

JUDGE JANE: BEYOND THE BENCH

THE HONORABLE KELLIE M. BARR*

I first “met” the Honorable Jane E. Magnus-Stinson in 2009 when she was speaking at an Indianapolis Bar Association event. Back then, she was a Magistrate Judge for the United States District Court for the Southern District of Indiana, and I was a new associate at a local law firm. While I still consider this to be our first meeting, we did not actually speak because I was too intimidated to talk to the legal legend commonly referred to as “Judge Jane.” Instead, I sat in the audience and listened to her masterfully apply her personal stories and practical wisdom to complex legal topics in a way that made me feel like I truly knew her. I left that bar association event with such a positive impression of Judge Jane, the federal judiciary, and our legal community.

About a year later, the United States Senate unanimously confirmed Judge Magnus-Stinson to be a District Judge by a voice vote, which is a true testament to her qualifications for that role and the bipartisan support she received from both Senator Evan Bayh and Senator Richard Lugar.¹ I applied for a judicial law clerk position in her chambers, and I was thrilled when she selected me for that role. I spent almost seven years working for and learning from Judge Magnus-Stinson as her first Career Law Clerk. During that time, and in the many years since, I have learned key lessons from Judge Magnus-Stinson about how to have a significant impact in ways that do not involve your cases. This article sets forth three of those lessons, with examples of how Judge Magnus-Stinson exemplifies them in her own career.

Lesson one: Get involved in your local bar association.

The Indianapolis Bar Association (“IndyBar”) was founded by former U.S. President Benjamin Harrison and other prominent local lawyers in 1878 “for the education and support of one another.”² To this day, IndyBar “empowers its members to never stop learning, to make a difference in the community, to lead by example, to provide a voice for the profession and to build a network of professional and personal contacts.”³

Anyone who has been involved at IndyBar with any regularity has surely crossed paths with Judge Magnus-Stinson there, too. She served as IndyBar’s Vice President in 2004, the Chair of its Pro Bono Standing Committee from 2004–2006, the Co-Chair of its Professionalism Committee in 2007, as the

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1. 156 CONG. REC. S4587, S4608 (daily ed. June 7, 2010), *available at* <https://www.congress.gov/congressional-record/volume-156/issue-84/senate-section/page/S4603-4608>; *Confirmation Hearings on Federal Appointments Before the S. Comm. on Judiciary*, 111th Cong. 2nd Sess. (2010), *available at* <https://www.govinfo.gov/content/pkg/CHRG-111shrg65688/html/CHRG-111shrg65688.htm>.

2. *About the IndyBar*, INDIANAPOLIS BAR ASS’N, <https://www.indybar.org/?pg=AboutHome> Page [https://perma.cc/86JW-7YK8] (last visited Jan. 21, 2025).

3. *Id.*

Moderator of its Bar Leader Series both in 2008–2009 and 2023–2024, and she is currently serving as an At Large Member on its Board of Directors.⁴

In 2007, as Co-Chair of the Professionalism Committee, Judge Magnus-Stinson worked with a dedicated group of lawyers and judges to rewrite the Tenets of Professionalism, which had not been revised since the 1980s. Those standards were approved by the IndyBar Board and “reflect the need for maintaining the highest ethical conduct, civility in the practice of law and community involvement by the practicing bar.”⁵

Judge Magnus-Stinson has made such meaningful contributions to IndyBar over the years that it has honored her with many prestigious awards. IndyBar first honored her in 1995 as a Distinguished Fellow, in 2002 with the Women & Law Division’s Antoinette Dakin Leach Award,⁶ and in 2006 with the President’s Award for Service to the Profession. In 2012, IndyBar selected Judge Magnus-Stinson for its most prestigious award—the Hon. Paul H. Buchanan, Jr. Award of Excellence—which is meant to “acknowledge individuals with long records of excellence and unique service to the legal profession . . . whose attainments as a lawyer have been notable, whose contributions to [IndyBar] have been unique, and whose honorable service to the profession has extended over a significant period of time.”⁷

Anyone who knows Judge Magnus-Stinson knows that she has not served IndyBar for more than three decades simply for the awards it has rightfully bestowed upon her. Rather, Judge Magnus-Stinson firmly believes that service to a local bar association is a clear way to strengthen our community and make a direct, positive impact on our profession.

Lesson two: Say yes to service and show up ready to make a difference.

Judge Magnus-Stinson’s career is replete with examples of ways that she has served the community through her membership on and leadership of various courts, boards, committees, and working groups. Despite her busy calendar, Judge Magnus-Stinson does not hesitate to say “yes” to joining groups to help make a difference. And when she agrees to do something, Judge Magnus-Stinson is not a passive member who simply participates. Rather, to the surprise of no one who knows her well, she is quick to ask questions, brainstorm ideas,

4. *Judge Jane E. Magnus-Stinson*, U.S. DIST. CT., S. DIST. OF IND., <https://www.insd.uscourts.gov/content/judge-jane-e-magnus-stinson> [<https://perma.cc/5H4X-WN8K>] (last visited Jan. 21, 2025).

5. *See United States Senate Committee on the Judiciary, Questionnaire for Judicial Nominees (Jane Magnus-Stinson)*, SENATE JUDICIARY 34–35 (Jan. 18, 2010), <https://www.judiciary.senate.gov/imo/media/doc/JaneMagnusStinson-PublicQuestionnaire.pdf>.

6. *See Nominations Now Accepted for Antoinette Dakin Leach Award*, INDIANAPOLIS BAR ASS’N (June 17, 2015), <https://www.indybar.org/?pg=IndyBarBlog&blAction=showEntry&blogEntry=3262> [<https://perma.cc/A4YX-82LB>].

7. *Judge Magnus-Stinson to Receive Buchanan Award*, INDIANAPOLIS BAR ASS’N (Jan. 17, 2012), <https://www.indybar.org/?pg=IndyBarNews&blAction=showEntry&blogEntry=2498> [<https://perma.cc/U5MW-BW77>].

challenge the status quo when appropriate, and take on leadership roles to help the group meet its goals.

Judge Magnus-Stinson has held key leadership roles as a judge for the various courts on which she has served. Prior to joining the federal bench, Judge Magnus-Stinson was appointed and then twice elected as Judge of the Marion Superior Court, serving from 1995–2007.⁸ She served as the Supervising Judge for the Marion Superior Probation Department from 1997–2001. In that role, she helped create the Youth Empowerment Program, providing volunteer mentors to young offenders.⁹ Judge Magnus-Stinson also served as Associate Presiding Judge of the Marion Superior Court from 2005 until 2006.¹⁰

Judge Magnus-Stinson served as the Chief Judge of the United States District Court for the Southern District of Indiana from November 23, 2016, until March 20, 2021.¹¹ During her tenure as Chief Judge, Judge Magnus-Stinson effectively advocated to get the District additional resources it needed, including an additional Magistrate Judge position, multiple additional staff attorney positions, and caseload support from federal judges in Wisconsin, the Central and Northern Districts of Illinois, and the Northern District of Indiana. She has also served the District as the Chair of the Security Committee from 2010 until 2016; as the Chair of the District's Supervised Release Committee, which revised the District's conditions of supervised release in an effort to make them compliant with case law and statutory developments as well as more understandable for supervisees; and serves as the Chair for the District's Diversity Equity Inclusion and Accessibility Committee.¹²

Judge Magnus-Stinson has been a member of various committees for the Seventh Circuit Court of Appeals, including the Seventh Circuit Judicial Council; the Criminal Pattern Jury Instructions Committee, where she serves as Chair of the Indiana Subcommittee; the Advisory Committee on Rules; and the Committee on Supervised Release.¹³ Her work on the Criminal Pattern Jury Instructions Committee helped accomplish a comprehensive rewrite of the Seventh Circuit's Criminal Pattern Jury Instructions in 2018.¹⁴ Since then, the

8. See *Judge Jane E. Magnus-Stinson*, *supra* note 4.

9. *Judge Jane Magnus-Stinson to Take Senior Status in Summer 2024*, IU ROBERT H. MCKINNEY SCH. OF L. (Sept. 11, 2023), <https://mckinneylaw.iu.edu/news/releases/2023/09/judge-jane-magnus-stinson-to-take-senior-status-in-summer-2024.html> [<https://perma.cc/4JGN-CM2L>].

10. See *Judge Jane E. Magnus-Stinson*, *supra* note 4.

11. See *Magnus-Stinson, Jane Elizabeth*, FED. JUD. CTR., <https://www.fjc.gov/history/judges/magnus-stinson-jane-elizabeth> [<https://perma.cc/9NKY-G5AZ>] (last visited Jan. 21, 2025).

12. Interview with Judge Jane E. Magnus-Stinson, U.S. District Court for the Southern District of Indiana (Jan. 22, 2025).

13. See *Judge Jane E. Magnus-Stinson*, *supra* note 4.

14. See *7th Circuit Seeking Public Comment on Jury Instructions*, THE IND. LAW. (Oct. 15, 2018), <https://www.theindianalawyer.com/articles/48392-th-circuit-seeking-public-comment-on-jury-instructions>.

Committee has continued to conduct periodic reviews to ensure the instructions remain aligned with evolving statutory and case law developments.¹⁵

On a national level for the federal courts, Judge Magnus-Stinson served on the National Pro Se Working Group of the Administrative Office of the United States Courts from 2019 through 2023.¹⁶ She also served on the Defender Services Committee of the Judicial Conference of the United States Courts from 2015 to 2022, including three years as the Chair of the Budget and Data Subcommittee from September 2019 through September 2022. “The mission of the Defender Services program is to ensure that the right to counsel guaranteed by the Sixth Amendment, the Criminal Justice Act (18 U.S.C. § 3006A), and other congressional mandates is enforced on behalf of those who cannot afford to retain counsel and other necessary defense services.”¹⁷ By fulfilling its mission, the Defender Services program helps to “maintain public confidence in the nation’s commitment to equal justice under the law” and also “ensure the successful operation of the constitutionally-based adversary system of justice by which both federal criminal laws and federally guaranteed rights are enforced.”¹⁸

During Judge Magnus-Stinson’s tenure on the Defender Services Committee, the 2017 Report of the Ad Hoc Committee to Review the Criminal Justice Act was released. This report is commonly known as the Cardone Report, named after the Honorable Kathleen Cardone, who was the Chair at the time of the Report’s release.¹⁹ Following two and half years of study, this comprehensive review of the Criminal Justice Act program made a unanimous recommendation to establish the federal system of public defenders as an independent entity, free from oversight by the Judicial Conference. While such a structural change requires congressional approval, the Cardone Report also outlined interim steps that the Judicial Conference could take to enhance the Sixth Amendment right to counsel without that approval. Although Congress has not yet acted on the Cardone Report’s ultimate recommendation to establish the federal system of public defenders as an independent entity, the Judicial Conference has moved forward with several of the interim measures that do not require congressional approval. During Judge Magnus-Stinson’s service, the Defender Services Committee played an integral role in helping to implement

15. See The Committee on Federal Criminal Jury Instructions of the Seventh Circuit, *The William J. Bauer Pattern Criminal Jury Instructions of the Seventh Circuit* (2023 Ed.), U.S. CT. OF APPEALS FOR THE SEVENTH CIR. (2023), https://www.ca7.uscourts.gov/pattern-jury-instructions/Criminal_Jury_Instructions.pdf.

16. Interview with Judge Jane E. Magnus-Stinson, U.S. District Court for the Southern District of Indiana (Jan. 22, 2025).

17. *Mission – Defender Services*, U.S. CTS., <https://www.uscourts.gov/about-federal-courts/defender-services/mission-defender-services> [<https://perma.cc/H6U7-W4Q7>] (last visited Jan. 21, 2025).

18. *Id.*

19. See CRIMINAL JUSTICE ACT REVIEW COMMITTEE, 2017 REPORT OF THE AD HOC COMMITTEE TO REVIEW THE CRIMINAL JUSTICE ACT (2018), *available at* <https://cjastudy.fd.org/>.

these recommendations, evaluating their impact, and continuing to advocate for the establishment of an independent federal defender commission.²⁰

Judge Magnus-Stinson has also served as the Co-Chair of the Remote Detention Working Group for the federal courts. Formed in 2022, the Remote Detention Working Group “provides a forum for regular communication among stakeholders, including representatives from the Judicial Conference Committees on Criminal Law and Defender Services, the Office of the Deputy Attorney General, and the U.S. Marshals Service, as well as federal defenders, CJA panel attorneys, and probation and pretrial services officers.”²¹ The goal of the Group is to address the unique challenges posed by geographically remote detention facilities housing federal pretrial detainees, which can lead to limited pretrial access to legal counsel, restricted availability of discovery materials, and reduced opportunities to utilize important community services.²² Under Judge Magnus-Stinson’s leadership, the Remote Detention Working Group has raised awareness among various stakeholders regarding the challenges presented by remote detention and the impact on constitutional rights that all stakeholders have sworn to uphold.²³

Judge Magnus-Stinson has also held impactful leadership roles outside of the judiciary. She served on the Board of Visitors for the Indiana University Robert H. McKinney School of Law from 1995 to 2024, when she transitioned to and remains an Emeritus Member.²⁴ During her nearly three decades of service, she collaborated with six deans, contributed to an ABA accreditation committee, and served on a Dean’s Search Committee.²⁵ She has also long been a dedicated educator, teaching trial advocacy to judges and lawyers, both nationally and internationally through the National Institute for Trial Advocacy and law students at IU McKinney. On a national scale, she was recently elected to serve as a new member of the American Law Institute (ALI), which is an independent organization that produces scholarly work to modernize and

20. See FEDERAL JUDICIAL CENTER, EVALUATION OF THE INTERIM RECOMMENDATIONS FROM THE CARDONE REPORT (2023), available at <https://www.fjc.gov/sites/default/files/materials/39/Evaluation-of-the-Interim-Recommendations-from-the-Cardone-Report-FJC-Website.pdf>.

21. *Defender Services – Annual Report 2022*, U.S. CTS., <https://www.uscourts.gov/data-news/reports/annual-reports/directors-annual-report/annual-report-2022/defender-services-annual-report-2022> [https://perma.cc/4GCK-MHQU].

22. Memorandum from Judge Jane E. Magnus-Stinson, Co-Chair of the Remote Detention Working Group, to Director Roslynn Mauskopf and Mr. Joshua Lewis, Seeking the Group’s Extension for Another Year (Oct. 17, 2023) (on file with author).

23. See *id.*; Memorandum from Judge Robert J. Conrad, Jr., Director, and Judge Jane Magnus-Stinson, Chair AO-DOJ Remote Detention Working Group, on Formation of Local Detention Management Committees (Dec. 16, 2024) (on file with author).

24. *IU McKinney Board of Visitors*, IU ROBERT H. MCKINNEY SCH. OF L., <https://mckinney.law.iu.edu/alumni/alumni-leadership/board-of-visitors/index.html> [https://perma.cc/WCP2-E6SC] (last visited Jan. 21, 2025).

25. Interview with Judge Jane E. Magnus-Stinson, U.S. District Court for the Southern District of Indiana (Jan. 22, 2025).

improve the law, including publishing the Restatements of Law, Model Codes, and Principles of Law.²⁶

Her extensive service extends to non-legal organizations as well. Judge Magnus-Stinson has served as the President of the Board of Big Brothers Big Sisters of Central Indiana, as a Member and Vice-Chair of the Wishard Memorial Foundation Board of Directors, and on the Board of Trustees of Butler University from 2013 to 2025.²⁷ In fact, the Butler University Alumni Association honored Judge Magnus-Stinson with the Robert Todd Duncan Alumnus Achievement Award in 2013.²⁸ In her capacity as a Trustee of Butler University, she was actively involved in committee work that supported both Butler students and faculty, and she initiated annual naturalization ceremonies on campus at Butler University's Clowes Memorial Hall.

As is apparent from this lengthy but incomplete list of examples, Judge Magnus-Stinson has had a career filled with impactful service to the state and federal courts, as well as to various boards, committees, and working groups. She has not let her busy docket prevent her from serving and leading. Instead, Judge Magnus-Stinson has intentionally made time to serve and lead groups that have allowed her to make a positive impact and create real change in a meaningful way.

Lesson three: Make time for mentorship.

Judge Magnus-Stinson has shown throughout her career that pouring time into others is always worthwhile. She has done this in an informal mentorship capacity with her judicial law clerks, her chambers interns (affectionately known as "Stinterns"), and even with attorneys who appear before her. Judge Magnus-Stinson does not hesitate to lend a listening ear or brainstorm ways to handle a tricky situation, when appropriate. It is clear to those who know her that she finds immense joy in watching other people find their true calling. Those who know Judge Magnus-Stinson well know that while she holds people around her to a high standard, the standard to which she holds herself is even higher. Her unique ability to form genuine and lasting connections with mentees is a true gift.

Judge Magnus-Stinson has also mentored newer attorneys in a more formal capacity by twice serving as the Moderator for IndyBar's Bar Leader Series, first from 2008–2009 and then again from 2023–2024. The Bar Leader Series is an intense year-long leadership development program designed specifically for early career professionals.²⁹ Participants must be in their third to tenth year of

26. *Elected Member, The Hon. Jane E. Magnus-Stinson*, THE AM. L. INST., <https://www.ali.org/profile/6319> [<https://perma.cc/GA9C-KRWQ>] (last visited Feb. 4, 2025); *About ALI*, THE AM. L. INST., <https://www.ali.org/about> [<https://perma.cc/SB5D-SPJF>] (last visited Feb. 4, 2025).

27. *See Judge Jane E. Magnus-Stinson*, *supra* note 4.

28. *Board of Trustees*, BUTLER UNIV., <https://www.butler.edu/about-butler/board-trustees/> [<https://perma.cc/5JGP-MYER>] (last visited Jan. 21, 2025).

29. *The Bar Leaders Series for Early-Career Professionals*, INDIANAPOLIS BAR ASS'N, <https://www.indybar.org/?pg=BarLeaderSeries> [<https://perma.cc/D5XD-S5L4>] (last visited Jan. 21, 2025).

practice, and the series prepares them “to take their places as both leaders in the legal profession and leaders in addressing needs of the community.”³⁰ Anyone who is familiar with the Bar Leader Series knows that only the most esteemed legal professionals in our community are chosen to serve as the Moderator of the program. There have been twenty-one sessions of IndyBar’s Bar Leader Series, and Judge Magnus-Stinson is the only person who has been chosen to serve as the Moderator for two separate classes. This alone is proof of the rare air she occupies as a beloved mentor throughout our legal community.

One powerful example of Judge Magnus-Stinson’s widespread influence was apparent at the Senior Status Celebration that the federal court held to honor her on June 28, 2024. On that day, people gathered in the packed ceremonial courtroom of the Birch Bayh Federal Building and United States Courthouse to celebrate her tenure before she became a Senior District Judge on July 1, 2024. The ceremony was attended by an impressive number of judges, dignitaries from state and federal government, attorneys from throughout the community, court staff, family, and friends.

Seventh Circuit Court of Appeals Judge Doris L. Pryor gave particularly poignant remarks, sharing a story about a little boy walking through his village with his father. The boy asked his father, “Dad, tell me what’s more powerful? Is it the warrior or is it the legacy?” The father leaned down to his son and whispered, “It’s the legacy of course. Because that is what extends beyond the tenure of the warrior.”³¹

Judge Pryor then asked those present in the courtroom to stand if they had ever served as a law clerk or chambers intern to Judge Magnus-Stinson; to stand if they had ever been coached by or hired because of Judge Magnus-Stinson; to stand if they had ever been tapped to speak, lead, or volunteer for an organization because of Judge Magnus-Stinson; to stand if they had ever called Judge Magnus-Stinson for advice and received just what they needed with nothing asked from her in return; and to stand if they had ever walked through a door of opportunity that would have been locked unless Judge Magnus-Stinson gave the key. By the end of those questions, almost every person in the packed courtroom was standing as sunlight streamed through the stained glass windows onto us. Many eyes held tears of joy and gratitude for the powerful visual showing Judge Magnus-Stinson’s true legacy, proudly standing in human form for all to see. As Judge Pryor aptly concluded, “This is the power of using your voice, using your influence, using your place to shape the community that we want to be a part of, where we live and, more importantly, the legacy that all of us desire to leave behind.”³²

30. *Id.*

31. Hon. Doris L. Pryor, Circuit Judge, U.S. Court of Appeals for the Seventh Circuit, Address at the Senior Status Celebration in Honor of the Honorable Jane E. Magnus-Stinson (June 28, 2024) (cleaned up).

32. *Id.*

The legacy of Judge Magnus-Stinson will certainly extend far beyond her tenure. It extends through the countless lives she has touched and the significant impact she has made in ways that have nothing to do with the cases that were assigned to her. What an eternal gift that she has given us all. For that, Judge Jane, we give you our heartfelt appreciation and promise to use the lessons you have taught us to also strive to make a positive impact.