

State of the Judiciary: Justice in the Heartland
Chief Justice Loretta H. Rush, Indiana Supreme Court
Message to the Legislature
January 14, 2026

Thank you for the warm welcome to the 2026 State of the Judiciary, which I've titled "Justice in the Heartland." As we came together today, you saw paintings of all 92 courthouses. Across Indiana, our courthouses rise from the center of our communities like quiet sentinels of justice—beautiful, enduring reminders that laws are not only written in books but lived out in places where people come seeking relief and resolution.

Attorney Doug Church, along with the Indiana State Bar Association, curated this remarkable collection of Hoosier courthouse paintings. Doug calls them our "secular cathedrals." It's a fitting description—they lift our eyes upward and remind us that justice is a public promise that is both visible and tangible. Thank you, Doug and the ISBA.

From our earliest frontier days, these courthouses were more than brick and limestone—they were declarations of what Indiana aspired to be. They reassured settlers that in uncertain times, the rule of law would bring peace, stability, and fairness. Courts made it possible for families to take root and for businesses to dream bigger, knowing that disputes would be resolved not with violence or fear, but through reason and civility.

In recent years, my updates have focused on technology, innovation, case management, behavioral-health initiatives, and specialty courts. Each one strengthens the foundation of justice, but the work itself is carried out by people.

So, this twelfth time I stand before you as your Chief Justice, I want to highlight two groups of people who stand in our courthouses every day: prosecutors and public defenders. While these public servants sit on opposite sides of the courtroom as rivals, they are also allies in their shared duty to resolve disputes under the rule of law. Their work is at the center of the constitutional balance between accountability and liberty. It's what allows us to enjoy life in a safe and fair society.

Please join me on a tour across our state to see how some of the more than 1.1 million cases a year are resolved in those magnificent courthouses of our Hoosier Heartland.

Public Safety

What better place to start than along the banks of the Wabash River? In Cass County, the prosecutor, public defender, pretrial director, and judge agree on a shared philosophy: implement what is best for the community they love.

They've committed to a transformational, evidence-based pretrial program. That means, after a person is arrested, pretrial decisions are driven by a primary goal: public safety. Judge Lisa Swaim, a former respected prosecutor herself, explains that bail decisions are not just a check-in. In her words, "I have to feel comfortable with public safety. I get a full report, criminal history,

housing, stability, employment. And still, I don't make a pretrial decision until I meet and talk with the person face to face and give both the prosecutor and the public defender a chance to weigh in."

Beyond each side arguing their position for individual cases, they also shared their thoughts on the overall program. For Public Defender Sheryl Pherson, the in-courthouse program addresses a defendant's core needs. She says it "focuses on public safety with voluntary treatment and supportive services."

Prosecutor Noah Schafer is blunt. He says, "I distrust any tendency of reform that gives people a hug and turns them loose." He says this "program works because it employs the time-tested pillars of criminal justice: accountability, personal responsibility, and mercy."

And Pretrial Director Hillary Hartoin keeps track of the results. Since 2022, the program has produced 95% court attendance, 90% arrest-free rate, and an 86% reduction in pretrial detention.

So what's the price tag? Fair question.

It's nearly \$6 million in savings for Cass County because they've reduced jail bed costs, eliminated 408 years of incarceration, prompted treatment, and prioritized public safety.

As we navigate our way southeast to the Ohio River, we see that same spirit of partnership in Dearborn County. The justice team there also focuses on community safety. And for them, that means having people with lived experience as part of the solution. They accomplish that through a program called IRACS, Integrated Reentry and Correctional Support. It puts mental health and peer recovery specialists in the county jails. Prosecutor Lynn Deddens calls the program "a game changer." She says, "people need someone to help guide them out of the system, otherwise it is a revolving door."

Judge Aaron Negangard agrees. He's a former public defender, prosecutor, and defense attorney, and he says the justice system needs as many tools as possible to handle each case on its own merits. He has a practical message for us, "People are going to get out of jail. We want them to come out better." He is so right.

Forty-three-year-old Aaron Spaulding is running Dearborn County's IRACS. He has been through that revolving door since he was 13 years old, including six years in prison. He doesn't want to see others take that same path. Now, ten years into recovery, he's leading Dearborn County's award-winning sixperson IRACS staff. Working in the jail, he's connecting with inmates to help them get services and develop a plan, so when they do leave jail they don't go back to the same lifestyle. He says, "Now I am empowered to be part of the change instead of part of the destruction."

Aaron knows the public is skeptical, so he too keeps track of county data. Since 2022, there have been 1,600 jail participants, and 80% of them have not reoffended.

Your Support

Local justice teams working together to make their communities safer, healthier, and more resilient are doing so with your support. To ensure effective results for every community, statewide structures connect and strengthen local efforts. There are three such programs that you have made possible that I want to highlight today. Trial court judges are here from across the state because we cannot thank you enough for your staunch support of our Hoosier justice system.

INJAIL

First, you asked us to build a comprehensive statewide jail management system—and we're delivering! Thanks to your funding just last year, INjail is already live in nine counties with twelve more in the works. And 29 other counties are interested. Law enforcement will tell you, INjail will give real-time jail information on all defendants while connecting criminal justice systems.

It's the first in the nation. It's made in Indiana, for Indiana, and it can be in every county in the state to implement your policy decisions and enhance public safety.

A special thank you to Senators Brown and Mishler, and to Representative Thompson. We also thank our sheriffs for their collaboration. And representing them today are Sheriffs' Association Past-President Bob Goldsmith and Executive Director Steve Luce.

HIGH-TECH CRIME UNIT

Second, counties across the state increasingly confront a new reality in investigating criminal cases—complicated digital evidence. Through your funding, Indiana prosecutors have formed ten High-Tech Crime Units, operating as regional hubs to investigate cybercrime, collect digital evidence, and assist in prosecutions or exonerations.

In just over three years, the units have assisted in over 10,000 cases and examined more than 16,000 digital devices. From smartphones to cloud storage, technology allows us to reveal the truth swiftly. Justice delayed is justice denied, and these units return evidence to investigators in an average of 17 days—an unprecedented pace and proof of technology accelerating justice.

COLLABORATION: LOCAL JRAC

Third, the local JRAC statute you passed just three years ago is already proving to be effective. It's a way for thousands of justice stakeholders throughout our Hoosier Heartland to understand the vital role they play in ensuring public safety resources are used wisely.

For a pioneering example, let's head to Grant County where Judge Mark Spitzer and his justice partners are implementing your legislation.

They formed a team of judges, prosecutors, public defenders, probation officers, jail staff, law enforcement, victim advocates, local officials, and others who come together to make decisions

grounded in data and research. Their process allows justice professionals to understand how the decisions they make have a ripple effect throughout their community. Sometimes they need jail beds, sometimes it's electronic monitoring, and sometimes it's treatment. But whatever the case requires, the tools are not limitless.

Their collaboration through JRAC has reduced unnecessary detention, improved supervision outcomes, and strengthened public safety. Their efforts are so effective that they train statewide. Thank you, Grant County team, including Judge Spitzer, County Council President Greg Kitts, and Director Melissa Stephenson.

I can't imagine three stronger initiatives to support public safety. All justice system professionals join me in thanking you for funding INjail and the High-Tech Crime Units and implementing local JRACs.

Truancy

Our journey continues to Madison County where Prosecutor Rodney Cummings, just last year, handled 2,000 felonies, 4,000 misdemeanors, 5,000 traffic citations, 500 juvenile delinquency petitions, and hundreds of other cases. He's proud of his reputation as being tough on crime. So with so much going on, why would he dedicate limited resources to preventing truancy?

Because he knows kids who don't graduate high school are eight times more likely to get locked up as adults. Often 80% of incarcerated adults are high school dropouts. And each dropout costs taxpayers an estimated \$300,000 over a lifetime in lost taxes, incarceration, and services.

Prosecutor Cummings, Chief Deputy Prosecutor Andrew Hanna, and Investigator Mitch Carroll are leading a remarkable absenteeism program. It connects families with counseling, mental health support, and intervention planning.

As a child from a challenging background, including time in foster care and having attended 27 schools, Prosecutor Cummings knows firsthand that education opens doors. His program ensures that children have a chance to learn, grow, and succeed.

Having spent many years on the juvenile bench in Tippecanoe County, I also believe combating truancy is critical. Guess why my truancy court started at 7:30 a.m. on Thursday mornings? To get families out of court and back to work and school. It works. And in Madison County, their program is resulting in more kids in the classroom. Thank you, Prosecutor Cummings.

Community

Well, speaking of Tippecanoe County, Deputy Prosecutor Elyse Madigan stands as a shining example of how prosecutors strengthen the communities they serve. She prosecutes murder, domestic violence, neglect, and aggravated battery—and she serves on the State Child Fatality Review Committee. Through this collaborative work, she addresses child deaths, gun safety, child health, flu prevention, car seat clinics, and juvenile suicide prevention. Each day she asks:

Which deaths are preventable? What resources would have made the difference? In her own words, her community is her client. Thank you, Prosecutor Madigan.

Public Defenders

Our tireless public defenders safeguard the constitutional promise that every Hoosier is entitled to be heard and represented when the stakes are highest. For a Vigo County woman, that moment came when she faced losing her children.

Savannah Harvey was hopeless, homeless, and separated from her children when she met her public defender, Katie Butwin, and parent advocate, Janet McBride. A pilot program of the Commission on Court Appointed Attorneys helps parents navigate the child-welfare system. It connected the three.

The longer a child lingers in the system without permanency, the longer their lives are upended. The sooner parents understand what they need to do and take advantage of services, the quicker children can be reunited with their families or placed in a permanent home such as through adoption.

For Public Defender Butwin, other child-welfare cases would just go on and on—circle around the problem. But not Savannah's. With support, Savannah received treatment, secured housing, found employment, reunited with her children, and just passed the test to be credentialed as a community health worker. "This program didn't just change my life," she said. "It saved it."

Vigo County is proud to show these child-welfare cases are closing on average 65 days sooner, children are spending 70 fewer days in out-of-home care, and reunification is increasing by 14%. The Vigo County Council is now funding three new positions for this initiative. The numbers reflect a broader truth: when we equip parents with public defenders and the tools they need, families find their footing, children return home sooner, and justice fulfills its highest purpose.

Heading to the shores of Lake Michigan takes us to beautiful Valparaiso. The Porter County courthouse is one of the newer Heartland gems. And inside, we find public defenders like Mitch Peters.

Judge Jeff Clymer says "certain residents are alive because of Mitch. He is instrumental in the mental health restoration court, representing clients in mental health commitments and requests for emergency detention, and he cares deeply about those with substance use disorders."

Mitch knows his clients and he knows they need structure, connection, programming, and a safe place to stay while they work to resolve various issues—including trauma—that brought them into the system. And so, he worked with his community, including securing private funding, to open a series of halfway houses and a homeless shelter to meet that need. His efforts have saved taxpayer money by ensuring that expensive state-funded institutions are not filled with people who can be safely supervised and rehabilitated in their community. Mitch helps people find a pathway out of the system and into a peaceful and productive life. Thank you, Mitch.

Attorney Shortage

As we celebrate these successes, we face a deepening crisis—a growing shortage of the very people who are champions of these victories: attorneys. Specifically, prosecutors and public defenders who, as you can see, are central to public safety.

Indiana ranks 43rd in the number of lawyers per capita. Two Hoosier law schools have closed in the last decade—drastically reducing our pipeline to new lawyers. And now, some counties have as few as five attorneys. To address this issue, the Commission on Indiana’s Legal Future spent months of thoughtful work. Judge Nancy Vaidik and Chief Administrative Officer Justin Forkner led the efforts. Recommendations include pilots for innovative legal-service models, exploration of new licensure pathways, and incentives for lawyers to serve in rural counties.

Two of your legislative initiatives last session also grew from this work. One created Indiana’s first public-service scholarship program for future prosecutors and public defenders. The other broadened who may serve as municipal legal counsel. An enormous “thank you” to Senators Carrasco, Glick, and Taylor and to Representatives DeLaney and Steuerwald—for their leadership.

As mentioned, at the center of this progress was CAO Justin Forkner—a decorated Army Captain who led multiple missions in Iraq and Afghanistan, who returned only to finish first in his law school class. He brought that leadership grounded in integrity, humility, and purpose to the courts. For the last eight years, Justin spearheaded improvements and has been our trusted advisor. He’s now beginning the next chapter of his career, and we are profoundly grateful for the many ways he strengthened the shared mission of justice in Hoosier Heartland courts.

Pro Bono

As we’ve been confronting the attorney shortage, attorneys throughout the state have been lending a helping hand to make sure those courthouse doors remain open to all. The importance of community and access to justice is embedded in the oath we all took as Hoosier attorneys. This is reflected in the 8,000 Indiana lawyers that contributed nearly 250,000 hours of legal work at no charge last year. From eviction to expungement, family matters to financial, justice is not a distant possibility—it’s now often accessible through a nearby computer screen. Through Indiana Legal Help, our justice system now offers free legal information and easy-to-use forms in every county through 150 kiosks located in libraries, county buildings, and health centers.

And there are in-person clinics too. At one such clinic in Vanderburgh County, volunteer attorneys discovered an elderly couple drowning in medical debt. This, combined with dementia-related issues, made navigating bill payment a nightmare. It’s a good thing they came in for help.

This couple was about to lose the vehicle they needed to get to medical appointments. Two volunteer lawyers, Katherine Rybak and Anne Butsch, agreed to assist them. Anne is also a former physician. These lawyers made it possible for the couple to successfully navigate their legal issues. We would like to thank all volunteer attorneys, legal aid organizations, and the

Indiana Bar Foundation, represented today by Abbie Bush, for providing help to Hoosiers in need.

Conclusion

To conclude, all these examples I've shared today affirm a central truth: the work of our judiciary—to keep the legal system in balance, ensure public safety, and resolve conflicts peacefully—is more than a profession. It is a calling.

So, next time you pass by that breathtaking courthouse in your own county, consider a moment of solemn thanks for the people who have accepted that calling. Think of the public servants in that building—judges, prosecutors, and defenders—who work every day to safeguard liberties, uphold justice, and ensure that every Hoosier lives in a community grounded in fairness, dignity, and peace.

Thank you. And may God continue to bless our great state.