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SURVEY

AN EXAMINATION OF THE INDIANA SUPREME COURT DOCKET, DISPOSITIONS, AND VOTING IN 2016*

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The Indiana Supreme Court experienced two historical changes in 2016—the retirement of Justice Robert Rucker¹ and the selection of Justice Geoff Slaughter as Justice Brent Dickson’s replacement.² This change will help shape the Indiana Supreme Court’s work in tangible ways for years to come.

Justice Rucker retired in early 2017 after a long career in service to Indiana’s judiciary.³ He was appointed to the Indiana Court of Appeals in 1991 and elevated to the Indiana Supreme Court in 1999.⁴ Justice Rucker is (as-of-yet) only the second African-American to serve on the Indiana Supreme Court.⁵ He is also

* 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*; however, permission for any further reproduction of these Tables must be obtained from the *Harvard Law Review*.

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1. Olivia Covington, *Rucker Retires After 26 Years on Appellate Bench*, IND. LAW. (May 17, 2017), <http://www.theindianalawyer.com/rucker-retires-after-26-years-on-appellate-bench/PARAMS/article/43698> [<https://perma.cc/TCH2-F3JC>].

2. *Hon. Geoffrey G. Slaughter*, COURTS.IN.GOV, <http://www.in.gov/judiciary/citc/3760.htm> [<https://perma.cc/8MDA-NUHS>] (last visited May 21, 2017).

3. *Justice Robert D. Rucker*, COURTS.IN.GOV, <http://www.in.gov/judiciary/citc/2834.htm> [<https://perma.cc/4VEV-Q9YA>] (last visited May 21, 2017).

4. *See id.*

5. Javonte Anderson, *Career Adjourned: Justice Visits Alma Mater as Career Winds Down*,

the most recent justice to have also served on the Indiana Court of Appeals.⁶ The Indiana Supreme Court currently lacks a justice with prior service on the Indiana Court of Appeals.⁷

Justice Rucker's productive career was memorable for many reasons. One of those is certainly his willingness to be a voice heard in dissent. While Justice Rucker never dissented for dissent's sake, he did not shy from expressing separate opinions when he believed one was necessary. For instance, over the course of his last five years on the bench, Justice Rucker authored the most dissents of anyone on the Indiana Supreme Court.⁸ He wrote thirty-two percent of all of the court's separate opinions over that period and thirty-five percent of all dissents.⁹ He continued to show his independent spirit through his final year on the bench, where he authored more than a third of the court's separate opinions.¹⁰

Justice Rucker's retirement came barely a year after Justice Dickson retired.¹¹ That timing is particularly important because Justice Rucker and Justice Dickson were frequently aligned in recent years. In addition to their depth of knowledge and years of experience, their retirements end a long coalition on the court. For instance, the two justices agreed in at least eighty-six percent of criminal cases for each of the past five years.¹² The absence of both of these experienced and consistent capable jurists is a change that will long be felt by the bench and the bar.

It remains to be seen whether the current court—which has turned over

CHI. TRIB. (Mar. 9, 2017, 5:20 PM), <http://www.chicagotribune.com/suburbs/post-tribune/news/ct-ptb-supreme-court-visits-gary-st-0310-20170309-story.html>.

6. See *Justice Biographies*, COURTS.IN.GOV, <http://www.in.gov/judiciary/citc/2708.htm> [<https://perma.cc/7KRX-MFVJ>] (last visited May 21, 2017).

7. See *id.*

8. See *infra* Table A: Opinions; Mark Crandley & Jeffrey M. Peabody, *An Examination of the Indiana Supreme Court Docket, Dispositions, and Voting in 2015*, 49 IND. L. REV. 913, 918 (2016) [hereinafter *2015 Examination*]; Mark Crandley & Jeffrey M. Peabody, *An Examination of the Indiana Supreme Court Docket, Dispositions, and Voting in 2014*, 48 IND. L. REV. 1133, 1137 (2015) [hereinafter *2014 Examination*]; Mark Crandley & Jeffrey M. Peabody, *An Examination of the Indiana Supreme Court Docket, Dispositions, and Voting in 2013*, 47 IND. L. REV. 929, 933 (2014) [hereinafter *2013 Examination*]; Mark Crandley et al., *An Examination of the Indiana Supreme Court Docket, Dispositions, and Voting in 2012*, 46 IND. L. REV. 881, 886 (2013) [hereinafter *2012 Examination*].

9. See *infra* Table A: Opinions; *2015 Examination*, *supra* note 8; *2014 Examination*, *supra* note 8; *2013 Examination*, *supra* note 8; *2012 Examination*, *supra* note 8.

10. See *infra* Table A: Opinions.

11. See *Justice Brent E. Dickson*, COURTS.IN.GOV, <http://www.in.gov/judiciary/citc/2829.htm> [<https://perma.cc/E3YN-YWL4>] (last visited May 21, 2017).

12. See *infra* Table B-2: Voting Alignments for Criminal Cases; *2015 Examination*, *supra* note 8, at 920; *2014 Examination*, *supra* note 8, at 1139; *2013 Examination*, *supra* note 8, at 935; *2012 Examination*, *supra* note 8, at 889.

completely since September of 2010¹³—will feature any coalition resembling the unity between Justices Rucker and Justice Dickson. Two potential pairs of justices—Chief Justice Rush and Justice David and Chief Justice Rush and Justice Massa—agreed with each other in no less than ninety percent of all cases in each year they have served together.¹⁴ Either way, the Chief Justice remains a key swing vote. She agreed with all non-retiring justices at least ninety percent of the time in both 2016 and 2015.¹⁵

As for the second major change in 2016, Justice Slaughter was sworn in as Indiana's 109th Supreme Court justice on June 13, 2016.¹⁶ With less than a half year of service, it is impossible to draw hard conclusions about Justice Slaughter's future service on the court. He appeared in the majority of a 3-2 opinion only once.¹⁷ In civil cases, he agreed with Chief Justice Rush and Justice Massa ninety-three percent of the time, but with Justice David only eighty percent of the time.¹⁸ Justice Slaughter agreed with Justice Massa in *all* criminal cases, with Chief Justice Rush in ninety-four percent of criminal cases, and with Justices Rucker and David in eighty-nine percent of criminal cases.¹⁹

Table A. The Indiana Supreme Court issued a total of seventy-six opinions in 2016, slightly down from the eighty-seven opinions issued in 2015. In a change from the past few years, the court handed down more opinions in criminal cases than in civil cases. Fifty-three percent of the opinions came in criminal cases, compared to forty-five percent in 2015. Given the change in justices during the course of the year, it is not surprising that the number of opinions written by each justice varied significantly in 2016. Justice David wrote the most opinions (sixteen), while Chief Justice Rush and Justice Massa were close behind, authoring thirteen and fourteen opinions, respectively.

Table B-1. The court was generally well aligned in civil cases, with alignments generally consistent with the numbers seen in 2015. It is hard to draw too many conclusions regarding how Justice Slaughter will align with the other justices given the relatively small number of cases in which he participated in 2016. That said, Justice Slaughter aligned with Chief Justice Rush and Justice Massa in ninety-three percent of the civil cases they heard together. In contrast, Justice Slaughter agreed with Justices David and Rucker in eighty percent of the civil

13. See *Justice Biographies: Current Justices*, COURTS.IN.GOV, <http://www.in.gov/judiciary/supreme/2332.htm> [<https://perma.cc/9ZH7-A8RT>] (last visited May 21, 2017).

14. See *infra* Table B-3: Voting Alignments for All Cases; *2015 Examination*, *supra* note 8, at 921; *2014 Examination*, *supra* note 8, at 1140; *2013 Examination*, *supra* note 8, at 936; *2012 Examination*, *supra* note 8, at 891-92.

15. See *infra* Table B-3: Voting Alignments for All Cases; *2015 Examination*, *supra* note 8, at 921.

16. See *Hon. Geoffrey G. Slaughter*, *supra* note 2.

17. See *infra* Table D: Split Decisions.

18. See *infra* Table B-1: Voting Alignments for Civil Cases.

19. See *infra* Table B-2: Voting Alignments for Criminal Cases.

cases they heard together.

Table B-2. In general, the court continues to show lower levels of alignment in criminal cases than in civil cases. However, Justices Slaughter and Massa were aligned in all eighteen cases they heard together, including one case where Justice Slaughter wrote a dissenting opinion with which Justice Massa agreed. Justice Slaughter also showed a high level of agreement with Chief Justice Rush, with only one case in which they were not aligned. Among the other justices, the lowest level of alignment was between Chief Justice Rush and Justice Dickson, who were aligned in eighty-two percent of criminal cases.

Table B-3. The court continues to show a generally high level of alignment across all cases. As was the case in 2015, the lowest overall alignment was between Justices Massa and Rucker at eighty-four percent, while Justice Massa aligned with Justice Slaughter in all but one (ninety-seven percent) of the cases they heard together.

Table C. The court continues to reach unanimous decisions in the majority of its cases, with unanimous opinions handed down in eighty percent of cases. That said, the level of unanimity continues to drop slightly from the levels seen in 2015 and 2014. Of the fourteen separate opinions, three were concurrences, meaning dissents were included in sixteen percent of the cases in 2016.

Table D. After hitting a low of three percent in 2014, the percentage of the court's decisions that were split 3-2 increased substantially to nearly fourteen percent in 2015. The number of split decisions dropped slightly in 2016, with such decisions accounting for nine percent of all opinions issued. Notably, Justice David was in the majority for six of the seven split decisions.

Table E-1. The number of reversals increased significantly in 2016, with the court reversing or vacating in sixty-eight percent of its cases, as compared to fifty-nine percent of cases in 2015. Civil cases experienced a particularly high rate of reversal, as ninety-three percent of all civil cases transferred to the court were reversed. The court reversed seventy-five percent of the criminal cases accepted for transfer in 2016, an increase over the sixty-three percent reversal rate in 2015.

Table E-2. The number of petitions to transfer in 2016 dropped slightly as compared to 2015, to 682 total petitions to transfer. That said, the percentage of petitions the court granted remained relatively high, with nine percent of all petitions being granted, as compared to eleven percent in 2015.

Table F. The court's cases continue to cover a broad scope of topics, including sixteen different substantive areas of law in 2016. In particular, the court heard several more cases involving search and seizure and negligence or personal injury than in 2015. On the flip side, the court handed down fewer opinions dealing with insurance, divorce and child support.

TABLE A
OPINIONS^a

	OPINIONS OF COURT ^b			CONCURRENCES ^c			DISSENTS ^d		
	Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total
Rush, C.J.	9	4	13	0	0	0	0	1	1
David, J.	7	9	16	0	0	0	1	1	2
Rucker, J.	5	3	8	0	1	1	1	3	4
Dickson, J.	3	5	8	0	0	0	0	0	0
Massa, J.	8	6	14	1	0	1	3	0	3
Slaughter, J.	0	1	1	0	0	0	1	1	2
Per Curiam	8	8	16	-	-	-	-	-	-
Total	40	36	76	1	1	2	6	6	12

^a These are opinions and votes on opinions by each justice and in per curiam in the 2016 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 direct or 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, 213 (1990). The order of discussion and voting is started by the most junior member of the court and follows in 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 CASES⁶

	Massa	Dickson	David	Rucker	Rush	Slaughter	
Massa, J.	O	16	29	29	33	13	
	S	0	0	0	1	0	
	D	---	16	29	29	34	13
	N	17	32	34	34	14	
	P	94%	91%	85%	100%	93%	
Dickson, J.	O	16	16	16	17	0	
	S	0	0	0	0	0	
	D	16	---	16	16	17	0
	N	17	16	18	18	0	
	P	94%	100%	89%	94%	0%	
David, J.	O	29	16	29	31	12	
	S	0	0	1	0	0	
	D	29	16	---	30	31	12
	N	32	16	34	34	15	
	P	91%	100%	88%	91%	80%	
Rucker, J.	O	29	16	29	31	12	
	S	0	0	1	0	0	
	D	29	16	30	---	31	12
	N	34	18	34	36	15	
	P	85%	89%	88%	86%	80%	
Rush, C.J.	O	33	17	31	31	14	
	S	1	0	0	0	0	
	D	34	17	31	31	---	14
	N	34	18	34	36	15	
	P	100%	94%	91%	86%	93%	
Slaughter, J.	O	13	0	12	12	14	
	S	0	0	0	0	0	
	D	13	0	12	12	14	---
	N	14	0	15	15	15	
	P	93%	0%	80%	80%	93%	

⁶ 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 Justice Massa, sixteen is the number of times Justice Massa 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

	Massa	Dickson	David	Rucker	Rush	Slaughter	
Massa, J.	O		17	34	33	35	17
	S		2	0	0	1	1
	D	---	19	34	33	36	18
	N		22	40	40	40	18
	P		86%	85%	83%	90%	100%
Dickson, J.	O	17		19	19	18	0
	S	2		0	1	0	0
	D	19	---	19	20	18	0
	N	22		22	22	22	0
	P	86%		86%	91%	82%	0%
David, J.	O	34	19		37	38	16
	S	0	0		0	0	0
	D	34	19	---	37	38	16
	N	40	22		40	40	18
	P	85%	86%		93%	95%	89%
Rucker, J.	O	33	19	37		37	16
	S	0	1	0		0	0
	D	33	20	37	---	37	16
	N	40	22	40		40	18
	P	83%	91%	93%		93%	89%
Rush, C.J.	O	35	18	38	37		17
	S	1	0	0	0		0
	D	36	18	38	37	---	17
	N	40	22	40	40		18
	P	90%	82%	95%	93%		94%
Slaughter, J.	O	17	0	16	16	17	
	S	1	0	0	0	0	
	D	18	0	16	16	17	---
	N	18	0	18	18	18	
	P	100%	0%	89%	89%	94%	

^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 Justice Massa, seventeen is the number of times Justice Massa 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 CASES⁸

	Massa	Dickson	David	Rucker	Rush	Slaughter	
Massa, J.	O	33	63	62	68	30	
	S	2	0	1	2	1	
	D	---	35	63	62	70	31
	N		39	72	74	74	32
	P		90%	88%	84%	95%	97%
Dickson, J.	O	33		35	35	35	0
	S	2		0	1	0	0
	D	35	---	35	36	35	0
	N	39		38	40	40	0
	P	90%		92%	90%	88%	0%
David, J.	O	63	35		66	69	28
	S	0	0		1	0	0
	D	63	35	---	67	69	28
	N	72	38		74	74	33
	P	88%	92%		91%	93%	85%
Rucker, J.	O	62	35	66		68	28
	S	0	1	1		0	0
	D	62	36	67	---	68	28
	N	74	40	74		76	33
	P	84%	90%	91%		89%	85%
Rush, C.J.	O	68	35	69	68		31
	S	2	0	0	1		0
	D	70	35	69	68	---	31
	N	74	40	74	76		33
	P	95%	88%	93%	89%		94%
Slaughter, J.	O	30	0	28	28	31	
	S	1	0	0	0	0	
	D	31	0	28	28	31	---
	N	32	0	33	33	33	
	P	97%	0%	85%	85%	94%	

⁸ 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 Justice Massa, thirty-three is the total number of times Justice Massa and Justice Dickson agreed in all full majority opinions written by the court in 2016. 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 ⁱ			Opinions with Dissent			Total
Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total	
32	23	55	2	1	3	6	5	11	69

^h This Table tracks the number and percent of unanimous opinions among all opinions written. If, for example, only four justices participated and all concurred, 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
SPLIT DECISIONS^k

Justices Constituting the Majority	Number of Opinions^l
1. Dickson, J., David, J., Rucker, J.	2
2. Rush, C.J., Massa, J., Slaughter, J.	1
3. Rush, C.J., David, J., Rucker, J.	3
4. Rush, C.J., David, J., Massa, J.	1
Total ^m	7

^k This Table concerns only decisions rendered by full opinion. An opinion is counted as a split decision if two or more 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 group of justices constituted the majority in a split decision.

^m The 2016 term's split decisions were:

1. Dickson, J., David, J., Rucker, J.: *Myers v. Crouse-Hinds Div. of Cooper Indus.*, 53 N.E.3d 1160 (Ind. 2016) (Dickson, J.), *reh'g denied*, (Apr. 28, 2016); *Keller v. State*, 47 N.E.3d 1205 (Ind. 2016) (Dickson, J.), *reh'g denied*, (Apr. 11, 2016).

2. Rush, C.J., Massa, J., Slaughter, J.: *Patchett v. Lee*, 60 N.E.3d 1025 (Ind. 2016) (Slaughter, J.).

3. Rush, C.J., David, J., Rucker, J.: *Bell v. State*, 59 N.E.3d 959 (Ind. 2016) (David, J.); *Hitch v. State*, 51 N.E.3d 216 (Rucker, J.); *Eckelbarger v. State*, 51 N.E.3d 169 (Ind. 2016) (per curiam).

4. Rush, C.J., David, J., Massa, J.: *Ward v. State*, 50 N.E.3d 752 (Ind. 2016) (Rush, C.J.).

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

	Reversed or Vacated ^o	Affirmed	Total
Civil Appeals Accepted for Transfer	25 (93%)	2 (7%)	27
Direct Civil Appeals	1 (11%)	8 (89%)	9
Criminal Appeals Accepted for Transfer	24 (75%)	8 (25%)	32
Direct Criminal Appeals	2 (25%)	6 (75%)	8
Total	52 (68%)	24 (32%)	76

ⁿ Direct criminal appeals are cases in which the trial court imposed a death sentence. *See* IND. CONST. art. 7, § 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, R. 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 Indiana Supreme Court uses the term “vacate” when it is reviewing a court of appeals opinion, and the term “reverse” 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’s opinion.

TABLE E-2
DISPOSITION OF PETITIONS TO TRANSFER
TO SUPREME COURT IN 2016^P

	Denied or Dismissed	Granted	Total
Petitions to Transfer			
Civil ^q	178 (87%)	27 (13%)	205
Criminal ^r	415 (93%)	31 (7%)	443
Juvenile ^s	29 (85%)	5 (15%)	34
Total	619 (91%)	63 (9%)	682

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

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

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

^s This also includes guardianship and adoption cases.

TABLE F
SUBJECT AREAS OF SELECTED DISPOSITIONS
WITH FULL OPINIONS¹

Original Actions	Number
• Certified Questions	0
• Writs of Mandamus or Prohibition	0
• Attorney Discipline	7 ^a
• Judicial Discipline	0
Criminal	
• Death Penalty	6 ^v
• Fourth Amendment or Search and Seizure	6 ^w
• Writ of Habeas Corpus	0
Emergency Appeals to the Supreme Court	0
Trusts, Estates, or Probate	0
Real Estate or Real Property	3 ^s
Personal Property	0
Landlord-Tenant	0
Divorce or Child Support	2 ^y
Children in Need of Services (CHINS)	4 ^z
Paternity	0
Product Liability or Strict Liability	1 ^{aa}
Negligence or Personal Injury	5 ^{bb}
Invasion of Privacy	0
Medical Malpractice	1 ^{cc}
Indiana Tort Claims Act	1 ^{dd}
Statute of Limitations or Statute of Repose	0
Tax, Department of State Revenue, or State Board of Tax Commissioners	0
Contracts	3 ^{ee}
Corporate Law or the Indiana Business Corporation Law	0
Uniform Commercial Code	0
Banking Law	0
Employment Law	3 ^{ff}
Insurance Law	1 ^{gg}
Environmental Law	0
Consumer Law	0
Worker's Compensation	0
Arbitration	0
Administrative Law	2 ^{hh}
First Amendment, Open Door Law, or Public Records Law	2 ⁱⁱ
Full Faith and Credit	0
Eleventh Amendment	0
Civil Rights	0
Indiana Constitution	2 ^{jj}

¹ 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 2016. 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.

^u *In re* Westerfield, 64 N.E.3d 218 (Ind. 2016); *In re* Smith, 60 N.E.3d 1034 (Ind. 2016); *In re* Bean, 60 N.E.3d 1021 (Ind. 2016); *In re* Lehman, 55 N.E.3d 821 (Ind. 2016), *motion to reconsider denied*, (Aug. 25, 2016); *In re* Durham, 55 N.E.3d 302 (Ind. 2016); *In re* White, 54 N.E.3d 993 (Ind. 2016); *In re* Johnson, 53 N.E.3d 1177 (Ind. 2016).

^v Lewis v. State, 59 N.E.3d 967 (Ind. 2016); Griffith v. State, 59 N.E.3d 947 (Ind. 2016); Clippinger v. State, 54 N.E.3d 986 (Ind. 2016); Gibson v. State, 51 N.E.3d 204 (Ind.), *cert. denied*, 137 S. Ct. 1082 (2017); Sallee v. State, 51 N.E.3d 130 (Ind. 2016); Blaize v. State, 51 N.E.3d 97 (Ind.), *cert. denied*, 137 S. Ct. 85 (2016).

^w Cruz-Salazar v. State, 63 N.E.3d 1055 (Ind. 2016); Osborne v. State, 63 N.E.3d 329 (Ind. 2016); *Griffith*, 59 N.E.3d 947; Bradley v. State, 54 N.E.3d 996 (Ind. 2016); Wilford v. State, 50 N.E.3d 371 (Ind. 2016); Garcia v. State, 47 N.E.3d 1196 (Ind. 2016).

^x Fortville v. Fortville Annexation Landowners, 51 N.E.3d 1195 (Ind. 2016); Bonnell v. Cotner, 50 N.E.3d 361 (Ind. 2016); Town of Zionsville v. Town of Whitestown, 49 N.E.3d 91 (Ind. 2016).

^y Reynolds v. Reynolds, 64 N.E.3d 829 (Ind. 2016); Allen v. Allen, 54 N.E.3d 344 (Ind. 2016).

^z R.S. v. Marion Cty. Dep't of Child Servs., 56 N.E.3d 625 (Ind. 2016); L.C. & M.C. v. Ind. Dep't of Child Servs., 51 N.E.3d 1167 (Ind. 2016); A.A. v. Ind. Dep't of Child Servs., 51 N.E.3d 1140 (Ind. 2016); M.B. v. S.B., 51 N.E.3d 230 (Ind. 2016).

^{aa} Myers v. Crouse-Hinds Div. of Cooper Indus., 53 N.E.3d 1160 (Ind. 2016), *reh'g denied*, (Apr. 28, 2016).

^{bb} Rogers v. Martin, 63 N.E.3d 316 (Ind. 2016); Goodwin v. Yeakle's Sports Bar & Grill, Inc., 62 N.E.3d 384 (Ind. 2016); Patchett v. Lee, 60 N.E.3d 1025 (Ind. 2016); State Farm Mut. Auto. Ins. Co. v. Jakubowicz, 56 N.E.3d 617 (Ind. 2016); Mid-America Sound Corp. v. Ind. State Fair Comm'n (*In re* Ind. State Fair Litig.), 49 N.E.3d 545 (Ind. 2016).

^{cc} Siner v. Kindred Hosp. Ltd. P'ship, 51 N.E.3d 1184 (Ind. 2016).

^{dd} City of Beech Grove v. Beloat, 50 N.E.3d 135 (Ind. 2016).

^{ee} *Patchett*, 60 N.E.3d 1025; State v. IBM, 51 N.E.3d 150 (Ind. 2016); *In re Ind. State Fair Litig.*, 49 N.E.3d 545.

^{ff} Adams v. ArvinMeritor, Inc., 60 N.E.3d 1022 (Ind. 2016), *reh'g denied*, (Jan. 17, 2017); Jay Classroom Teachers Ass'n v. Jay Sch. Corp., 55 N.E.3d 813 (Ind. 2016); Gaff v. Ind.-Purdue Univ. of Fort Wayne, 51 N.E.3d 1163 (Ind. 2016).

^{gg} *State Farm Mut. Auto. Ins. Co.*, 56 N.E.3d 617.

^{hh} *Jay Classroom Teachers Ass'n*, 55 N.E.3d 813; West v. Office of Ind. Sec'y of State, 54 N.E.3d 349 (Ind. 2016).

ⁱⁱ ESPN, Inc. v. Univ. of Notre Dame Police Dep't, 62 N.E.3d 1192 (Ind. 2016); Citizens Action Coal. of Ind. v. Koch, 51 N.E.3d 236 (Ind. 2016), *reh'g denied*, (July 12, 2016).

^{jj} Whistle Stop Inn, Inc. v. City of Indianapolis, 51 N.E.3d 195 (Ind. 2016); State v. Buncich, 51 N.E.3d 136 (Ind. 2016).