IN THE
SUPREME COURT OF INDIANA

No. _____

Court of Appeals No. 18A-JV-618

A.M. Appellant/Respondent, v. STATE OF INDIANA Appellee/Petitioner.	Appeal from the Kosciusko Superior Court 1 Cause No. 43D01-1708-JD-292 The Honorable David C. Cates, Judge.

BRIEF OF AMICI CURIAE JUVENILE LAW CENTER AND NATIONAL JUVENILE DEFENDER CENTER ON BEHALF OF APPELLANT

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INTEREST OF *AMICI*

Juvenile Law Center advocates for rights, dignity, equity and opportunity for youth in the child welfare and justice systems through litigation, appellate advocacy and submission of amicus briefs, policy reform, public education, training, consulting, and strategic communications. Juvenile Law Center strives to ensure that laws, policies, and practices affecting youth advance racial and economic equity and are rooted in research, consistent with children's unique developmental characteristics, and reflective of international human rights values.

The **National Juvenile Defender Center (NJDC)** was created to ensure excellence in juvenile defense and promote justice for all children. NJDC responds to the critical need to build the capacity of the juvenile defense bar in order to improve access to counsel and quality of representation for children in the justice system. NJDC has participated as Amicus Curiae before the United States Supreme Court, as well as federal and state courts across the country.

SUMMARY OF ARGUMENT

The State has argued that A.M. is entitled only to "fair" proceedings at his disposition modification, and not to the assistance of counsel. This approach violates U.S. Supreme Court precedent establishing that sentencing hearings and modifications are critical stages in the criminal justice process triggering the Sixth Amendment right to counsel. It also violates the precedent set forth by the U.S. Supreme Court and this Court that the law must recognize the unique vulnerabilities of youth. Moreover, under any circumstance, a disposition modification hearing in which the child's own counsel argues for the *most* secure setting for the child cannot be considered fair.

The U.S. Supreme Court has established that sentencing and sentence modifications are critical stages in the criminal justice process requiring a right to counsel because counsel is

essential to "marshaling the facts, introducing evidence of mitigating circumstances and in general aiding and assisting the defendant to present his case" and because "legal rights may be lost if not exercised at this stage." *Mempa v. Rhay,* 389 U.S. 128, 135 (1967). This analysis applies equally to juvenile disposition and disposition modification hearings. Indeed, adolescents may be more in need of the protection of counsel than adults because of their youth and inexperience and because of the complexity of the juvenile disposition process.

The Due Process clauses of the Fifth and Fourteenth Amendments also require that children have the right to counsel at disposition modification hearings. The Fourteenth Amendment provides youth with more than a mechanistic nod to procedural fairness. As the U.S. Supreme Court recognized in *Gault*, "[t]he juvenile needs the assistance of counsel to cope with problems of law, to make skilled inquiry into the facts, to insist upon regularity of the proceedings, and to ascertain whether he has a defense and to prepare and submit it." *In re Gault,* 387 U.S. 1, 36 (1967) (citing *Powell v. Alabama,* 287 U.S. 45, 69 (1932)). While *Gault* did not directly address the issue of disposition modification, the reasoning is equally applicable at this stage.

Children's right to counsel under both the Sixth and Fourteenth Amendments finds further support in the significant body of case law from the U.S. Supreme Court and this Court recognizing that laws must calibrate to account for children's unique vulnerabilities.

ARGUMENT

I. THE JUVENILE DISPOSITION MODIFICATION HEARING IS A "CRITICAL STAGE" IN DELINQUENCY PROCEEDINGS ENTITLING CHILDREN TO THE EFFECTIVE ASSISTANCE OF COUNSEL UNDER THE SIXTH AMENDMENT

The Sixth Amendment guarantees defendants in criminal trials the right to be represented by counsel at any "critical stage" in the proceedings against them. *United States v. Wade***,** 388 U.S. 218, 227 (1967). Although *Gault* established a Fourteenth Amendment right to counsel for children

in delinquency proceedings, nothing in the decision suggests that the contours of the right should be distinguished from that guaranteed to adults under the Sixth Amendment.[1] Indeed, courts have widely held that Sixth Amendment right to counsel safeguards also extend to children in delinquency proceedings. Thus, the Sixth Amendment framework is a floor for the procedural protections due to youth in the delinquency system. *See, e.g.***,** *Deshawn E. by Charlotte E. v. Safir,* 156 F.3d 340, 349 (2d Cir. 1998) (applying Sixth Amendment safeguards to the right to counsel in delinquency proceedings); *United States v. Myers,* 66 F.3d 1364, 1370 (4th Cir. 1995) (applying Sixth Amendment safeguards to juvenile waiver hearings), *superseded by rule as stated in U.S. v. Mosley*, 200 F.3d 218 (4th Cir. 1999); *John L. v. Adams,* 969 F.2d 228, 237 (6th Cir. 1992) (observing that the "independent constitutional right to counsel for juvenile appeals" is grounded in the Sixth Amendment's right to counsel); *United States v. M.I.M.,* 932 F.2d 1016, 1018 (1st Cir. 1991) (relying on the Sixth Amendment and holding that "[i]f a juvenile has a right to counsel, and a right to appeal, she must also have the right to counsel on her first direct appeal"); *Reed v. Duter***,** 416 F.2d 744, 749 (7th Cir. 1969) (concluding that "Gault must be construed as incorporating in juvenile court procedures, which may lead to deprivation of liberty, . . . the constitutional safeguards of the Fifth and Sixth Amendments").

A "critical stage" under the Sixth Amendment is "any stage of the prosecution, formal or informal, in court or out, where counsel's absence might derogate from the accused's right to a fair trial," *United States v. Wade***,** 388 U.S. at 226-27, or where substantial rights of the accused may be affected. *Mempa v. Rhay*, 389 U.S. 128, 134 (1967). The right to counsel applies in any confrontation in which "the accused might be misled by his lack of familiarity with the law or

[1] As described below, to the extent that any distinction is made, the right guaranteed to youth should be more, not less, protective than the right of adults in the criminal justice system.

overpowered by his professional adversary." *United States v. Ash,* 413 U.S. 300, 317 (1973); *see Williams v. State*, 555 N.E.2d 133, 136 (Ind. 1990). As a result, the "Sixth Amendment guarantees the accused, at least after the initiation of formal charges, the right to rely on counsel as a 'medium' between him and the State." *Maine v. Moulton,* 474 U.S. 159, 176 (1985). This Court has extended a right to counsel when "'the accused [is] confronted . . . by the procedural system, or by his expert adversary, or by both' . . . in a situation where results of the confrontation 'might well settle the accused's fate'" *Williams v. State*, 555 N.E.2d at 136 (first alteration in original) (quoting *United States v. Gouveia*, 467 U.S. 180, 188-89 (1984) (first quoting *Ash,* 413 U.S. at 313, then quoting *Wade***,** 388 U.S. at 224)). In a disposition modification hearing, the child is confronted by an expert adversary and a procedural system that will settle his fate—most pressingly whether he will be placed in a correctional setting or returned home to his family.

The State has argued that the appropriate standard in a disposition modification hearing is whether the proceedings were fair. Brief of Appellee at 24-25, *A.M. v. State*, __ N.E.3d __ (Ind. Ct. App. 2018) (No. 18A-JV-618) (citing *Baum v. State*, 533 N.E.2d 1200, 1201 (Ind. 1989)). That standard, which applies in adult petitions for post-conviction review, is inapt. A disposition modification in a juvenile case cannot be equated to a post-conviction proceeding in the adult criminal justice system. Indiana's juvenile code establishes that the judge has discretion over the child's disposition, and that the court may modify of its own accord or upon a motion by the child, the parent, the probation officer, the prosecuting attorney, or any person providing services to the child. IND. CODE ANN. § 31-37-22-1 (West 2017). At a disposition modification hearing, the juvenile is entitled to an evidentiary hearing with evidence presented of the allegation requiring modification. *K.A. v. State,* 938 N.E.2d 1272, 1276 (Ind. Ct. App. 2010).

As this Court has recognized, the equivalent criminal justice proceeding is a probation revocation hearing. *In re M.T.*, 928 N.E.2d 266, 269 (Ind. Ct. App. 2010) (relying on the adult probation revocation standards in the analysis of what process is due in a disposition modification hearing). The U.S. Supreme Court has long held that the significant rights at issue in a probation revocation hearing make it a "critical stage" requiring the provision of counsel. *See, e.g.*, *Mempa*, 389 U.S. at 134-35. And, indeed, courts have consistently held that proceedings to modify or change a sentence require the provision of counsel. *See, e.g.*, *Tully v. Scheu,* 607 F.2d 31, 35 (3d Cir. 1979) (holding that a sentence reduction hearing occurring within 75 days of the judgment was a "critical stage" for Sixth Amendment purposes); *McDowell v. Mississippi*, 552 F. Supp. 2d 602, 604-05 (S.D. Miss. 2008) (holding appointment of counsel required at resentencing even though it occurred in post-conviction proceeding). Counsel is vital in such hearings because although a defendant has no substantive right to a particular sentence, he or she "has a legitimate interest in the character of the procedure which leads to the imposition of sentence." *Gardner v. Florida,* 430 U.S. 349, 358 (1977). *See also Tully*, 607 F.2d at 35-36. Counsel can advocate at this stage by ensuring that the sentence is based in accurate information, *Townsend v. Burke,* 334 U.S. 736, 741 (1948), and by introducing mitigating evidence. *Mempa*, 389 U.S. at 135.

The failure to pursue strategies or remedies at a disposition modification hearing—like at an adult sentencing, re-sentencing, or probation revocation hearing—can clearly result in a loss of significant rights to the child, as it did in the present case. In a disposition modification hearing, the court determines whether it should place a child in a juvenile detention facility or a secure facility. IND. CODE ANN. § 31-37-22-9 (West 2009). At issue in the disposition modification hearing, then, is the question of the child's liberty. The right to counsel is no less essential at modification than it is at the original disposition hearing. *D.H. v. State,* 688 N.E.2d. 221, 223 (Ind.

Ct. App. 1997) (holding that "a juvenile is entitled to assistance of counsel at every stage of the juvenile proceedings, including the disposition hearing" (citing *Bridges v. State*, 299 N.E.2d 616, 617 (Ind. 1973))).

Moreover, the right to counsel necessarily means the right to effective assistance of counsel. The Supreme Court has explained that to hold otherwise "could convert the appointment of counsel into a sham and nothing more than a formal compliance with the Constitution's requirement that an accused be given the assistance of counsel. The Constitution's guarantee of assistance of counsel cannot be satisfied by mere formal appointment." *Avery v. Alabama,* 308 U.S. 444, 446 (1940). *See also Kent v. United States,* 383 U.S. 541, 561 (1966) ("The right to representation by counsel is not a formality. It is not a grudging gesture to a ritualistic requirement. It is of the essence of justice.") Counsel who argues at disposition that a child should be placed in the harshest and most punitive setting cannot be said to be providing effective assistance.

Moreover, because a core goal of the juvenile justice system is the identification of adequate treatment and rehabilitation, the right to counsel at disposition may be even more important in youth cases than the right to counsel at sentencing or probation revocation for adults. Indiana's juvenile justice system requires that children be provided with "care, treatment, rehabilitation, and protection." *State ex rel. Camden v. Gibson Circuit Court,* 640 N.E.2d 696, 697 (Ind. 1994). *See also McKeiver v. Pennsylvania,* 403 U.S. 528, 545, 547, 550 (1971) (emphasizing the importance of protecting the juvenile justice system's "rehabilitative goals" and its focus on "fairness," "concern," and "sympathy.") *See also* IND. CODE ANN. § 31-37-18-6 (West 1997) (requiring the juvenile court to base disposition in part on the best interest of the child, and to place

the child in the least restrictive, most home-like setting available).[2] Zealous advocacy by the attorney—including providing the child with information about the least restrictive options available, working with the client to develop a disposition plan, and preparing the client for the hearing—is vital to ensuring an adequate process at disposition or disposition modification and to ensuring that the child's perspective is represented, that the child's unique needs are addressed, and that the appropriate disposition options are explored.[3] In this case, the attorney wholly failed to present such evidence, claiming that he couldn't understand his client's behavior rather than gathering the information that would have been relevant to any unique treatment or service needs of the child, and then arguing *against* the wishes of the child.

In contrast to a disposition modification hearing, a petition for post-conviction review is a hearing entirely separate from the criminal proceedings which permits an individual to raise issues to the court that could not have been raised at the time of the original trial. *Woods v. State,* 701 N.E.2d 1208, 1213 (Ind. 1998). The right to due process does not apply because such a collateral proceeding is not properly part of the criminal prosecution. *Id.; Carman v. State,* 196 N.E. 78, 84 (Ind. 1935).

[2] Moreover, ensuring right to counsel in delinquency proceedings may further support the juvenile justice system's goals of rehabilitation. The U.S. Supreme Court recognized in *Gault* that due process protections—and the provision of counsel in particular—promote rehabilitation. According to the Court, "counsel can play an important role in the process of rehabilitation." *In re Gault*, 387 U.S. 1, 38 n.64 (1967). The Court relied on sociological research finding that without substantial due process safeguards, a child who has violated the law may not feel that he is being treated fairly and will therefore resist efforts at rehabilitation. The *Gault* Court concluded that "the appearance as well as the actuality of fairness, impartiality and orderliness—in short, the essentials of due process—may be a more impressive and more therapeutic attitude so far as the juvenile is concerned." *Id.* at 26.

[3] NJDC, NATIONAL JUVENILE DEFENSE STANDARDS 105-09 (2012), *available at* http://njdc.info/wp-content/uploads/2013/09/NationalJuvenileDefenseStandards2013.pdf.

II. UNDER A DUE PROCESS OR A SIXTH AMENDMENT STANDARD, YOUTH MUST BE AFFORDED COUNSEL BECAUSE OF THEIR UNIQUE DEVELOPMENTAL STATUS

The United States Supreme Court has repeatedly held that developmental differences between youth and adults must be taken into account in interpreting constitutional rights in the justice system. *See, e.g.*, *Roper v. Simmons*, 543 U.S. 551, 569-74 (2005) (holding the death penalty unconstitutional as applied to youth under age 18); *Graham v. Florida*, 560 U.S. 48, 82 (2010) (holding that it is unconstitutional to impose life without parole sentences on juveniles convicted of non-homicide offenses); *J.D.B. v. North Carolina*, 564 U.S. 261, 271-72 (2011) (holding that a child's age must be taken into account for the purposes of the *Miranda* custody test); *Miller v. Alabama*, 567 U.S. 460, 465 (2012) (holding that mandatory life without parole sentences for juveniles convicted of homicide are unconstitutional).

It is now beyond debate that "criminal procedure laws that fail to take defendants' youthfulness into account at all would be flawed." *Graham*, 560 U.S. at 76; *Miller*, 567 U.S. at 473-74; *see also Roper*, 543 U.S. at 569. The U.S. Supreme Court has grounded its conclusions that youth merit distinctive treatment under the law not only in "common sense," but also in scientific research showing that teenagers are more impulsive, more susceptible to coercion, less mature, and more capable of change than adults. *See J.D.B.*, 564 U.S. at 272-73, 280; *Graham*, 560 U.S. at 68-69; *Miller*, 567 U.S. at 471-72; *Roper*, 543 U.S. at 569-70.

This Court has similarly recognized the importance of properly protecting juveniles under the law because of their adolescent status. Indeed, more than 40 years ago, this Court recognized that "the concept of establishing different standards for a juvenile is an accepted legal principle since minors generally hold a subordinate and protected status in our legal system." *Lewis v. State*, 288 N.E.2d 138, 141 (Ind. 1972), *superseded by statute*, Indiana's Juvenile Waiver Statute, P.L.

1-1997, *as recognized in B.A. v. State*, 100 N.E.3d 225, 234 (Ind. 2018). Moreover, this Court has repeatedly applied this principle in cases involving youth in the justice system. In *Brown v. State*, for example, this Court cited a juvenile's age as the "most significant[]" factor in reducing a 150-year sentence to 80 years. *Brown v. State*, 10 N.E.3d 1, 6 (Ind. 2014); *See also Walton v. State*, 650 N.E.2d 1134, 1137 (Ind. 1995) (holding enhanced sentencing for 16-year-old inappropriate due to age). Like the U.S. Supreme Court, this Court has emphasized that youth must be treated differently from adults because of their developmental status and unique vulnerabilities. In *Taylor v. State*, for example, this Court rejected a life without parole sentence for a 17-year-old, emphasizing that teenagers are less mature, more vulnerable to negative influences, and have less developed characters than adults. *Taylor v. State*, 86 N.E.3d 157, 166-67 (Ind. 2017), *petition for cert. docketed*, __ S. Ct. __, No. 18-81 (July 19, 2018). *See also James v. State*, 868 N.E.2d 543, 549 (Ind. Ct. App. 2017) (holding a 28-year sentence inappropriate because "[m]ost significantly, James was sixteen years old when he committed these offenses and the offenses were non-violent").

More specifically, this Court has recognized that children may be particularly in need of protection in the context of their Fifth and Sixth Amendment rights. *See Lewis,* 288 N.E.2d at 141–42 ("It would indeed be inconsistent and unjust to hold that one whom the state deems incapable of being able to marry, purchase alcoholic beverages, or even donate their own blood should be compelled to stand on the same footing as an adult when asked to waive important Fifth and Sixth Amendment rights at a time most critical to him and in an atmosphere most foreign and unfamiliar." (citations omitted)). Thus a child at a disposition modification hearing, even more than an adult at probation revocation, must be represented by counsel to ensure a fair process.

Two key and legally relevant characteristics of adolescents further support a heightened right to counsel for youth as opposed to adults. First, children have more difficulty understanding, let alone navigating, legal proceedings without a lawyer than adults. Second, children's susceptibility to coercion heightens the risk of unfairness in legal proceedings.

While few adults could successfully represent themselves, children as a class lack the education or experience to represent themselves in delinquency proceedings.[4] It is therefore crucial that they have counsel to assist them at all stages of the delinquency proceedings. In *Powell v. Alabama,* the U.S. Supreme Court recognized the particular importance of counsel to defendants who were young and lacked literacy skills. According to the Court, the fact that the defendants were "young, ignorant, [and] illiterate," contributed to the devastating impact of their denial of effective assistance of counsel. *Powell v. Alabama,* 287 U.S. 45, 57-58 (1932); *See B.A. v. State*, 100 N.E.3d 225, 228 (Ind. 2018) (holding interrogation of middle schooler surrounded by three police officers and middle school administrators as "in custody" under *Miranda* because of the coercive pressure to confess that a reasonable student would feel).

In *In re Gault,* the U.S. Supreme Court again recognized the connection between literacy and the need for counsel at juvenile proceedings, when it cited, with approval, the conclusions of the President's Crime Commission:

> The most informal and well-intentioned of judicial proceedings are technical; few adults without legal training can influence or even understand them; certainly

[4] Research has found that around one third of incarcerated youth have learning disabilities compared to 8 percent of the general population. OJJDP, YOUTHS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES IN THE JUVENILE JUSTICE SYSTEM 3 (2017), *available at* https://www.ojjdp.gov/mpg/litreviews/Intellectual-Developmental-Disabilities.pdf. Many incarcerated youths struggle with emotional behavioral disorder, a psychological disability that results in significant communication-skills deficits in both expressive and receptive language. NDTAC, FACT SHEET: YOUTH WITH SPECIAL EDUCATION NEEDS IN JUVENILE JUSTICE SETTINGS, 1-2 (2014), *available at* https://neglected-delinquent.ed.gov/sites/default/files/NDTAC_Special_Ed_FS_508.pdf.

> children cannot. Papers are drawn and charges expressed in legal language. Events follow one another in a manner that appears arbitrary and confusing to the uninitiated. Decisions, unexplained, appear too official to challenge.

In re Gault, 387 U.S. at 38 n.65. Disposition modification proceedings, like juvenile adjudicatory hearings, are too technical to be navigated by a child without counsel, such that the procedural protection should extend in this context as well.

Children's susceptibility to coercion also heightens the importance of providing counsel at all stages of delinquency proceedings. Thus *Gault* cited the President's Crime Commission's conclusion that counsel for juveniles was necessary "wherever coercive action is a possibility." *In re Gault*, 387 U.S. at 38. Similarly, in the context of the death penalty, life without parole sentences, and juvenile *Miranda* rights, the U.S. Supreme Court has emphasized that "juveniles are more vulnerable or susceptible to negative influences and outside pressures." *See, e.g.*, *Roper*, 543 U.S. at 569. *See also J.D.B.,* 564 U.S. at 272-273 (noting that "events that 'would leave a man cold and unimpressed can overawe and overwhelm a lad in his early teens'" (quoting *Haley v. Ohio,* 332 U.S. 596, 599 (1948) (plurality opinion))); *see also Gallegos v. Colorado,* 370 U.S. 49, 54 (1962) ("[N]o matter how sophisticated," a juvenile subject of police interrogation "cannot be compared" to an adult subject.); *Graham*, 560 U.S. 48, 68 (echoing *Roper's* conclusions about children's susceptibility to pressure and noting that "developments in psychology and brain science continue to show fundamental differences between juvenile and adult minds"); *Thompson v. Oklahoma,* 487 U.S. 815, 835, 838 (1988) (plurality opinion) (finding unconstitutional the death penalty for juveniles under age 16 because "inexperience, less education, and less intelligence make the teenager less able to evaluate the consequences of his or her conduct while at the same

time he or she is much more apt to be motivated by mere emotion or peer pressure than is an adult").[5]

This Court, too, has emphasized the importance of counsel to children, establishing additional protections for children as compared to adults during interrogation. Thus, although a child may not be interrogated unless he or she is first provided the opportunity for consultation with a parent, guardian, or attorney, adults are provided no such protection. *See Lewis,* 288 N.E.2d at 142. *See also S.D. v. State* 937 N.E.2d 425, 429 (Ind. Ct. App. 2010) (in which the Indiana Court of Appeals held that "[t]he special status accorded juveniles in other areas of the law is fully applicable in the area of criminal procedure" and as a result, children must be granted a meaningful conversation with a parent before officers try to solicit a statement from them (citing *Hall v. State*, 346 N.E.2d 584, 586 (Ind. 1976))); *J.L. v. State*, 5 N.E.3d 431, 439-40 (Ind. Ct. App. 2014) (holding waiver unconstitutional because mother and child were not provided an opportunity for meaningful conversation when officer remained in the room). This approach has subsequently been codified in Indiana law. *See* IND. CODE ANN. § 31-32-5-2 (1997 West) (requiring any waiver by the child be made "in the presence of the child's custodial parent, guardian, custodian, guardian ad litem, or attorney").

[5] The importance of protecting children from coercion in government systems is deeply-rooted in other areas of constitutional law as well. In school prayer cases, for example, the Court has repeatedly observed that younger children will be particularly susceptible to the coercion inherent when prayers are conducted on school grounds or at school events. *See, e.g.*, *Lee v. Weissman,* 505 U.S. 577, 592 (1992) (observing that "[a]s we have observed before, there are heightened concerns with protecting freedom of conscience from subtle coercive pressure in the elementary and secondary public schools," and finding unconstitutional school prayer at graduation ceremonies). *See*, *e.g.*, *School Dist. of Abington Twp. v. Schempp,* 374 U.S. 203, 307 (1963) (Goldberg, J., concurring); *Edwards v. Aguillard,* 482 U.S. 578, 583-84 (1987); *Board of Ed. of Westside Community Schools (Dist. 66) v. Mergens,* 496 U.S. 226, 261-62, (1990) (Kennedy, J., concurring). Because young people are more susceptible to coercion, the "guiding hand of counsel" is even more important to them than it is to adults. *Powell,* 287 U.S. at 69.

Any delinquency proceeding will raise the possibility of coercion. In disposition modification hearings, as in delinquency adjudications, the adversary is not only an adult, but is knowledgeable about the legal system as well as a stakeholder in that system. Prosecutors and defense counsel have significant influence over decisions regarding the child's future, including his or her future liberty, during disposition modification hearings. The proceedings will determine where the child will be living—whether she will be separated from family, friends, and home; whether she will be in a youth prison, a group home, or another custodial setting; and what kind of treatment she will receive. The right to effective assistance of counsel is vital to protecting the child from coercion and putting him on a more equal footing in the highly technical and adversarial proceedings of juvenile court. "Representation" by an attorney arguing *against* the client's interest does not ensure a fair process.

CONCLUSION

Amicus Curiae respectfully urge this Court to hold that A.M. had a right to counsel under both the Sixth and Fourteenth Amendments to the U.S. Constitution.

Respectfully submitted, this the 19th day of November, 2018.

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CERTIFICATE OF WORD COUNT

I verify that this brief contains no more than 4,181 words as calculated by the word processing software used to prepare this brief and excluding the parts of the brief excluded from length limits by Indiana Rule of Appellate Procedure 44(C).

Amy Karozos

CERTIFICATE OF SERVICE

I certify that the foregoing document was served through the IEFS upon Cara Schaefer Wieneke, counsel for Appellant, and Angela Sanchez, counsel for Appellee on November 19, 2018.

Amy Karozos