

Maggie L. Smith

Partner

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111 Monument Circle
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Indianapolis, IN 46204

Industries

Energy

Utilities

Practice Areas

Business & Commercial Litigation

Appellate

Bar Memberships

Indiana

Maggie is recognized as one of the top appellate attorneys in the country. She is a member of the *American Academy of Appellate Lawyers®,* an invitation-only association consisting of the top 1% of appellate attorneys across the county. In addition to being named as one the top 25 Women Attorneys in the state of Indiana by *Super Lawyers®*, Maggie has been selected as one of *The Best Lawyers in America®* in the field of appellate practice every year since 2009, and she was named the 2021 "Lawyer of the Year" by *Best Lawyers* for appellate practice. Maggie is also recognized as an expert in Indiana's Access to Court Records Rules (formerly Administrative Rule 9).

She also has been identified as an *Indiana Super Lawyers®* appellate attorney for over fifteen years, listed as a *Chambers USA® Top Tier* Appellate Litigator".

In 2024, the Governor of Indiana, Eric Holcomb, awarded Maggie a Sagamore of the Wabash based on her contributions to the legal community. This is the highest honor an Indiana governor gives, and Maggie is now a member of the Society of Sagamores which consists of Indiana's most distinguished citizens.

Maggie has been involved in over 500 appeals and thousands of appellate filings and proceedings, and has represented businesses, individuals, and groups at every level of the state and federal appellate courts, as well as advising trial counsel during the litigation process. Maggie also has extensive experience representing Amicus Curiae parties in Indiana's appellate courts, specializing in Indiana Supreme Court practice.

Her clients say that her appellate "writing skills are great" and she also has "fantastic" oral advocacy skills arguing before appellate courts—a combination that makes Maggie "the complete package."

In addition to representing parties on appeal, Maggie has been actively involved in drafting the Indiana Appellate Rules, is a leader in the state and national appellate practice communities, and is a regular presenter and author on appellate topics.

Prior to entering private practice, she served as a judicial law clerk with the Indiana Supreme Court and was an Adjunct Professor of Law at Indiana University, teaching legal writing and reasoning and appellate advocacy.

The Indiana Supreme Court appointed Maggie to an eight-year term on its Committee on Rules of Practice and Procedure in 2009, and in this capacity, she was engaged in the continuous study of all the Indiana Rules of Procedure (Trial Rules, Evidence Rules, Jury Rules, Appellate Rules, Professional Conduct Rules, etc.). Maggie was actively involved in the e-fling projects, Administrative Rule 9(G) overhaul, and the appellate rules.

Other Info About Maggie

Experience

Adjunct Professor — The Master's Study
Instructed tutelage program students in dual-college credit course on "Rhetoric: The Art of Persuasive Argument."

Adjunct Professor — Indiana University School of Law
Instructed first-year law students in legal reasoning, legal writing, and oral advocacy.

Law Clerk — Honorable Justice Brent E. Dickson, Indiana Supreme Court
Assisted Indiana Supreme Court Justice in drafting opinions.

Instructor — Indiana University: Law Program for Gifted Students
Taught basic legal concepts to gifted and talented high school

students.

Education

Visiting student at IU Maurer School of Law, 1995-1996

University of Arizona, James E. Rogers College of Law, J.D., 1994, *magna cum laude*

University of Arizona, B.A., 1991, *cum laude*

Clerkships

Indiana Supreme Court, the Honorable Justice Brent E. Dickson

Courts

United States Supreme Court

United States Court of Appeals for the Seventh Circuit

United States Court of Appeals for the Ninth Circuit

United States Court of Appeals for the Fifth Circuit

United States District Court for the Southern District of Indiana

United States District Court for the Northern District of Indiana

Recognition

Sagamore of the Wabash Recipient, 2024

American Academy of Appellate Lawyers®, Fellow

Named one of the "Top 25 Women Attorneys in Indiana" by *Indiana Super Lawyers*

Selected for inclusion in *Indiana Super Lawyers®*, 2012–2021, 2024-2026

The Best Lawyers in America®, Appellate Practice, 2009-2027, "Lawyer of the Year", 2021

Chambers USA, Litigation: Appellate, 2017-2026

2013 Indiana State Bar Association David Hamacher Public Service Award

2004 Indiana Bar Foundation Fellow Nominee

2002 Outstanding Trial Advocate, National Institute for Trial Advocacy, Trial Skills Program

2000 State of Indiana Outstanding Young Attorney of the Year

1999 Indiana State Bar Association Presidential Citation for Excellence in Recognition of Exceptional Contributions to the Profession of Law

Professional Affiliations

Indiana Legal Foundation, Legal Committee

Program Chair, Indiana Continuing Legal Education, Appellate Advocacy

Program Chair, Advanced Appellate Practice: A Masters Level Discussion, ICLEF

Program Chair and Moderator, An Insider's Guide to Appellate Practice, Indiana State Bar Association

Robert H. Staton Intramural Moot Court Competition, Indiana University McKinney School of Law
Justice, Championship Rounds 2023
Justice, Championship Rounds 2021
Justice, Championship Round, 2018
Justice, Championship Round, 2017

Ask a Lawyer, Volunteer Attorney for Annual Indianapolis Bar Association Pro Bono Program

Indiana Supreme Court Committee on Rules of Price and Procedure, Member 2009-2018.
The Rules Committee provides recommendations and proposed amendments for all of the Indiana Rules of Procedure (Trial, Criminal, Evidence, Admission & Discipline, Jury, Appellate, Professional Conduct, Judicial Conduct, etc.).

Indiana Appellate Pro Bono Project, Volunteer 2008-present
Providing Pro Bono Assistance for Civil appeals

Indiana State Bar Association
Appellate Practice Section (1998- Present)
Section Chair, 2010-2011
Section Vice Chair, 2009-2010
Chair, Appellate Rules Survey & Initiatives Committee 2023-2024
Chair, Existing Appellate Rules Survey Task Force 2023-2024
Chair, An Evening with the Appellate Judges Event, 2007, 2008, 2009, 2010, 2018, 2022, 2024
Chair, Notice of Appeal Revision Task Force, 2010
Chair, Bench-Bar/Special Projects Committee, 2002-2013
Chair, Newsletter, 2013
Chair, Indiana Docs Appellate Drafting Committee, 2009-2011
Chair, An Evening with the Appellate Judges Event, 2007, 2008, 2009, 2010
Planning Committee Member, Appellate Survey Seminar 2007, 2011
Planning Committee Member, Appellate Skills Seminar 2006, 2009
Planning Committee Member, Masters Level Appellate Practice CLE, 2005, 2008
Council Member for District 11, 2000-2002
Chair, Executive Committee on Appellate Rules Update Project 2004, 2008

Federal Judiciary Committee
Past Chair
Past Vice-Chair

Committee on Judicial Improvements
Past Co-Chair, Committee on Judicial Merit Selection

Committee on State Legislation

ISBA Long Range Planning Commission, Member

Indiana Docs Document/Forms Review Committee

Unauthorized Practice of Law Committee
Pro Bono representation of ISBA in Original Actions filed regarding practice of law before State Board of Tax Commissioners.

"Why Lincoln Was A Lawyer" ISBA Program, TPCA School Coordinator, 2010, 2012

Planning Committee for Statewide Gala Honoring Chief Justice Shepard

American Bar Association, Council for Appellate Lawyers
Indiana and Seventh Circuit Representative for Speakers Board

Indianapolis Bar Association
Past Co-Chair, Pro Bono Recognition Committee

Seventh Circuit Bar Association

Indianapolis Sagamore Inn of Court
Past Barrister of organization dedicated to improving professionalism and ethics of the bench and bar.

Christian Legal Society
Past Board Member; served as faculty advisor to law student chapter.

Indiana University Moot Court Judge
Regular judge of finals and semi-finals of Indianapolis and Bloomington Law School Moot Court
Competitions.

Civic Activities

Cicero Hope Family Care Center
Volunteer and Member of Board of Directors for non-profit free medical/dental clinic and provider of social
services to impoverished and under insured.

Northwest Warriors Basketball Program
Volunteer Family Coordinator and Equipment Manager for non-profit organization 10U-Varsity basketball
club.

Vision Nicaragua
Volunteer Team Leader bringing 12 high school students to Nicaragua for eight days to put on medical
clinics, food distribution, sports/art camps for poverty-stricken

communities in rural Nicaragua.

The Masters Study
Volunteer organizer of student and family academic, community, and service events for K-12 Tutelage
Program

Body in Training
Volunteer training group coach for non-profit Track and Field Program; USATF track and field meet volunteer

Otino Waa Orphanage
Volunteer, Supporter, and Fundraising Organizer for Orphanage and Medical Clinic in Uganda Africa

Million Meal Movement
Team Organizer, Volunteer, and Supporter of event where 1 million food bags are packed to support hunger
insecure communities

Extreme Travel Softball Organization
Volunteer "Team Parent," administrator, and family organizer for non-profit organization

Eagle Creek Little League
Volunteer Family Coordinator for non-profit organization

Apprentice University Scholarship Committee
Volunteer with reviewing and awarding scholarships for this education and employment model focused on preparing its students for success and leadership in the business world through a unique integration of on-the-job experience, mentoring, and the more formal, traditional classroom education.

Legacy Christian School
Volunteer Fundraising Auction Committee; PTA Volunteer; Guest Lecturer; Judge High School and Middle School Science Fair

New Song
Volunteer for non-profit organization serving orphaned, fatherless, and impoverished children of Indiana. Team organizer for six-day construction and service event at New Song.

Beacon of Hope Center for Women
Volunteer Grant Writer for non-profit organization that serves women, children and family pets that have fallen victim to domestic violence and abuse and is dedicated to empowering victims of domestic violence to become self-sufficient by providing safety, support and education.

Common Ground Christian Church
Sunday School Lead Teacher; Small Group Leader; Hospitality Committee.

Safe Families for Children
Home is licensed by the Indiana Department of Child Services to provide temporary housing to children in
crisis by averting potential abuse/neglect episodes due to crisis situation.

Purchased, Inc.
Supporter and volunteer for non-profit organization dedicated to educating people on the issues of human trafficking, sexual exploitation, and abuse with the hope of promoting abolition by empowering others to join in the movement. Team coordinator for annual “Kick for One” kickball fundraiser event 2019, 2018, 2017.

Navajo Christian Foundation
Team leader for trip to Navajo Reservation to volunteer at a Navajo Foster Care program.

Kids Games
Group leader for this sports and values based program for 6-14 year old kids where companies, schools, community groups, sports organizations, churches and local government work together to serve inner-city children through a variety of programs.

Shepard Community Center
Coordinator of service outreach program for inner-city non-profit organization that works with neighborhood youth and their families to break the cycle of poverty on the near eastside of Indianapolis by engaging and empowering the community to cultivate healthy children, strong families, and vibrant neighborhoods.

Traders Point Christian Academy
Parent Teacher Fellowship Executive Committee; Chair, Fundraiser Auctions 2009, 2010, 2011; Coordinator of Family Involvement Campout; Attorney Coordinator for Lincoln Days; Room Parent

Preserve at Eagle Creek Homeowners Association
Web Page Coordinator and Communications Committee for Homeowner Association Board of Directors

Indiana Chapter, University of Arizona Alumni Association
President of Board of Directors of local alumni group whose responsibilities include funding scholarship programs for Indiana students attending the University of Arizona.

Community Organization Legal Assistance Program
Community coordinator and volunteer of organization which provides pro bono legal assistance to community development corporations and other community-based organizations serving low-income neighborhoods in central Indiana.

Care Center Women and Children's Shelter
Volunteer for inner-city women and children's shelter.

Neighborhood Fellowship
Board of Directors for 501(c)(3) foundation seeking to establish a tuition-free, inner-city private school and Arts Center. Pro Bono volunteer for litigation to preserve historical facility against eminent domain taking.

Ovar'Coming Together
Assist ovarian cancer education and resource nonprofit with organizing fund-raising endeavors.

Cross Pointe Christian Church
Coordinator of community events, including Vacation Bible School and Harvest Celebration for inner-city youth, etc. Also served as Women's Ministry Leader, Small Group Leader, Children's Ministry Leader.

Firm Committees

FBT Cares Community Outreach Committee, Chair 2019-2024

Ethics Committee, former Member

Presentations

Chair and Presenter, Indiana Appellate Rules Update, Indiana State Bar Association, May 15, 2024

Presenter, Appellate Practice Update, 46th Indiana Law Update – Indiana Continuing Legal Education Forum, September 12, 2024

Presenter, Appellate Practice Update, 45th Indiana Law Update – Indiana Continuing Legal Education Forum, September 21, 2023

Chair and Presenter, Indiana Access to Court Records Rules, Access Approved or Access Denied? The Three Paths to Public Records – Indiana Continuing Legal Education Forum, May 10, 2023

Presenter, Ethics Problems Confronting In-House Counsel, June 21, 2023

Presenter, Appellate Practice Update, 44th Indiana Law Update – Indiana Continuing Legal Education Forum, September 13, 2022

Chair and Presenter, Advanced Appellate Practice – Indiana Continuing Legal Education Forum, July 14-15, 2022

Presenter, Framing and Phrasing Issues on Appeal and Transfer – Indianapolis Bar Association, May 24, 2022

Presenter, Appeals 101 – Indianapolis Bar Association, November 30, 2021

Presenter, Appellate Law Update, 43rd Indiana Law Update – Indiana Continuing Legal Education Forum, September 21, 2021

Presenter, Indiana Supreme Court Appellate Practice, Indiana Continuing Legal Education, November 1,
2019

Presenter, Appellate Practice, Defense Trial Council of Indiana Rookie Seminar, April 11, 2019

Presenter, Advanced Business Litigation Summit: Protecting Your Case For Appeal, Indianapolis Bar Association, September 12, 2018

Program Chair, Advanced Appellate Practice: A Masters Level Discussion, Indiana Continuing Legal Education, August 17, 2018

Presenter, Appellate Ethics, Indiana Continuing Legal Education, August 17, 2018

Presenter: A Look at Indiana's Appellate Courts: Statistics, Trends & Amicus Practice, Annual Meeting Indiana State Bar Association, September 27, 2017

Presenter: Appellate Skills Seminar: Ethical Issues in Appellate Practice, Indiana State Bar Association, June 13, 2016

Presenter: A Tribute to Justice Brent. Dickson's Contributions to Indiana Law, Indiana University Robert H. McKinney School of Law Symposium, March 29, 2016

Presenter: Indiana Paralegal Association, Sealing and Excluding Records in Indiana Courts, November 18, 2015

Presenter, Public Access Law In The Digital Age, Indiana Continuing Legal Education, August 18, 2015

Presenter: Indiana Court of Appeals and Supreme Court Judicial Clerks and Staff Attorneys CLE on AR 9(G), May 11, 2015

Presenter: Indiana Public Defenders Council Appellate Advocacy Seminar, May 8, 2015

Presenter: Evening with the Appellate Judges, Filing Confidential Information Under Seal, Revised Administrative Rule 9(G), and the Appellate Courts, Indiana State Bar Association, May 4, 2015

Presenter: What the Bench Needs to Know about Sealing and Excluding Records: Administrative Rule 9(G), Spring Judicial College Indiana Judicial Center, April 30, 2015

Presenter: Monroe County Bench Bar, Sealing and Excluding Records in Indiana Courts: Administrative Rule 9(G), February 11, 2015

Presenter: Administrative Rule 9(G) & Indiana Courts, January 11, 2015

Presenter, Sealing and Excluding Records in Indiana Courts: Administrative Rule 9(G), Indiana State Bar Association, December 28, 2014

Presenter, Appellate Practice Primer: Interlocutory Appeals & Final Judgments, Indiana Continuing Legal Education, November 18, 2014

Presenter, Administrative Rule 9(G), Annual Meeting of the Judicial Conference of Indiana, September 1, 2014

Moderator and Author: Top 10 Mistakes Made by Appellate Lawyers, November 20, 2014

Chair and Moderator, An Insider's Guide to Appellate Practice, Indiana State Bar Association, May 8, 2014

Presenter, Appellate Practice: Challenging and Defending Decisions of the Worker's Compensation Board, Masters Roundtable, Indiana Continuing Legal Education Foundation, March 7, 2014

Presenter, Appellate Practice, Defense Trial Council of Indiana Rookie Seminar, April 19, 2013

Presenter, When and How to Appeal under the 2012 Changes to the Indiana Rules of Appellate Procedure, Indiana State Bar Association Annual Meeting, October 26, 2012

Presenter, Recent Amendments to the Appellate Rules, Annual Meeting of the Judicial Conference, September 12, 2012

Presenter, Confidential Appellate Records: The Effect of Administrative Rule 9 on Appeals, Master's Program, Indiana Continuing Legal Education, July 21, 2012

Presenter, What You Need To Know About The Recent Amendments to the Indiana Appellate Rules, ISBA Family and Juvenile Law Symposium, April 11, 2012

Presenter, Survey of Recent Amendments to the Appellate Rules, Indiana Continuing Legal Education, March 22, 2012

Moderator and Author, Making Your Case: The Art of Persuading Judges–Indiana Style, May 13, 2011

Presenter, Initiating The Appeal, Indiana Continuing Legal Education, May 13, 2011

Presenter, Mechanics and Strategies For Brief Writing In Indiana Appellate Courts, City of Indianapolis Office of Corporation Counsel, April 16, 2010

Presenter, Developing Appellate Skills, Indiana Continuing Legal Education, November 10, 2009

Presenter, Indiana Appellate Practice Legal Seminar, City of Indianapolis Office of Corporation Counsel, July 24, 2009

Presenter, Judicial Notice of Facts, Indiana Continuing Legal Education, October 27, 2008

Presenter, The Written and Unwritten Rules of Appellate Practice, Masters Program, Indiana Continuing Legal Education, May 1, 2008

Presenter, Appellate Statistics, Annual Meeting of the Defense Trial Council of Indiana, November 16, 2007

Presenter, Survey of Indiana Appellate Practice, Indiana Continuing Legal Education, October 23, 2007

Author, Notice of Appeal through Certification of the Decision: An Insider's Perspective to the Appellate Process, Indiana Continuing Legal Education, May 9, 2007

Presenter, Arguing the Call: Key Practice Tips for Indiana's Appellate Courts, Rookie Seminar, Defense Trial Council of Indiana, May 2nd, 2007

Panelist, Developing Appellate Skills, Indiana Continuing Legal Education, November 2, 2006

Presenter, Reading the Appellate Courts and Planning Your Appeal, Defense Trial Council of Indiana, Nov. 18, 2006.

Presenter, Specialty Ethics in Indiana, National Business Institute Continuing Legal Education, Nov. 9, 2004

Presenter, State Court Appellate Practice, Top Ten Practice Tips for Young Lawyers and General Practitioners, Indiana Continuing Legal Education, October 8, 2004

Presenter, Developing Appellate Skills: The Art of Oral Argument, Indiana Continuing Legal Education, November 13, 2003

Panelist, Developing Appellate Skills, Indiana Continuing Legal Education, November 13, 2003

Presenter, Federal Rules Update, Indiana Continuing Legal Education, October 23, 2003

Presenter, State Court Appellate Practice, Top Ten Practice Tips for Young Lawyers and General Practitioners, Indiana Continuing Legal Education, May 29, 2003

Presenter, Ethical Issues in Property Tax Appeals, Indiana Continuing Legal Education, February 28, 2002

Presenter, What Makes Indiana Special? The Indiana Constitution CLE, The 81st Annual Indiana History Conference of the Indiana Historical Society, Indiana Continuing Legal Education, November 3, 2001

Lead Presenter and Author, Win Clarence Darrow's Money: What you always wanted to know about Indiana law, Indianapolis Sagamore Inn Of Court, May, 11, 2001

Presenter, Original Actions in the Indiana Supreme Court, Indiana Continuing Legal Education, May 5, 2000

Panelist, Developing Appellate Skills, Indiana Continuing Legal Education, November 2000

Presenter, State Court Appellate Practice, Top Ten Practice Tips for Young Lawyers and General Practitioners, Indiana Continuing Legal Education, December 15, 1999

Presenter, Raising and Preserving Indiana Constitutional Law Claims: Suing the Sovereign, Indiana Continuing Legal Education, April 27, 1999

Presenter, The Indiana Supreme Court Decision in ISBA v. SBTC and Its Impact on the Unauthorized Practice of Law, Indiana Continuing Legal Education, September 29, 1999

Coordinator, An Update on the Law of the Church and State, September 18, 1999

Major Publications

Indiana Lawyer, "Written Advocacy in the Electronic Age: Do's and Don'ts," Aug. 3, 2022

Appellate Issues, American Bar Association, "Writing from the Reader's Perspective: How the English Language Really Works," 2022 Winter Edition

Indiana Law Review, Vol. 50 No. 1 Justice Dickson's Civil Tort Law Jurisprudence, 2016

Res Gestae, "Appellate Civil Case Law Update," contributing editor from 2003 to present.

The Appellate Advocate, "Recent Cases on Appellate Practice, " contributing editor from 2002 to 2018.

Indiana Lawyer, "Indiana Constitutional Law: What You Don't Know Could Hurt You," April 7, 1999

Featured Articles

Three Benefits of Filing an Amicus Brief

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