



INDIANA OFFICE OF ENVIRONMENTAL ADJUDICATION

Mary Davidsen
Chief Environmental Law Judge

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Qualifications of the Office of Environmental Adjudication Environmental Law Judges

In addition to meeting all of the legal requirements for Indiana's Administrative Law Judges ("ALJ"), the full-time Office of Environmental Adjudication's ("OEA") Environmental Law Judges ("ELJ") meet Indiana's legal requirements as licensed, Indiana attorneys in good standing, have at least five (5) years of experience practicing administrative or environmental law, and are independent of the Indiana Department of Environmental Management. *See* Ind. Code § 4-21.5-7-6. OEA's ELJs are also subject to the Indiana Code of Judicial Conduct, per I.C. § 4-2-7-9 and 315 IAC 1-1-2.

Director/Chief Environmental Law Judge Hon. Mary Davidsen

Chief ELJ Davidsen has been an attorney licensed in Indiana and in good standing since 1992, when she earned her J.D. from IU School of Law-Indianapolis. She earned an M.B.A from University of Indianapolis in 1984, and a B.A. from Purdue University (Radio/TV/Film and Secondary Education) in 1979. While attending law school, Chief ELJ Davidsen worked full-time as a law clerk at the Lebanon, In. law firm of Parr, Richey, Obrebsky & Morton. She also served as law student intern at the Indiana Department of Environmental Management for one day per week for one semester, researching the constitutionality of a proposed odor control rule. As a licensed Indiana attorney, she served for approximately 5 years as a staff attorney for the Indiana Department of Natural Resources, primarily advocating the Division of Water's administrative cases, followed by approximately 5 years of general private law practice in Noblesville, Indiana. She has served Indiana as the OEA's Director and Chief Environmental Law Judge since September, 2003. She has served as special judge for the Indiana Ethics Commission and the Indiana Natural Resources Commission. She is a registered mediator and has mediated for other state agencies, including the Natural Resources Commission.

Staff Environmental Law Judge Hon. Catherine Gibbs

ELJ Gibbs has been an attorney licensed in Indiana and in good standing since 1983. She earned her J.D. from IU School of Law-Indianapolis in 1983, after graduating from Indiana University in 1980 with a B.A. in Forensic Science. After spending a few years in general practice in Marion, Indiana, she joined the Office of Legal Counsel with the Indiana Department of Environmental Management in 1990. She worked for the IDEM for 10 years in various programs, including Superfund, State Cleanup, Leaking Underground Storage Tanks, Enforcement, and Excess Liability Trust Fund. She then worked for Lee & Ryan Environmental Consulting for over 3 years as corporate counsel. She has worked as an Environmental Law Judge at the Office of Environmental Adjudication since March of 2004. She has served as special judge for the Indiana Department of Financial Institutions and the Indiana Education Employment Relations Board. She is a registered mediator and has mediated for other state agencies, including the State Employees Appeals Commission and the Natural Resources Commission.

Special OEA ELJs

The OEA cannot predict which Special ELJ might serve in a given case because of the statutory selection (striking) process found in the Administrative Orders and Procedures Act (AOPA, I.C. § 4-21.5-3, *et seq.*). All Special ELJs offered on a striking panel will fulfill the legal requirements stated in I.C. § 4-21.5-7-6 to serve as OEA ELJs: they are licensed, Indiana attorneys in good standing without a known conflict or interest in the matter, believed to be reasonably qualified to hear a case, have at least five (5) years of experience practicing administrative or environmental law, and are independent of the Indiana Department of Environmental Management.

Full-time Indiana Administrative Law Judges of the Indiana Natural Resources Commission (“NRC”) and State Employees Appeals Commission (“SEAC”), who share office space with OEA, are sometimes listed on special judge panels. Deputy Attorneys General from the Indiana Office of the Attorney General (“OAG”) might also be offered, after they are screened from any conflict from other state litigation duties. In some circumstances, parties might be able to agree on a Special ELJ. *See* AOPA (I.C. § 4-21.5, *et seq.*) and the NRC, OEA, SEAC or OAG websites.

Compensation

All ELJs listed above are understood to be full time state employees with standard medical, insurance, leave and any other state benefits. See State Personnel Department’s (SPD) homepage for more information.

Salary and other public information for state ALJs and other employees can be found at the Indiana Transparency Portal at <https://www.in.gov/itp/931.htm>

This information is provided in compliance with I.C. § 4-21.5-3-8.5(c).

Last Updated: June 5, 2014