

Statewide Office Descriptions

United States Senator

The United States Senate is a legislative body, established by Article I, Section 1 of the Constitution. U.S. senators, along with members of the House of Representatives, are elected members of Congress, voted to serve by the people of their home state. Each state in the Union elects two individuals to serve in the Senate, regardless of state population, for a six-year term. To be a legal U.S. senator, a candidate must be at least 30 years old, be a U.S. citizen for at least nine years and live in the state in which he or she is elected.

During their time in Congress, senators are assigned to serve on committees, in which they review bills or propose laws. There are 20 committees, 68 subcommittees and four joint committees. Each committee focuses on different topics, including budget, health, education, foreign relations, and homeland security. Bills that pass-through committee are voted on by senators and then sent to the House of Representatives in order to make into law, or vice versa. Unlike House members, Senators are restricted from proposing laws that increase revenue of the state; however, they can approve, reject, or amend such laws the House passes. The vice president serves as the president of the Senate and casts a vote only when the Senate must break a tie.

Specific roles of senators can also differ according to their stature and party affiliation. The Constitution also grants certain privileges to the Senate body, including casting confirmation votes for any presidential appointments and the power to impeach the president.

Governor

As stated in the Indiana constitution, chief executive power shall be vested in a governor who is “to take care that the laws are faithfully executed.” In Indiana, the governor occupies the position through powers granted directly by the constitution and by statute, and through the powers that stem from the governor’s right to appoint and remove personnel in administrative departments.

A governor serves a term of four years and may serve two consecutive terms; however, the governor may not serve for more than eight years in a 12-year period. Each gubernatorial election is held in the same year as the presidential election. To be eligible for the office of governor, a person must be at least 30 years old and must have been a citizen of the United States and a resident of Indiana for at least five years preceding election.

The governor is commander-in-chief of the state’s military and naval forces and may use them “to execute the laws, to suppress insurrection or to repel invasion.” The governor may recommend legislation to the General Assembly, call special sessions of the legislature and veto any bill passed by the legislature. (A veto may be overridden by a subsequent simple majority vote of the Senate and House.) By constitutional provision, the governor has the authority to fill vacancies in any state administrative office and in the offices of judge, clerk of any court or

prosecuting attorney. Additionally, the governor may grant reprieves and pardons to people convicted of crimes.

Some additional powers that the governor exercises include the following:

- Receiving and acting on all bills that come before him or her during sessions of the legislature; the governor must act on the bill within seven days after presentment; if the governor does not act within seven days, the bill becomes law
- Submitting the state budget report and proposed appropriation bills to the General Assembly
- Exercising general direction and control over the state Department of Homeland Security and, in the event of disaster or emergency beyond local control, assuming direct operational control over emergency response functions within Indiana.

Lieutenant Governor

According to the Indiana constitution, the first function of the lieutenant governor is to preside over the Senate during its sessions and cast deciding votes when necessary. The second function is to act as governor if the governor is unable to perform the duties of office, or to become governor if the office falls vacant.

By Indiana statute, the lieutenant governor is secretary of agriculture and rural affairs, charged with administering the laws relating to agriculture and encouraging farm organization activity. The lieutenant governor also serves as chair of several state bodies, such as the Indiana Housing and Community Development Authority. With the abolishment of the Department of Commerce in 2005, the lieutenant governor also took over leadership of several offices that used to be located within that agency, including the Office of Community and Rural Affairs, the Office of Energy and Defense Development, and the Office of Tourism Development.

Serving the same four-year term as the governor, both the lieutenant governor and governor of Indiana run for office as a team. Candidates for lieutenant governor are nominated at party conventions, and the lieutenant governor must meet the same eligibility requirements as the governor.

Secretary of State

The secretary of state – a statewide constitutional officer serving a four-year term – takes office January 1 following the general election in November. The secretary may not serve more than eight years in any 12 year-period.

The secretary of state is classified by the Indiana constitution as the state's "chief election officer". The office is traditionally responsible for certifying and keeping permanent records of official state documents, such as statutes and constitutional amendments, plus proclamation and commissions of the governor. The secretary is authorized to authenticate official state documents by affixing the state seal. Key responsibilities of the office include charting new businesses,

providing public access to information filing, and uniform commercial code financing statements. The secretary of state serves on several state boards including the Business Law Survey Commission, Indiana Code Revision Commission, Indiana Recount Commission, and Oversight Committee on Public Records.

There are four main divisions that comprise the Secretary of State's office (*Click on the name of the services to learn more*): [Business Services Division](#), [Election Division](#), [Securities Division](#) and [Auto Dealer Services Division](#)

Term: 4 years

Attorney General

Elected every four years, Indiana's attorney general represents Indiana in every lawsuit in which the state has an interest unless there is a conflict or legal obstacle to handling the case. The office provides unofficial advisory opinions to the governor, state elected officers and members of the General Assembly. Official opinions are generated to interpret statutes and apply Indiana law to specific questions that may arise. There is no limit on the number of terms an attorney general can be elected.

The office of the attorney general consists of nine divisions:

- **Advisory Services Division.** This portion of the attorney general's office provides counsel to all state officers and agencies in formal meetings and hearings, as well as in day-to-day matters, and prepares written responses to requests for advice from state officers and agencies. This section is responsible for the review of administrative rules and review of the form and legality of state contracts.
- **Appeals Division.** This section handles civil and criminal appeals within the state, represents the state during habeas corpus and post-conviction relief actions, and provides victims assistance to those affected directly or indirectly by crime in Indiana.
- **Consumer Protection Division.** This section investigates, mediates, and litigates complaints involving consumer transactions, and investigates and prosecutes complaints against licensed practitioners in a range of field including health care, accounting, architecture, and engineering.
- **Litigation Division.** This division of the office defends the state in a wide range of suits involving state law and policies, civil rights, employment, collections and bankruptcy, environmental matters, and special cases. It also provides investigative services to each of the divisions listed.
- **Medicaid Fraud Control Unit (MFCU).** This division polices unscrupulous practices and enforces state health care laws. The unit investigates Medicaid provider fraud and the misuse of Medicaid recipients' funds.
- **Tax Practice Division.** This division defends actions and decisions of the Department of Revenue and the Board of Tax Commissioners relating to taxation.
- **Solicitor General.** The solicitor general is the chief litigation policy advisor to the attorney general, providing comprehensive oversight of state and federal litigation for Indiana.

- Unclaimed Property Division. This division marshals and preserves the unclaimed or abandoned intangible property belonging to citizens. It attempts to locate these citizens and processes their claims for return of their assets.

Term: Four years

State Treasurer

- The State Treasurer is the fifth highest-ranking statewide government official established in the state constitution. The treasurer of the state is elected for a term of four years beginning January 1 following election in November. No person is eligible to serve as treasurer for more than eight years in any 12-year period.
- The treasurer is the custodian of all state revenues. As the State of Indiana 's chief investment officer, they; have discretionary power to invest the state general fund and more than 77 trust funds. The treasurer of state invests a portfolio of over \$5 billion. Eligible investments include obligations so the United State government, certificates of deposit, repurchase agreement and money market mutual funds with approved Indiana depositories.
- The treasurer of state is a member of the state Board of Finance, Indiana Finance Authority, Indiana Grain Indemnity Fund Board, Indiana Underground Storage Tank Financial Assurance Board, Indiana Art Commission Cultural Trust Administrative Board, Indiana Deferred Compensation Committee, Indiana Community Business Credit Corporation, Indiana Housing and Community Development Authority, and the Indiana Heritage Trust Committee. In addition, the treasurer of state serves as the sole Trustee of the State Police Pension Fund and Administrator of the Indiana Local Government Investment Pool.
- Below are some of the Treasurer's key responsibilities:
- The treasurer serves as the sole Trustee of the Indiana State Police Pension Trust, which provides pension, death, survivor, and other benefits to present and former employees of the state police department and their beneficiaries.
- As chair of the Indiana Education Savings Authority, the Treasurer plays a key role in encouraging attendance to higher education institutions, providing families with additional means of striving for education through the education savings program, and promoting the economic development of the state by creating opportunities for a more highly educated workforce.
- The Office of the Treasurer manages TrustIndiana, the local government investment pool created to provide all Indiana local units of government the opportunity to invest in a common pool of investment assets that preserves the principal of the public funds, remains highly liquid, and maximizes the return on investment.
- The treasurer serves as chair of the Indiana Bond Bank, which has the mission to assist local government in obtaining low-cost financing for important public work, including school facilities, and leasing essential equipment items.

- The treasurer plays a significant part in public safety as the chair of the Statewide 9-1-1 Board. The Board is responsible for collecting surcharges from all communication service providers and distributing the funding to local units of government.
Term: 4 years

State Auditor

- The state auditor's term office is four years. A person may serve as state auditor for no more than eight years in any twelve-year period. The auditor takes office January 1 following the general election in November.
- The auditor of the state is the chief financial officer of the state of Indiana. The auditor has four primary duties: accounting for all the state's funds; overseeing and disbursing county, city, town, and school tax distributions; paying the state's bills; and paying state employees.
- The auditor's office contains several important divisions, including the departments of accounting, settlements, accounts payable, and payroll.
- In addition to the duties already described, the auditor of the state is the plan administrator of the Indiana Deferred Compensation Plan and its Matching Incentive Plan. The auditor also serves as the secretary of the Board of Finance and is member of the Board of Depositories.
- Term: 4 years

Judges on the Ballot for Retention

General Background

The 15 members of the Court of Appeals of Indiana represent **five state districts**:

- Three members of the Court must come from the **1st District**, encompassing the southern third of the state;
- three from the **2nd District**, the middle third; and
- three from the **3rd District**, the northern third of Indiana.

Judges named from these districts stand for retention only in their districts.

- In 1978, a **4th District** was created, consisting of three judges, one from each of the first three districts.
- Likewise, in 1991, a **5th District** was added, also with judges from each of the first three districts.

Judges representing the 4th and 5th districts stand for retention statewide.

Link to map of districts: <https://www.in.gov/courts/appeals/districts/>

As the second-highest court in Indiana, the Court of Appeals hears appeals from the state's trial courts and some state agencies. The Court does not preside over trials and must accept all appeals sent to it, except for:

- Cases in which the death penalty or life-without-parole is rendered (appealed directly to the Indiana Supreme Court);
- Cases in which statutes are declared unconstitutional by a trial court (automatically appealed to the Supreme Court);
- Attorney disciplinary cases (which also go to the Supreme Court); and,
- Cases involving taxation (which go to the Indiana Tax Court).

As a result, the 15 members of the Court issue approximately 2,000 written opinions each year. A decision of the Court of Appeals of Indiana is final unless granted further review by the Indiana Supreme Court.

The Court hears cases only in three-judge panels. All panels have statewide jurisdiction and rotate three times per year. Cases are randomly assigned. In addition, there is no deadline for the Court to reach a decision in each case; however, the Court strives to issue decisions within four months of receiving an appeal. Opinions are often issued earlier.

All opinions are available on the Court's website. Some opinions are "for publication" and can be cited as precedent for subsequent cases; other are marked "NFP" or "not for publication," and may not be used in citing precedent.

Link to description about Retention: <https://www.in.gov/courts/about/retention/>

Check website below for the descriptions of the judges up for retention and links to their biography and cases. <https://www.in.gov/courts/appeals/about/>

As of 2022: (Shares press releases concerning retention.)

Kathryn Dolan, Chief Public Information Officer
317-234-4722
kathryn.dolan@courts.in.gov

The Indiana Bar Association also does a survey of their members related to the judges up for retention. Below is the contact person as of 2022 who compiled and released the results. Could also contact the executive director of IBA to find out when the results of the survey will be released.

Kelsey (Kotnik) Singh
Communication Director
Indiana State Bar Association
O: 317.639.5465, ext. 932
ksingh@inbar.org