated by dividing “D” by “N.”

TABLE C
UNANIMITY
NOT INCLUDING JUDICIAL OR ATTORNEY DISCIPLINE CASES^h

Unanimous ⁱ			Unanimous with Concurrence ^j			Opinions with Dissent			Total
Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total	
34	24	58 (74.4%)	4	0	4 (5.1%)	5	11	16 (20.5%)	78

^h This Table tracks the number and percent of unanimous opinions among all opinions written. If, for example, only four justices participate and all concur, it is still considered unanimous. It also tracks the percentage of overall opinions with concurrence and overall opinions with dissent.

ⁱ A decision is considered unanimous only when all justices participating in the case voted to concur in the court’s opinion as well as its judgment. When one or more justices concurred in the result, but not in the opinion, the case is not considered unanimous.

^j A decision is listed in this column if one or more justices concurred in the result, but not in the opinion of the court or wrote a concurrence, and there were no dissents.

TABLE D
3-2 DECISIONS^k

Justices Constituting the Majority	Number of Opinions^l
1. Shepard, C.J., Sullivan, J., Rucker, J.	2
2. Shepard, C.J., Dickson, J., Sullivan, J.	2
3. Shepard, C.J., Dickson, J., Boehm, J.	1
4. Sullivan, J., Boehm, J., Rucker, J.	1
5. Shepard, C.J., Sullivan, J.	1
6. Dickson, J., Boehm, J.	1
7. Sullivan, J., Rucker, J.	1
8. Rucker, J.	1
Total^m	10

^k This Table concerns only decisions rendered by full opinion. An opinion is counted as a 3-2 decision if two justices voted to decide the case in a manner different from that of the majority of the court.

^l This column lists the number of times each three-justice group constituted the majority in a 3-2 decision.

^m The 2007 term's 3-2 decisions were:

1. Shepard, C.J., Sullivan, J., Rucker, J.: *State Farm Mut. Auto. Ins. Co. v. Estep*, 873 N.E.2d 1021 (Ind. 2007) (Shepard, C.J.); *Grant v. Hager*, 868 N.E.2d 801 (Ind. 2007) (Sullivan, J.).
2. Shepard, C.J., Dickson, J., Sullivan, J.: *State v. Azania*, 875 N.E.2d 701 (Ind. 2007) (Sullivan, J.); *State v. McManus*, 868 N.E.2d 778 (Ind. 2007) (Shepard, C.J.).
3. Shepard, C.J., Dickson, J., Boehm, J.: *Jackson v. State*, 868 N.E.2d 494 (Ind. 2007) (Boehm, J.)
4. Sullivan, J., Boehm, J., Rucker, J.: *Stephenson v. State*, 864 N.E.2d 1022 (Ind. 2007) (Boehm, J.).
5. Shepard, C.J., Sullivan, J.: *Israel v. Ind. Dept. of Corr.*, 868 N.E.2d 1123 (Ind. 2007) (Sullivan, J.).
6. Dickson, J., Boehm, J.: *Kho v. Pennington*, 875 N.E.2d 208 (Ind. 2007) (Dickson, J.).
7. Sullivan, J., Rucker, J.: *Util. Ctr., Inc. v. City of Ft. Wayne*, 868 N.E.2d 453 (Ind. 2007) (Sullivan, J.).
8. Rucker, J.: *Overstreet v. State*, 877 N.E.2d 144 (Ind. 2007) (Rucker, J.).

TABLE E-1
DISPOSITION OF CASES REVIEWED BY TRANSFER
AND DIRECT APPEALSⁿ

	Reversed or Vacated ^o	Affirmed	Total
Civil Appeals Accepted for Transfer	29 (93.5%)	2 (6.5%)	31
Direct Civil Appeals	0 (0.0%)	3 (100%)	3
Criminal Appeals Accepted for Transfer	23 (74.2%)	8 (25.8%)	31
Direct Criminal Appeals	5 (41.7%)	7 (58.3%)	12
Total	57 (74.0%)	20 (26.0%)	77^p

ⁿ Direct criminal appeals are cases in which the trial court imposed a death sentence. *See* IND. CONST. art. VII, § 4. Thus, direct criminal appeals are those directly from the trial court. A civil appeal may also be direct from the trial court. *See* IND. APP. R. 56, 63 (pursuant to Rules of Procedure for Original Actions). All other Indiana Supreme Court opinions are accepted for transfer from the Indiana Court of Appeals. *See* IND. APP. R. 57.

^o Generally, the term “vacate” is used by the Indiana Supreme Court when it is reviewing a court of appeals opinion, and the term “reverse” is used when the court overrules a trial court decision. A point to consider in reviewing this Table is that the court technically “vacates” every court of appeals opinion that is accepted for transfer, but may only disagree with a small portion of the reasoning and still agree with the result. *See* IND. APP. R. 58(A). As a practical matter, “reverse” or “vacate” simply represents any action by the court that does not affirm the trial court or court of appeals opinion.

^p This does not include one attorney discipline opinion. This opinion did not reverse, vacate, or affirm any other court’s decision.

TABLE E-2
DISPOSITION OF PETITIONS TO TRANSFER
TO SUPREME COURT IN 2007^q

	Denied or Dismissed	Granted	Total
Petitions to Transfer			
Civil ^r	268 (89.3%)	32 (10.7%)	300
Criminal ^s	570 (94.7%)	32 (5.3%)	602
Juvenile	45 (91.8%)	4 (8.2%)	49
Total	883 (92.8%)	68 (7.2%)	951

^q This Table analyzes the disposition of petitions to transfer by the court. *See* IND. APP. R. 58(A).

^r This also includes petitions to transfer in tax cases and workers' compensation cases.

^s This also includes petitions to transfer in post-conviction relief cases.

TABLE F
SUBJECT AREAS OF SELECTED DISPOSITIONS
WITH FULL OPINIONS^t

Original Actions	Number
• Certified Questions	0
• Writs of Mandamus or Prohibition	0
• Attorney Discipline	1 ^u
• Judicial Discipline	0
Criminal	
• Death Penalty	5 ^v
• Fourth Amendment or Search and Seizure	3 ^w
• Writ of Habeas Corpus	0
Emergency Appeals to the Supreme Court	0
Trusts, Estates, or Probate	1 ^x
Real Estate or Real Property	5 ^y
Personal Property	0
Landlord-Tenant	0
Divorce or Child Support	4 ^z
Children in Need of Services (CHINS)	0
Paternity	0
Product Liability or Strict Liability	1 ^{aa}
Negligence or Personal Injury	3 ^{bb}
Invasion of Privacy	0
Medical Malpractice	2 ^{cc}
Indiana Tort Claims Act	2 ^{dd}
Statute of Limitations or Statute of Repose	1 ^{ee}
Tax, Department of State Revenue, or State Board of Tax Commissioners	1 ^{ff}
Contracts	1 ^{gg}
Corporate Law or the Indiana Business Corporation Law	1 ^{hh}
Uniform Commercial Code	0
Banking Law	0
Employment Law	0
Insurance Law	3 ⁱⁱ
Environmental Law	1 ^{jj}
Consumer Law	0
Workers' Compensation	1 ^{kk}
Arbitration	0
Administrative Law	1 ^{ll}
First Amendment, Open Door Law, or Public Records Law	0
Full Faith and Credit	0
Eleventh Amendment	0
Civil Rights	0
Indiana Constitution	16 ^{mm}

^t This Table is designed to provide a general idea of the specific subject areas upon which the court ruled or discussed and how many times it did so in 2007. It is also a quick-reference guide to court rulings for practitioners in specific areas of the law. The numbers corresponding to the areas of law reflect the number of cases in which the court substantively discussed legal issues about these subject areas. Also, any attorney discipline case resolved by order (as opposed to an opinion) was not considered in preparing this Table.

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- ^u *In re Anonymous*, 876 N.E.2d 333 (Ind. 2007).
- ^v *Overstreet v. State*, 877 N.E.2d 144 (Ind. 2007); *State v. Azania*, 875 N.E.2d 701 (Ind. 2007); *Baer v. State*, 866 N.E.2d 752 (Ind. 2007); *Kubsch v. State*, 866 N.E.2d 726 (Ind. 2007); *State v. Azania*, 865 N.E.2d 994 (Ind. 2007).
- ^w *Clarke v. State*, 868 N.E.2d 114 (Ind. 2007); *Grier v. State*, 868 N.E.2d 443 (Ind. 2007); *Row v. Holt*, 864 N.E.2d 1011 (Ind. 2007).
- ^x *In re Guardianship of E.N.*, 877 N.E.2d 795 (Ind. 2007).
- ^y *Parcels Sold for Delinquent Taxes v. Michiana Campgrounds, LLC*, 873 N.E.2d 1051 (Ind. 2007); *St. Charles Tower, Inc. v. Bd. of Zoning Appeals of Evansville*, 873 N.E.2d 598 (Ind. 2007); *City of Carmel v. Certain S.W. Clay Twp. Annexation Territory Landowners*, 868 N.E.2d 793 (Ind. 2007); *Util. Ctr., Inc. v. City of Ft. Wayne*, 868 N.E.2d 453 (Ind. 2007); *City of Carmel v. Steele*, 865 N.E.2d 612 (Ind. 2007).
- ^z *Cubel v. Cubel*, 876 N.E.2d 1117 (Ind. 2007); *Grant v. Hager*, 868 N.E.2d 801 (Ind. 2007); *Lambert v. Lambert*, 861 N.E.2d 1176 (Ind. 2007); *Whited v. Whited*, 859 N.E.2d 657 (Ind. 2007).
- ^{aa} *Ford Motor Co. v. Rushford*, 868 N.E.2d 806 (Ind. 2007).
- ^{bb} *State Farm Mut. Auto. Ins. Co. v. Estep*, 873 N.E.2d 1021 (Ind. 2007); *Ford Motor Co. v. Rushford*, 868 N.E.2d 806 (Ind. 2007); *Penn Harris Madison Sch. Corp. v. Howard*, 861 N.E.2d 1190 (Ind. 2007).
- ^{cc} *Kho v. Pennington*, 875 N.E.2d 208 (Ind. 2007); *Mullins v. Parkview Hosp., Inc.*, 865 N.E.2d 608 (Ind. 2007).
- ^{dd} *Giles v. Brown County*, 868 N.E.2d 478 (Ind. 2007); *Hochstetler v. Elkhart County Highway Dep't*, 868 N.E.2d 425 (Ind. 2007).
- ^{ee} *Porter County Sheriff Dep't v. Guzorek*, 862 N.E.2d 254 (Ind. 2007).
- ^{ff} *Parcels Sold for Delinquent Taxes v. Michiana Campgrounds, LLC*, 873 N.E.2d 1051 (Ind. 2007).
- ^{gg} *Liggett v. Young*, 877 N.E.2d 178 (Ind. 2007).
- ^{hh} *Lean v. Reed*, 876 N.E.2d 1104 (Ind. 2007).
- ⁱⁱ *State Farm Mut. Auto. Ins. Co. v. Estep*, 873 N.E.2d 1021 (Ind. 2007); *State Farm Mut. Auto. Ins. Co. v. Gutierrez*, 866 N.E.2d 747 (Ind. 2007); *Cinergy Corp. v. Associated Elec. & Gas Ins. Servs., Ltd.*, 865 N.E.2d 571 (Ind. 2007).
- ^{jj} *Cinergy Corp.*, 865 N.E.2d 571.
- ^{kk} *Ind. Ins. Guar. Ass'n v. Bedford Reg'l Med. Ctr.*, 863 N.E.2d 308 (Ind. 2007).
- ^{ll} *J.D. v. State*, 859 N.E.2d 341 (Ind. 2007).
- ^{mm} *Hollin v. State*, 877 N.E.2d 462 (Ind. 2007); *Overstreet v. State*, 877 N.E.2d 144 (Ind. 2007); *Reid v. State*, 876 N.E.2d 1114 (Ind. 2007); *Kho v. Pennington*, 875 N.E.2d 208 (Ind. 2007); *Clark County Council v. Donahue*, 873 N.E.2d 1038 (Ind. 2007); *Krempetz v. State*, 872 N.E.2d 605 (Ind. 2007); *Clarke v. State*, 868 N.E.2d 1114 (Ind. 2007); *Jackson v. State*, 868 N.E.2d 494 (Ind. 2007); *Anglemyer v. State*, 868 N.E.2d 482 (Ind. 2007); *Giles v. Brown County*, 868 N.E.2d 478 (Ind. 2007); *Vasquez v. State*, 868 N.E.2d 473 (Ind. 2007); *Grier v. State*, 868 N.E.2d 443 (Ind. 2007); *Biddinger v. State*, 868 N.E.2d 407 (Ind. 2007); *Bradley v. State*, 867 N.E.2d 1282 (Ind. 2007); *State v. Azania*, 865 N.E.2d 994 (Ind. 2007); *J.D. v. State*, 859 N.E.2d 341 (Ind. 2007).