

Randall T. Shepard



Introduction

Randall T. Shepard (born 1946) is Indiana's longest-serving supreme court chief justice. He retired from the bench on March 23, 2012. In his career, Shepard has been not only a dominant judicial figure in the state but also a legal author, law professor, historic preservationist, and arts supporter.

Justices of the Indiana Supreme Court, published by the Indiana Historical Society Press, includes a description of Shepard's legal career. Kevin W. Betz, a former Shepard law clerk, co-authored the chapter on Shepard with Kristin Lamb and Amelia Deibert. ^[1]

Shepard currently serves as a senior judge on the Indiana Court of Appeals.

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Personal life

Randall Terry Shepard was born on December 24, 1946 in Lafayette, Indiana but spent most of his formative years in Evansville, Indiana. Shepard's parents grew up near Chicago, meeting while students at DePaul University. After his service in the Second World War, Shepard's father took an executive position with Sears, which moved the family to many cities, including Lafayette. ^[3]

In 1956, the first McDonald's franchise opened up in Joliet, Illinois—where the Shepards were then living. ^[4] On Sunday evenings, the Shepard family enjoyed watching the crowds and food preparation at McDonald's. In 1959, when there were less than 100 McDonald's in the country, the Shepards opened up their first restaurant at an available franchise location: Evansville. ^[4] The family would eventually own 12 McDonald's in Indiana and Kentucky. Shepard's first job, when he was 13 years old, was making milkshakes and French fries at his family's McDonald's. ^[3]

Shepard is an Eagle Scout and has received the Distinguished Eagle Scout Award. Growing up, he also swam for the YMCA. Shepard attended Old Central for one year until Harrison High School opened in Evansville in 1962. In high school, Shepard was editor of the student newspaper and a member of the student council, debate team, and thespian society. He played the lead role, Petruchio/Fred Graham, in his school's 1964 production of "Kiss me Kate." ^[3]

A seventh-generation Hoosier of mostly English, German, and Irish descent, Shepard's roots trace back to 1720 Virginia, 1813 Kentucky, and 1820 southern Indiana. His "3 greats grandfather Shepard" voted "yes" for the Indiana Constitution in 1851. The family genealogist since age 12, Shepard has maintained intricate records of his family's history, including letters from 17th century Scotland. ^[3]

Shepard's connection to Evansville is unmistakable. An honorary director of the Evansville Vanderburgh School Corporation, Shepard was behind the idea that led to the creation of the Randall T. Shepard Academy for Law and Social Justice in 2010, a two-year program that integrates social studies and English curriculum for juniors and seniors who are interested in law and social justice. The half-day program, housed in Shepard's alma mater, Harrison High School, is open to any student in the area and provides college credit as well as off-site learning opportunities. Students may visit the Indiana Statehouse and Evansville and Vanderburgh County government facilities, meet Chief Justice Shepard, attend guest lectures, publish original research, intern with law firms, and interact with mentors.

In April 2011, the Evansville Bar Association honored Shepard by dedicating a newly restored courtroom in the Old Vanderburgh County Courthouse as the "Randall T. Shepard Courtroom." The dedication took place during the 100th Anniversary Celebration of the Evansville Bar Association. Through a statement, Shepard said, "I am proud to be an Evansville lawyer. I take great cheer in this 100th anniversary of our Association's founding and in the projects chosen to commemorate it. I am deeply beholden to you for the thoughtfulness of designating the gloriously restored courtroom in my name." ^[5]

Shepard is married to Amy W. MacDonell. They have one daughter, Martha, and live in the Golden Hill Historic District of Indianapolis.

College and law school

After graduating from Harrison High School in 1965, Shepard attended Princeton University, where he earned an A.B., *cum laude*, and a Certificate in Urban Affairs from the Woodrow Wilson School of Public and International Affairs in 1969. Governor Mitch Daniels, a classmate, and Shepard soon became close friends. Three years later, Shepard earned his J.D. from Yale. At Yale, Shepard was a classmate of future President Bill Clinton and future Secretary of State Hillary Rodham Clinton. U.S. Supreme Court Justice Clarence Thomas was two years ahead.^[6] Shepard has remained active with his alma maters, serving on the Princeton Class of 1969 Board of Governors and teaching as an adjunct professor.

In 1995, while serving as Chief Justice, Shepard also earned an LL.M. from the University of Virginia Law School. Shepard pursued his master's degree to become "a better lawyer and a better judge" and "reexamine various topics and get introduced to new ones."^[3] In his thesis, *Campaign Speech: Restraint and Liberty in Judicial Ethics*, 9 GEO. J. LEGAL ETHICS 1059 (1996), Shepard defended restraints on judicial conduct in campaigns and in other areas of judicial life by pointing to a future litigants' interest in due process. Frank Sullivan, Jr., retired-Justice and Professor at the Indiana University Robert H. McKinney School of Law, describes Shepard's thesis as the one, "of all the things he's written, that I admire the most." Shepard's thesis was cited by both the concurring opinion of Justice Kennedy and the dissenting opinion of Justice Ginsburg in the United States Supreme Court's landmark decision on judicial campaign speech: *Republican Party of Minn. v. White*, 536 U.S. 765, 793 (Kennedy, J., concurring), 816–17 (Ginsburg, J., dissenting) (2002). Shepard has continued his research on judicial selection and retention. In 2012, he co-authored an article, "A Troubling Effort to Politicize Courts" with the Honorable Ruth McGregor, Chief Justice of the Arizona Supreme Court, in *The National Law Journal*.^[7]

Early legal career

U.S. Department of Transportation

After graduating from law school in 1972, Shepard was chosen to participate in the Honors Program for Young Lawyers with the Department of Transportation ("DOC") in Washington, D.C. Arriving in D.C. a few weeks after the Watergate burglary, Shepard became Special Assistant to the Under Secretary of Transportation when the previous undersecretary, Egil "Bud" Krogh, Jr., was indicted and the General Counsel of the Honors Program, who had recruited Shepard, became the new undersecretary and invited Shepard to be his assistant.^[3]

City of Evansville

In 1974, Shepard returned home to serve as Executive Assistant to then-Mayor of Evansville, Russell G. Lloyd, "one of the great mentors of [his] life."^[3] Shepard met Lloyd, then a brain

trust for County Chairman (later Indiana Governor) Robert D. Orr, in the Republican headquarters while working on U.S. Representative Roger Zion's 1966 campaign. Later, Shepard ran twice to represent Evansville in the Indiana House of Representatives and, when Lloyd did not seek a third term in 1979, sought to become his successor.

Shepard's loss in that race turned out to be boon for his judicial career and Indiana. "No doubt," Shepard says. "It didn't seem like a very good idea at the time."^[8]

Vanderburgh County Superior Court Judge

In 1980, a friend suggested that Shepard apply for the Vanderburgh Superior Court judgeship. Shepard initially dismissed the idea, figuring he was too young and inexperienced. That November, though, Shepard won the job, a position that just five years later would lead to his appointment to the state's highest court.^[8] Shepard was judge of the Vanderburgh County Superior Court from 1980 to 1985. While on the court, Shepard served one year as Director of the Evansville Bar Association.

Indiana Supreme Court Justice

Nomination

Governor Orr, who had once represented Evansville in the state Senate, appointed Shepard as Indiana's 99th supreme court justice in 1985. Two years later, when then-Chief Justice Richard Givan retired, the Indiana Judicial Nominating Commission chose to elevate Shepard to the position. At that time, Shepard was just 40, the youngest chief justice in the nation.^[8] A member of the Commission later said: "We thought [Justice] Pivarnik would get the job, but when we interviewed Randy, he just knocked all of our socks off."^[1] Accepting his new responsibilities in a ceremony at the Old Vanderburgh County Courthouse, Shepard remarked:

We want to be a court known widely for the clarity of its thinking, the common sense and humanity of its decisions, and the excellence of its writing. We want to be a court so well regarded that judges in other states, when considering the toughest legal issues of our time, will be led to look at each other and ask: "I wonder what Indiana has done about this?"^[2]

Shepard is the longest-serving Chief Justice of Indiana and longest-serving leader of a state's high court in the nation with a string of five consecutive five-year terms.^[2, 9]

In the course of his career, Shepard has transformed the panel he leads and the job he fills.

Judgeship

As a justice, Shepard authored 917 majority opinions that have been cited more than 700 times by appellate courts of other states.^[2] He has also been a prolific author in bar journals and historical periodicals and published over 50 law review articles.^[1]

In a tribute published in 2012 in the *Indiana Law Review*, Chief Justice Dickson—Shepard’s successor to the post wrote:

Notwithstanding his extremely significant contributions to the law and jurisprudence of our state and nation, perhaps Randy Shepard’s most lasting and noteworthy achievements have been in the institutional and programmatic changes resulting not only from his own passion and innovation, but particularly as a result of his own remarkable management style that motivates, encourages, empowers, and inspires others to assume responsibility and to achieve. . . . The result, of course, has been enormous creativity, productivity, satisfaction, and loyalty achieved in the staff and supervisors responsible for the court’s numerous administrative functions.^[2]

Notable cases

Shepard’s cases have been marked by his fair and collegial approach and dedication to the Indiana Constitution.

State Election Board v. Bayh, 521 N.E.2d 1313 (Ind. 1988)

Retired-Justice Sullivan notes that Shepard set a nonpartisan tone from the beginning when the court decided *State Election Board v. Evan Bayh*. The Indiana Republican party challenged the residency of Evan Bayh, the Democratic Party’s candidate for governor. Although there were four republicans and one democrat on the bench, the court’s decision was unanimous: Bayh had met the state constitution’s residency standard.^[8] Shepard authored the opinion, deciding against Governor Orr, who had appointed him to the Court and also initiated the case.^[1] It affirmed to the public, Sullivan says, that the court followed laws, not politics: “That’s been a lot of the spirit of the place, I’m grateful to say.”^[8] Joel Schumm, Professor at the Indiana University Robert H. McKinney School of Law, calls Shepard a “trailblazer” who has transformed Indiana’s court into one that is “nationally respected for their thoughtful and well-reasoned opinions.”^[8]

Cooper v. State, 540 N.E.2d 1216 (Ind. 1989)

Shepard and Sullivan point to another high-profile decision: the case of Paula Cooper.^[8] Cooper was 15 when she and three other teens stabbed a 78-year-old Bible teacher 33 times, killing her. Cooper pled guilty to murder, and the trial court sentenced her to death. When the case came before the Indiana Supreme Court, Ms. Cooper’s advocates included Pope John Paul II and an array of national and international associations.^[1] Shepard wrote the unanimous opinion, holding that the imposition of the death sentence on a 15-year-old girl murderer constituted “cruel and unusual punishment.” The New York Times wrote in its editorial page,

“[T]he court deserves credit for a wise and courageous decision.” Shepard recalls CBS News anchor Dan Rather standing in front of the Eiffel Tower in Paris and telling the world of the court’s decision.^[8] Cooper remains behind bars, but she could be released as early as 2013. Sullivan said it was only the first of many ways Shepard led efforts to make sure the death penalty is administered fairly in this state. According to Sullivan, Indiana has not faced the same scrutiny and questions about the fairness of the death penalty process as other states because of Shepard’s efforts.^[8]

Price v. State, 622 N.E.2d 954 (Ind. 1993).

Following a noisy neighborhood party and a face-off with the police, Colleen Price told a police officer “Fuck you” in a loud voice. She was convicted of disorderly conduct on the basis of her statements to the officer. In the end, the Indiana Supreme Court reversed Price’s conviction because no particular individual was much harmed by her words. Shepard’s opinion has been described as Indiana’s *Marbury v. Madison*. See Patrick Baude, *Has the Indiana Constitution Found Its Epic?*, 69 IND. L.J. 849, 849–50 (1994). Pat Baude, former Professor of Law at the Indiana University Maurer School of Law, compared *Price* with *Marbury* for two reasons: First, the *Price* case was the first Indiana decision to reflect seriously on the purpose and nature of the Indiana Constitution. *Id.* at 849. Second, although *Price* could have been a simple statutory case, the court used the occasion to articulate a major theory of freedom of expression, derived from its interpretation of the Indiana Constitution. *Id.*

Increased focus on civil cases

Shepard encouraged and supported the Indiana Legislature’s constitutional amendments to modernize the jurisdiction of the supreme court, enabling it to act as a court of discretionary review and thereby address a greater number of civil issues. When Shepard joined the court in 1985, 93 percent of the cases the court ruled on were criminal cases partially because every case in which a defendant received a sentence of at least 10 years automatically went to the supreme court. Shepard recalls his office filled with stacks of cases involving child custody, wrongful termination, and insurance questions, each “waiting their turn, and the line was about two years long.” The constitutional amendments required that only death penalty cases bypass lower appeals courts. The result, Shepard says, is a court caseload that now is split evenly between criminal and civil issues and gives the court the time to write well-developed opinions.^[3, 8]

Additional accomplishments

Shepard brought additional innovations to the court. In 1989, Shepard made a call to reinvigorate the state’s constitution; now more lawyers make arguments based on the Indiana Constitution in addition to the U.S. Constitution.^[1] See *Second Wind for the Indiana Bill of Rights*, 22 IND. L. REV. 575 (1989).

Shepard also increased public interaction with the court by holding more oral and traveling arguments, webcasting the court’s sessions, and providing electronic access to Court news and decisions. Shepard cites increasing a citizen’s trust in the judiciary as the motivating purpose: “I

do believe seeing it happen does convey a more favorable sense of how judges really do this work.” Rather than a 60-second news spot, a citizen is able to watch the complete, unedited argument. He adds that attorneys are able to observe the kinds of questions and answers that pertain to a legal issue. Shepard’s “favorite moment” of the webcasting process was when reporters from *The Times of Northwest Indiana* were able to avoid the time and expense of traveling to Indianapolis and provide local, better news coverage by watching the argument in real-time online rather than hoping the *Associated Press* would cover the story. ^[3]

With less than 100 of two million cases filed in Indiana reaching the supreme court every year, Shepard also pushed to empower the trial courts “to do the best that can possibly be done.” This included the adoption of technology and alternative rules of resolution, a statewide pro bono program that is a model for other states, and rules to encourage jury involvement and understanding of the process. Another achievement was legislation that increased pay for Indiana judges from the lowest to the median, resulting in a restoration of judicial morale and productivity. ^[1, 2]

Commitment to diversity

Shepard’s commitment to improving diversity in the legal system has become legacy. Under Shepard’s leadership, in 1997 Indiana became the first state in the nation to have its own program to assist minority, low-income, or educationally disadvantaged college graduates pursuing law degrees. ICLEO (“Indiana Conference for Legal Education Opportunity”) each year supports a class of about 30 incoming law students who demonstrate need. “The legal profession, like many other walks of life, was a place where, maybe perhaps two generations ago, it was very difficult for African-Americans and Latinos to gain access,” Shepard explains. “A long objective has been to create a profession that is open to people of all races and ethnic backgrounds to effect the sort of transformation that has likewise occurred with men and women.” ^[10] Greeting ICLEO visitors online, Shepard writes “Our ultimate goal is to have law school classes as diverse as any Hoosier neighborhood.” ^[11]

In 2008, Shepard was presented the Diversity in Practice Award by the *Indiana Lawyer*, recognizing those in the legal community who have demonstrated a commitment to diversity and inspired others to work for diversity as well. ^[1] In May 2012, several hundred friends, colleagues, and dignitaries gathered for a gala in Shepard’s honor that had the dual purpose of establishing a namesake fund through the Indiana Bar Foundation. The Randall T. Shepard Fund for Diversity in the Legal Profession will support ICLEO as well as promote the goals of the commission and diversity efforts of local and state bar associations. ^[10]

Collaboration with state and local government

As a judge, Shepard maintains a warm, cordial, and approachable relationship with legislators and executive officers, regardless of political affiliation.

In 2007, and to the applause of many, Governor Mitch Daniels named Shepard and former Governor Joseph E. Kernan as co-chairs of the Indiana Commission on Local Government Reform. The commission studied how local governments operate and recommended steps

toward better efficiency.^[12] It also resulted in 27 proposals— some of which have been enacted into law.^[1, 2, 9]

Shepard, with Lieutenant Governor Becky Skillman and Indiana Attorney General Greg Zoeller, also recently led an effort to reduce the number of mortgage foreclosures in Indiana.^[9] “You don’t see the strength of leadership of a co-equal branch of the judiciary like we have here. I don’t know that people recognize that, but it’s incredibly valuable and important in a way that people wouldn’t recognize unless you go around to other states and see the difference,” Zoeller said. “That strength of leadership is really a remarkable thing that will be part of his legacy.”^[9]

National judicial leader

Shepard is widely viewed as one of the most prominent judges in the nation.

From 2006 until 2009, Shepard served on the U.S. Judicial Conference Advisory Committee on Civil Rules as an appointee of United States Chief Justice John Roberts—a unique honor for a state court justice. His other involvement with the U.S. Judicial Conference includes serving on the Committee on Federal-State Jurisdiction from 1997 to 2003.

He also served many years with the Executive Committee of the Conference of Chief Justices, leading the group as President from 2005 to 2006. That year, he also chaired the National Center for State Courts.

Shepard has been a leader within the American Bar Association: serving on the Joint Commission on Revising the Code of Judicial Conduct (2003–2005) and Commission on Multi-Jurisdictional Practice (2001–2003). In the late nineties, Shepard chaired the Council of the Section for Legal Education and Admissions to the Bar, which governs accreditation for all law schools in the country, and the Appellate Judges Conference.

In 1994, Shepard co-founded the Indianapolis American Inn of Court.

Additionally, since the eighties, Shepard has served on the Board of the Directors for the Judicial Conference of Indiana and the Indiana Judges Association.

Retirement

On December 7, 2011, Shepard announced he would retire from the Indiana Supreme Court. That the Shepard era was coming to an end surprised many because Hoosiers had voted to retain Shepard until at least 2018 and, by law, Shepard did not need to retire for a decade. But with his five-year term as chief justice finishing up in March 2012, Shepard said he decided it was time to start a new chapter in his life.^[13] “Anniversary dates like the end of a term in public office inevitably prompt thinking about whether you should ask to be re-upped and carry on, or move off in some new direction and give someone else a chance for such a great opportunity,” Shepard said. For Shepard, it felt like it was time to step down. While Shepard could have stepped down as chief justice and remained on the court as an associate justice, as some predecessors did, Shepard said, a “clean break” seemed better.^[8]

On January 11, 2012, in his 25th and final State of the Judiciary to a joint session of the Indiana General Assembly, Shepard reflected on the progress of the state's courts system. "Over time, Indiana's courts have become less like a collection of lone rangers and more like a group of colleagues with a common purpose," he told the Indiana General Assembly. He pointed toward better courts-related programs for children and domestic violence victims, a wider range of sentencing options beyond prison and probation, and reforms including the new Indiana Rules of Evidence booklet and the Plain English Jury Instructions. In addition, Shepard praised increased professional development for judges and increased national recognition for Indiana opinions. At the end of his address, Shepard received a standing ovation from both sides of the aisle. ^[14]

Three days before his official retirement, Shepard's judicial colleagues, former law clerks, governors, mayors, legislators, presidents of local, state and national bar associations, and many more packed the supreme court chamber for a send-off ceremony. Two U.S. Supreme Court justices—Clarence Thomas and Elena Kagan—sent messages of respect. Shepard was praised as a nonpartisan gentleman who respected others' opinions and the court's traditions while seeking innovation and reform. ^[13]

At the ceremony, Governor Mitch Daniels said it was as hard to think of the court without Shepard as it was to think of the Indianapolis Colts without Peyton Manning. Indiana was lucky, Daniels said, that Shepard lost the election in 1979 to be mayor of Evansville and instead began a career on the bench. "I betcha everyone in this room believes Indiana got the better end of that bargain," Daniels said. ^[13]

Echoing his vision for Indiana's judiciary when he first became Chief Justice, Shepard thanked those in attendance who helped bring Indiana to the forefront:

It is plain to see that this is a profession, a judiciary, with reform in its heart, one that (is) maybe rarely first and occasionally last but is frequently early; whose players have their eyes on the horizon and their feet planted firmly on Indiana ground. And, yes, one that leads reformers in other states confronting the toughest legal challenges of the day sometimes to turn to each other and ask, "What do you suppose Indiana has done about this?"

Knowing Indiana's achievements were the result of a collective effort, Shepard added, made it easy for him to leave with confidence that the state would "move ahead inexorably to things we haven't even thought about." ^[13]

Shepard retired March 23, 2012. Daniels appointed Mark Massa to take Shepard's seat on the Court. ^[15]

Senior judge

Shepard currently serves as a Senior Judge at the Indiana Court of Appeals. He also serves as a director of Justice At Stake, a national organization that advocates for impartial courts untainted by campaign contributions. In addition to his role as executive-in-residence with the McKinney SPEA program and ABA legal education task force, Shepard is a director with Old National Bank.^[3]

Other activities and associations

While leading the state courts of Indiana for more than two decades, Shepard has also been an active force in historic preservation, the arts, and education.

Historic preservation

Shepard is a national and state advocate for historic preservation, a passion he shares with his wife Amy. Currently, Shepard serves as trustee emeritus of the National Trust for Historic Preservation and honorary chair of the Historic Landmarks Foundation of Indiana. He was the founding chair of both the Indiana Courthouse Preservation Commission (2009) and the Historic Preservation Fund of Marion County (1999 to present). From 1986 to 1991, Shepard chaired the Indiana Commission on the Bicentennial of the Constitution.

In recognition of his preservation efforts, Ball State University's College of Architecture and Planning awarded Shepard the Distinguished Achievement in Historic Preservation Award in 2004.

Shepard has also served as a trustee of the Indiana Historical Society (2005–2008) and a member of the editorial board of the Indiana Magazine of History (2008–2010; currently a guest editor).

Arts

Shepard is also a longtime supporter of the arts. Until his appointment to the Indiana Supreme Court, Shepard served, at different intervals, as a director of the Evansville Philharmonic Orchestra, Evansville Civic Theatre, and Evansville Arts & Education Council.

Teaching and education

Ever the teacher, Shepard has instructed at the University of Cincinnati College of Law (2012), Indiana University Maurer School of Law (2010), Yale Law School (2007–2008), New York University School of Law (2005–present), Indiana University Robert H. McKinney School of Law (2000–2002), Indiana University School of Public and International Affairs (1995–1996), and the University of Evansville (1976 and 1978). As Chief Justice, Shepard served ex officio on the Board of Visitors at the Maurer School of Law and Robert H. McKinney School of Law.

Until 2012, Shepard was a faculty member at the Opperman Institute of Judicial Administration at the New York University School of Law, which educates new appellate judges. The institute is named for Dwight D. Opperman, former chairman and CEO of West Publishing Company.

Shepard is currently executive-in-residence under a two-year joint academic appointment with Indiana University's School of Public and Environmental Affairs ("SPEA") and Robert H. McKinney School of Law. In this position, Shepard works to find ways that nonpartisan research and data can help leaders understand future challenges and opportunities, lead executive seminars, and mentor faculty and staff as they develop academic programs focused on the relationship between law and public policy. ^[16]

Shepard is also chairman of an American Bar Association presidential commission examining the state of legal education in America. The task force, expected to conclude in 2014, will review and make recommendations on how well the nation's law schools are preparing graduates to meet the legal needs and opportunities of today's marketplace. In announcing the task force, ABA President William T. Robinson III said, "Chief Justice Shepard is widely respected for his leadership in promoting legal education, professionalism and civility in the legal profession." Robinson continued, "He is universally respected for his wisdom, integrity and openness to new ideas. Therefore, I am certain he will lead our esteemed and thoughtful task force members to consider a broad range of issues in order to make sound, compelling recommendations." ^[17]

Awards and honors

Shepard has received numerous national awards for his work to promote professionalism and diversity in the legal profession and to educate the public about the role of the courts.

Indiana awards

- Indiana Civil Rights Commission, Spirit of Justice Award, 2010.
- Indiana State University, President's Award, 2009
- Indiana Black Expo, Lifetime Achievement Award, 2006.
- Indiana Chamber of Commerce, Government Leader of the Year, 2008.
- League of Women Voters, Southwest Indiana Chapter, Making Democracy Work Award, 2008.
- Ball State University, College of Architecture and Planning, Distinguished Achievement in Historic Preservation Award, 2004.
- Wabash College, David Peck Medal, 2002.
- Indiana University School of Law, Honorary Distinguished Alumnus, 2000.
- Society of Professional Journalists, Friend of the Media Award, Cardinal States Chapter, 1980.
- Community Organizations Legal Assistance Program, Citation, 1997.
- Indiana Trial Lawyers Association, Hoosier Freedom Award, 1994.
- Harrison High School Hall of Fame, 1987.
- Evansville Jaycees, Outstanding Young Man of the Year, 1982.

National awards

In 2010, Shepard received the prestigious Dwight D. Opperman Award for Judicial Excellence from the American Judicature Society. Hon. Judith S. Kaye, chair of the selection panel, former Chief Judge of New York, and a prior Opperman Award recipient, said of Shepard, “He is a shining star of the American justice system, the pride of lawyers and judges—especially State Court judges—in and well beyond Indiana, and an example of the success of the great objectives of the American Judicature Society.” In his nomination letter, Hon. John G. Baker, Indiana Court of Appeals, said of Shepard: “[He] makes those of us from Indiana proud to be Hoosiers.”^[18]

The Opperman Award came only a few years after Shepard delivered the twelfth annual Justice William J. Brennan, Jr. Lecture on State Courts and Social Justice, the premiere honor for a state court judge. The event is hosted at the New York University School of Law by the Opperman Institute of Judicial Administration and the Brennan Center for Justice. In his address, *The New Role of State Supreme Courts as Engines of Court Reform*, 81 N.Y.U. L. REV. 1535 (2006), Shepard focused on the expansion of state supreme courts from a solely appellate adjudication and board of law examiner function to roles in legal education, jury reform, equal access to justice, and equal opportunity.

National Awards

- American Judicature Society, Opperman Award, 2010.
- Leon Higginbotham Award, 2010.
- Department of Health and Human Services, Children’s Bureau, Commissioners Award, 2009.
- Justice William J. Brennan, Jr. Lecture on State Courts and Social Justice, Lecturer, 2006.
- Yale Law School, Award of Merit, 2006.
- American Association of State and Local History Award of Merit, 2006.
- Justice at Stake, Judicial Outreach Award, 2005.
- American Inns of Court Foundation, Professionalism Award, 2005.
- National Association of Women Judges, Norma Wickler Excellence in Service Award, 2004.
- Boy Scouts of America Distinguished Eagle Scout Award, 1996, Silver Beaver Award, 2002.
- National Association of Law Placements, Mark of Distinction Award, 1998.
- ABA Commission on Lawyer Assistance Programs, Citation, 1997.

Honorary degrees

- LL.D., University of Notre Dame, 2009.
- LL.D., University of Evansville, 2009.
- LL.D., University of South Carolina, 2000.
- LL.D., University of Southern Indiana, 1995.

Representative publications

Shepard has authored over 50 law review articles in 20 different journals. One of these, *Campaign Speech: Restraint and Liberty in Judicial Ethics*, was cited in *Republican Party of Minn. v. White*, 536 U.S. 765 (2002).

- *The New Role of State Supreme Courts as Engines of Court Reform*, 81 N.Y.U. L. REV. 1535 (2006).
- *In a Federal Case, Is the State Constitution Something Important or Just Another Piece of Paper?*, 46 WM. & MARY L. REV. 1437 (2005).
- *Judicial Professionalism and the Relations Between Judges and Lawyers*, 14 NOTRE DAME J.L. ETHICS & PUB. POL'Y 223 (2000).
- *The Renaissance in State Constitutional Law: There Are A Few Dangers, But What's The Alternative?*, 61 ALB. L. REV. 1529 (1998).
- *Reflections on a Decade at the Indiana Supreme Court, 1987-1997*, 30 IND. L. REV. 921 (1997).
- *The Importance of Legal History for Modern Lawyering*, 30 IND. L. REV. 1 (1997).
- *What Judges Can Do About Legal Professionalism*, 32 WAKE FOREST L. REV. 621 (1997).
- *Campaign Speech: Restraint and Liberty in Judicial Ethics*, 9 GEO. J. LEGAL ETHICS 1059 (1996).
- *Lawyer-Bashing and the Challenge of a Sensible Response*, 27 IND. L. REV. 699 (1994).
- *Indiana Law and the Idea of Progress*, 25 IND. L. REV. 43 (1992).
- *Classrooms, Clinics and Client Counseling*, 18 OHIO N.U. L.REV. 751 (1992).
- *Land Use Regulation in the Rehnquist Court: The Fifth Amendment and Judicial Intervention*, 38 CATH. U. L. REV. 847 (1989).
- *Second Wind for the Indiana Bill of Rights*, 22 IND. L. REV. 575 (1989).
- *Changing the Constitutional Jurisdiction of the Indiana Supreme Court: Letting a Court of Last Resort Act Like One*, 63 IND. L.J. 669 (1988).

See also

- [List of Indiana Supreme Court Justices](#)
- [Evansville Central High School](#)
- [William Henry Harrison High School \(Evansville, Indiana\)](#)

External links

- [“Justice Randall Terry Shepard.”](#) courts.IN.gov.
- [State of the Judiciary Addresses since 1988.](#) *Indiana Court Times*.

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- ² Chief Justice Brent E. Dickson. “A Tribute to Randall T. Shepard: Justice, Indiana Supreme Court, 1985-2012: Chief Justice of Indiana, 1987-2012.” 45 *IND. L. REV.* 585 (2012).
- ³ Shepard, Chief Justice Randall. Personal interview. 23 Oct. 2012.
- ⁴ [“McDonald’s History Listing.”](#) McDonald’s Electronic Press Kit. McDepk.com.
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Legal offices	
	Senior Judge, Indiana Court of Appeals 2012–Present
Preceded by: Donald H. Hunter Succeeded by: Mark Massa	Justice, Indiana Supreme Court Chief Justice 1987–2012 Associate Justice 1985–1987
	Judge, Vanderburgh County Superior Court 1980–1985