

Jane Magnus-Stinson



Introduction

Jane Elizabeth Magnus-Stinson (born 1958) is a United States district judge for the [Southern District of Indiana](#). She is only the third woman to serve in this position for the State of Indiana.^[4] The fourth, Judge Tanya Walton Pratt, was unanimously confirmed on June 15, 2010. The two join Judge Sarah Evans Barker in the Southern District and Judge Theresa Lazar Springmann in the Northern District.^[8]

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Personal life

Jane Elizabeth Magnus-Stinson was born in La Crosse, Wisconsin in 1958. After her father, a serviceman, completed his undergraduate studies at the University of Wisconsin – La Crosse, the family moved to Illinois where he obtained his masters degree. It was in Mt. Prospect, Illinois, in

the suburbs of Chicago, that Judge Magnus-Stinson spent her childhood with her four siblings. After attending St. Raymond School, Judge Magnus-Stinson moved to the public high school, where she graduated 3rd out of a class of 568. During her junior and senior years in high school, Judge Magnus-Stinson served as the yearbook editor. She also followed her passion for music and spent a summer studying in England. While abroad, Judge Magnus-Stinson was impressed by her host family's happy life in a small and humble home, a sense of frugality that she has incorporated into her personal life.^[13]

Judge Magnus-Stinson is very proud of her family. Her husband Bill served as executive director of the Indiana State Fair from 1992 to 2004, and he currently serves as a new business developer for an architecture and engineering firm. They have two teenage daughters and are very involved with their daughters' CYO (Catholic Youth Organization) sport activities and speech team tournaments. Judge Magnus-Stinson also conducts a mock trial activity for their school that includes a reading of S.E. Hinton's *The Outsiders*. She explains, "My number one job is to be there for my girls."^[13]

Pursuing her love of music, Judge Magnus-Stinson sings in her church's choir, the Joyful Chorale. She also lectures. During basketball season, you will find Judge Magnus-Stinson at the Butler game. She and her family are all avid fans.^[13]

College and law school

Judge Magnus-Stinson studied at Butler University under a full tuition academic scholarship. As a college student, she was a member of Kappa Kappa Gamma, a women's fraternity from which she also received an academic scholarship in 1976.^[1] Judge Magnus-Stinson still stays in touch with her sorority sisters.^[13] She was also a member of the Phi Kappa Delta Scholastic Honorary Society from 1978 to 1979 when she graduated *cum laude* with a Bachelors of Arts degree in French and a secondary degree in business.^[1] Due to the number of Advanced Placement credits earned in high school, Judge Magnus-Stinson obtained her undergraduate degree in three years.^[13]

After working one year for National Underwriters, Judge Magnus-Stinson was eager for a change. A friend suggested that she try law school because of her political savvy. Following her decision to apply, Judge Magnus-Stinson studied from a LSAT-prep book at night while traveling for work.^[13]

In 1983, Judge Magnus-Stinson graduated *cum laude* from the Indiana University School of Law in Indianapolis. Professor Jeff Grove remembers Judge Magnus-Stinson as the "premier student in my Civil Procedure course at IU Law-Indianapolis." As a law student, Judge Magnus-Stinson won the American Jurisprudence Award for the top paper in Civil Procedure I and Labor Law in 1981 and 1983, respectively. Professor Grove added that, "This was a harbinger of many things to come. Since then, her accomplishments and honors have continued to pile-up. The intelligence, diligence, sound judgment and record of high achievement that defined her work at the law school have carried forward into her professional life." Professor Larry Jegen also remembers her well. "She was a very fine student and well liked by the faculty and students who knew her," Jegen said.^[2]

Early legal career

Private practice

While in law school, Judge Magnus-Stinson was convinced that she did not want to litigate cases. However, after doing transactional work as a clerk for Dann, Pecar, Newman, Talesnick, and Kleiman (now Benesch/Dann Pecar) in 1981, she decided otherwise.^[13] The following year, she clerked for Lewis, Bowman, St. Clair, and Wagner (now Lewis Wagner, LLP), joining the firm an associate and civil litigator upon being admitted to the bars of Indiana and the U.S. District Court for the Southern District of Indiana in 1983.^[1]

While the focus of her work was insurance defense, Judge Magnus-Stinson also provided representation in the areas of commercial litigation and domestic relations.^[1] She credits Robert Wagner, J.D. as a mentor who would invite her over for Thanksgiving dinner. As a young attorney at Lewis Wagner, Judge Magnus-Stinson gained a significant amount of trial experience. In just seven years, from 1983 to 1990, she tried 30 cases to verdict or judgment, approximately half as sole counsel.^[13]

Office of Governor Evan Bayh

In 1991, Judge Magnus-Stinson moved to the Office of Governor Evan Bayh, serving first as an executive assistant and then as counsel from 1991 to 1995. In 1994, she was promoted to Deputy Chief of Staff, providing direct legal counsel to Governor Bayh and state agency heads. During the legislative session, Judge Magnus-Stinson coordinated review of all legislation by the Budget Agency, outside counsel, and the Governor's staff, with ultimate responsibility for recommending whether the Governor sign legislation. Judge Magnus-Stinson also served as Governor Bayh's liaison to the Judiciary, the State Ethics Commission, the Office of the Attorney General, the Department of Insurance, the Alcoholic Beverage Commission, and the Hoosier Lottery, and as the Governor's designee to the Indiana Code Revision Commission, the Indiana Women's Commission, and the Indiana Sexual Harassment Task Force.^[1]

As counsel to Governor Bayh, Judge Magnus-Stinson also supervised major litigation against the Governor, the State of Indiana, and its agencies, consulting with lead counsel on trial strategy, reviewing pleadings, and authorizing settlements. At the Governor's request, Judge Magnus-Stinson managed the negotiation of the first collective bargaining agreements with state employee unions in the history of state government.^[1]

During her time with Governor Bayh's office, Judge Magnus-Stinson also conducted the preliminary screening process for appointments to fill judicial vacancies. More than 40 state judges were appointed during her tenure.^[1]

Notable cases

Tioga Pines Living Ctr. V. State Bd. of Public Welfare, 622 N.E.2d 935 (Ind. 1993)

In this class action lawsuit filed against the State Welfare Department, the nursing home industry challenged the reimbursement rates for nursing home care provided to Medicaid recipients. As the primary supervisor of outside counsel, Judge Magnus-Stinson boasted a success for the State at the Indiana Supreme Court level. ^[1]

Ferguson v. Modern Farm Sys. (Cause No. 85-160, Clinton Circuit Court 1985-1990, Hon. Jack O'Neill)

As associate counsel, Judge Magnus-Stinson represented one of several co-defendants in a negligence and product liability action. The plaintiff had fallen from a ladder affixed to a grain bin and been rendered a quadriplegic. This suit raised a new legal question about the applicable statute of limitations. Judge Magnus-Stinson had primary responsibility for drafting the summary judgment motion, which the trial court granted, and for successfully defending that decision on appeal. ^[1]

Marion Superior Court judge

Nomination

For twelve years, from 1995 to 2007, Judge Magnus-Stinson served as a judge of the Marion Superior Court, Criminal Court Six, major felony division. Initially appointed by Governor Evan Bayh to fill a vacancy, Judge Magnus-Stinson was subsequently elected in 1996 and 2002. ^[1]

Judgeship

During her time as a Superior Court judge, Judge Magnus-Stinson presided over every type of felony case, as well as serving as associate presiding judge of the Marion Superior Court's Executive Committee. ^[7]

Judge Magnus-Stinson also served as the supervisor of the Probation Department, working to assist offenders with their re-entry into society. This entailed not only programming in the areas of education and employment but also a mentoring program for young offenders: the Youth Empowerment Program (YEP). YEP matches volunteer mentors with youths 16 to 20 years old who have been convicted of an offense in the adult system. Founded in 2001, YEP operates out of several faith-based locations throughout the Indianapolis area. ^[1] As a former member and executive of the Big Sisters of Central Indiana program (now Big Brothers, Big Sisters of Central Indiana) from 1993 to 2002, Judge Magnus-Stinson fully believes in the value of positive role models for young adults. After outlining the three catalysts of youth crime (lack of a father figure, low school attendance, and drugs) Judge Magnus-Stinson stresses, "I cannot make a dad a dad, but I can keep a kid in school." She adds dismally, "Of the thousands of defendants in my courtroom [for the Marion Superior Court], not twenty had graduated from high school." ^[13] Mentors provide hope.

Notable rulings

State v. Halcomb (No. 49G06-0308-MR-136653 Marion Super. Ct. 2004)

In *State v. Halcomb*, Judge Magnus-Stinson made several important evidentiary rulings, allowing into evidence letters that the defendant wrote to his wife stating that a murder suspect could not be arrested or convicted should the victim's body not be found. Judge Magnus-Stinson also admitted evidence of the "stormy relationship" between the defendant and the victim. The jury convicted the defendant, and Judge Magnus-Stinson imposed the maximum sentence. ^[1]

State v. Walton (No. 49G06-9508-CF-112808, Marion Super. Ct. 1996)

State v. Walton was a highly-publicized case in which the defendant was an Indianapolis police officer charged with rape. Judge Magnus-Stinson made important and controversial evidentiary rulings, admitting two prior false accusations of rape made by the plaintiff but also excluding other examples of the alleged victim's dishonesty. The defendant was acquitted. The State appealed the ruling but the Indiana Supreme Court affirmed the decision based on the Sixth Amendment's Confrontation Clause. ^[1]

Federal Magistrate judge

Nomination

In January 2007, the U.S. District Court for the Southern District of Indiana appointed Judge Magnus-Stinson as a magistrate judge, a position she held until becoming a federal district judge in June 2010. ^[5] Judge Magnus-Stinson describes this elevation as a "huge honor," noting that the district judges who appointed her were balanced between the two political parties. ^[13]

Judgeship

As a magistrate judge, Judge Magnus-Stinson managed pre-trial proceedings on reference from the district judge. ^[1] She also started a program that provides legal guidance during mediation for settlement to pro se litigants who may be unfamiliar with legal terms or procedures. This program also provides opportunities for young lawyers to gain experience. Judge Magnus-Stinson explains the importance behind this program, "We [judges] swear to do justice to the poor and rich alike. We have to help the poor. Not to be unfair but to reach those who do not tap into the system because of language they do not know or a system that is too cumbersome." ^[13]

Notable rulings

State Farm Mut. Auto. Ins. Co. v. Buchanan (1:08-cv-100, 2009 WL 4728019, S.D. Ind. Dec. 03, 2009)

State Farm filed this declaratory judgment action to avoid coverage for an accident in which the defendant, in a delusional and psychotic state due to failure to take his prescribed medication, had been driving the car of his estranged girlfriend. After concluding that the defendant did not have actual or implied permission to drive the vehicle, Judge Magnus-Stinson ruled that State Farm had no obligation to defend or indemnify the defendant. ^[1]

Murray v. Conseco, Inc. (1:03-cv-1701, S.D. Ind. 2009)

Judge Magnus-Stinson resolved frequent and highly-charged discovery disputes in this fraud case over a period of several years. In a key ruling, Judge Magnus-Stinson recommended and the district judge imposed sanctions against the plaintiff for creating “fraudulent conveyances to hide assets in the event of an adverse judgment.” She was ultimately able to successfully bring the parties to a settlement. ^[1]

Federal District judge

Nomination and confirmation

In November 2008, Judge Magnus-Stinson expressed her interest in the vacancy on the federal bench arising from Judge Larry J. McKinney’s announcement of senior status, a form of semi-retirement for [United States federal judges](#). Judge McKinney took senior status on July 4, 2009. In August 2009, the Department of Justice contacted Judge Magnus-Stinson. Following a series of interviews with officials and attorneys from the Department of Justice and the Office of White House Counsel, President Obama nominated her to the United States Senate on January 20, 2010. ^[5] The American Bar Association rated Judge Magnus-Stinson as “Unanimously Well Qualified.” ^[9]

Judge Magnus-Stinson was one of five candidates nationwide to be nominated to the U.S. District Court on January 20th. “I am honored to nominate these five distinguished candidates to the United States District Court bench,” said President Obama. “They represent some of the best in American jurisprudence and they will serve the American people with integrity. I am grateful for their commitment to public service and look forward to their appointment to the federal bench.” ^[5]

Both U.S. Senators from Indiana, Richard Lugar and Evan Bayh, supported her nomination. ^[3] “Today, we take a historic step in creating a more diverse federal judiciary in our state.” Bayh said, announcing his nomination of Tanya Walton Pratt and Jane Magnus-Stinson for the Southern District of Indiana and Jon DeGuilio for the Northern District of Indiana. “These highly qualified individuals have impeccable records and rich backgrounds that will help move us closer to our goal of realizing equal justice under law.” Bayh added, “Mr. DeGuilio, Judge Magnus-Stinson and Judge Pratt have each shown themselves to be deserving of the public trust. They have demonstrated the highest ethical standards and a firm commitment to applying our country’s laws fairly and faithfully. They know their job is to interpret our laws, not write them.” ^[10]

Judge Magnus-Stinson underwent a hearing before the [United States Senate Committee on the Judiciary](#) on February 11, 2010, which voted to forward her nomination to the full Senate on March 11, 2010. The Senate unanimously confirmed Judge Magnus-Stinson as a Federal Judge for the Southern District of Indiana in a voice vote on June 7, 2010. She received her commission two days later and was sworn in on June 14, 2010. ^[3] Chief Judge Richard L. Young administered the oath at the Birch Bayh Federal Building and United States Courthouse in Indianapolis. “She’s one of the most qualified we’ve had in some time, and has touched all the judicial bases,” Chief Judge Young said. ^[8]

Though she remained confident throughout the process, Judge Magnus-Stinson expressed the news of her confirmation as a “wave,” a “huge physical sense of relief and joy.” ^[13]

Dean Gary R. Roberts of the Indiana University School of Law – Indianapolis praises his school’s alumna: “Having worked with her in a variety of capacities, especially in her role as a leader and ambassador for our law school during the time she headed up our Board of Visitors, I know her to have that rare combination of qualities that makes for an exceptional judge – great intelligence, balance, temperament, and empathy” he says. “I can’t think of anyone I’d rather have on the bench dispensing justice than Judge Magnus-Stinson.” ^[4]

Magnus-Stinson explains her motivation as a judge: “What do you live for? Kids today are going to law school for public interest law, not for the big bucks. It is ok to live modestly, drive a used car. Then, you can do the work that is so satisfying, help your fellow man...It feels good to have a job that challenges, that is interesting. The beauty of my job is that you meet so many types of people, types of cases. Judge Frank Easterbrook puts it best: we [judges] are ‘busy generalists.’” She adds, “Just coming into the building [the Birch Bayh Federal Building and United States Courthouse] makes you feel dignified, of a higher meaning. It places the importance of what you are doing for people.” ^[13]

Other activities and associations

Bar associations

Judge Magnus-Stinson has led a multitude of groups throughout her legal career. She has been an active member of the Indianapolis Bar Association (IBA), including serving as Vice-President (2004), Chair of its Pro Bono Standing Committee (2004 to 2006), Co-chair of its Professionalism Committee (2007), and Moderator of its Bar Leader Series (2008 to 2009). In all, Judge Magnus-Stinson expanded the IBA’s pro bono offerings to include new practice areas such as assistance to guardians ad litem and the elderly poor. She also helped rewrite the IBA’s Tenets of Professionalism, which had not been revised since the 1980s. ^[1]

Also a member of the Indiana Judges Association, Judge Magnus-Stinson served as the Chair of the Criminal Pattern Jury Instructions Committee from 1998 to 2003. Together, the group of judges from throughout Indiana wrote a complete revision of the Indiana Criminal Pattern Jury Instructions in “plain English,” simplifying and clarifying the language so that the directions would be easily understood by jurors. ^[1]

Judge Magnus-Stinson has also led the Indiana Judicial Conference as Chair of the Judicial Education Committee and Director, the Indiana State Bar Association as Chair of its Federal Judiciary Committee, and the Sagamore American Inn of Court as Bencher / Master. She is a member of the Marion County Bar Association and the Seventh Circuit Bar Association.

Teacher

Judge Magnus-Stinson is a frequent teacher of students, lawyers, and judges. She served as adjunct faculty at the Indiana University School of Law – Indianapolis for its Trial Practice Course from 1988 to 1995 and 1999 to 2000. In addition, Judge Magnus-Stinson taught criminal procedure at bar review courses from 1995 to 2001.^[1] Throughout her legal career and especially as a judge, she has frequently lectured at continuing education seminars for legal professionals and trial advocacy trainings on both a national and international basis.^[3] Judge Magnus-Stinson does not hesitate to explain why she teaches, “We want lawyers and judges to be good at what they do, to help everyone. There is a right way to do it. Therefore, there is also a right way to teach.”^[13] As a recently confirmed district judge, Judge Magnus-Stinson hopes to continue teaching legal courses and seminars.^[1]

Volunteer

Judge Magnus-Stinson has always maintained a commitment to service. Upon graduation from law school in 1993, she joined Big Sisters of Central Indiana, rising from Director to President in 1998 and then working with the Community Advisory Council from 2000 to 2002.^[1] Judge Magnus-Stinson credits her friend and mentor, Jean Blackwell, for encouraging her to join one of her most treasured organizations.^[13]

From 1994 to 2005, Magnus-Stinson also made time to serve on the board of the Wishard Memorial Foundation (now the Wishard Foundation), rising to the position of Vice Chair in 2004.^[1] She especially values the hospital’s outreach to the needy residents of Marion County during this time.^[13]

Most impressive is Judge Magnus-Stinson’s commitment to her alma mater: the Indiana University School of Law – Indianapolis. Since 1995, she has served on the Board of Visitors, holding a number of positions from Secretary (from 2005 to 2006) to Vice-Chair (2007) and Chair (from 2007 to 2009) to member of the ABA Accreditation Self-Study Committee (2008-2009).

Awards and honors

Judge Magnus-Stinson has received numerous accolades for her work in both private practice and public service. In 2007, she won not only the Women in the Law Recognition Award from the Indiana State Bar Association but also the Governor’s Award for Excellence in Service from Governor Mitch Daniels.^[1] The Women in the Law Achievement Award recognizes those who have helped advance women in the legal profession or served as role models or mentors.^[11]

In 2006, Judge Magnus-Stinson received the President’s Award for Service to the Profession from the Indianapolis Bar Association. She also was one of only five judges from Indiana to be named one of the 500 Leading Judges in America, as ranked by Lawdragon, Inc., a publisher of print and online legal news and lawyer profiles and rankings.^[2] The Lawdragon 500 is a list of the 500 best public and private judges in the United States, chosen from every level of the federal, state, and specialized courts. It includes input from legal professionals all over the county as well as independent research.^[12] Judge Magnus-Stinson was the only state trial judge in Indiana to make the list.^[2]

Other awards for Judge Magnus-Stinson include the Outstanding Judge Award from the Indiana Coalition Against Domestic Violence in 2005 and the Outstanding Service Award from the Indiana Coalition Against Sexual Assault in 2002. Her service to the people of Indiana has also been recognized by the top levels of our state government. Governor Bayh awarded Judge Magnus-Stinson the “Sagamore of the Wabash” award in 1995.^[1] The Sagamore of the Wabash is one of the highest honors the Governor of Indiana can bestow to recognize distinguished service to the State of Indiana or to the governor.

Published Writings

Articles

- *Best Settlement Practices Through the Eyes of a New Magistrate Judge*, NEWSLETTER OF THE INDIANAPOLIS CHAPTER, SEVENTH CIRCUIT BAR ASSOCIATION (June 2008)
- Sidebar Column: *Top Ten Tips for Young Lawyers* YLS NETWORK (published by Young Lawyers Section, Indiana State Bar Association) (Winter 2008)
- Letter to the Editor, *County Needs Fair Deal for Court Officers*, INDIANAPOLIS STAR (Oct. 4, 2005)
- *Blakely in Indiana: Is Smylie the Beginning or the End?* INDIANA STATE BAR ASSOCIATION CRIMINAL JUSTICE SECTION NEWSLETTER (May 2005)
- Note, *The Continuing Vitality of Louisville Joint Stock Land Bank v. Radford, Persuasive Authority for Cases Declaring Retroactive Application of the Bankruptcy Code Unconstitutional*, 15 Ind. L. Rev. 593 (1982)

Policy statements

- [*Standards of Professionalism*](#), Indianapolis Bar Association, (Oct. 2007)
- Revision, *Indiana Criminal Pattern Jury Instructions*, INDIANA JUDGES ASSOCIATION (available on Lexis and other legal research tools) (2003)

“See also” for Wikipedia

See also

- [United States District Court for the Southern District of Indiana](#)
- [Sagamore of the Wabash](#)

External links

- [Biography of Magnus-Stinson](#)
- [Jane Magnus-Stinson](#) at the [Biographical Directory of Federal Judges](#), a [public domain](#) publication of the [Federal Judicial Center](#).
- [Jane Magnus-Stinson on Judgepedia](#)

- [Lawdragon 500 Leading Judges in America \(2006\)](#)
- [List of Southern District of Indiana judges](#)
- [Magnus-Stinson's Public Questionnaire](#)
- [Youth Empowerment Program](#)

References

- ¹ [US Senate Committee on the Judiciary: Questionnaire for Judicial Nominees](#), January 18, 2010
- ² [Indy Law School Headlines Jane Judge Magnus-Stinson, '83 Named U.S. District Court Magistrate](#), September 14, 2006
- ³ [Judges and Courtrooms: Judge Jane E. Magnus-Stinson](#), June 16, 2010
- ⁴ [Indy Law School Headlines Hon. Jane Magnus-Stinson '83 Unanimously Confirmed as Federal Judge](#), June 9, 2010
- ⁵ [White House Press Release "President Obama Nominates Five to Serve on the United States District Court Bench"](#), January 20, 2010
- ⁶ [White House Press Release "Presidential Nominations Sent to the Senate"](#), January 20, 2010
- ⁷ [Senator announces 3 federal judge nominees](#), January 1, 2010
- ⁸ [Court excited about magistrate's elevation](#), June 8, 2010
- ⁹ [Judicial Nomination Materials: 111th Congress](#)
- ¹⁰ [Bayh Press Release Senator Bayh Makes Historic Judicial Announcements](#), January 18, 2010
- ¹¹ [Indiana State Bar Association Articles Achievement Award Nominations Sought](#) June 19, 2010
- ¹² [Lawdragon The Lawdragon 500: Leading Judges in America](#), 2006.
- ¹³ Magnus-Stinson, Judge Jane. Personal interview. 24 June 2010.

Legal offices	
Preceded by Judge Larry J. McKinney	United States District Judge for the Southern District of Indiana 2010-present
Preceded by Judge V. Sue Shields	United States Magistrate Judge for the Southern District of Indiana 2007-2010
Preceded by	Judge of the Marion Superior Court, Criminal Court Six, major felony division 1995-2007

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