

MEMORIAL RESOLUTION
OF THE
ALLEN COUNTY BAR ASSOCIATION
HON. STEPHEN M. SIMS

WHEREAS we assemble here today to pay our respects to and honor the memory of our deceased colleague, friend, and trusted public servant Judge Stephen Michael Sims, whose course of justice ended upon his passing on January 16, 2025, at the age of seventy-eight.

*And poise the cause in Justice' equal scales,
Whose beam stands sure, whose rightful cause
prevails.*

King Henry VI

William Shakespeare

As an arbiter of justice's equal scales in his career, Steve was influential, transformational, and foundational. His dedication to justice never wavered or waned. His awareness of justice tempered with mercy never staggered and was never strained. It is that combination of justice and mercy that we remember and honor today.

Born in St. Louis on October 9, 1946, Steve grew up in Fort Wayne, attending St. Jude Catholic School and Central Catholic High School. He graduated college from Indiana University, Bloomington, and received his Doctor of Jurisprudence from Indiana Law School, Indianapolis.

Returning to Fort Wayne, Steve practiced law in the community for over forty years. For thirty of those years, he served Allen County as the elected Prosecuting Attorney, as a Circuit Court Magistrate, and as an elected Judge in the Allen Superior Court.

Throughout his career, he was supported and encouraged by his wife of 52 years, Linda. Together, Steve and Linda raised their daughters, Jessica and Rachel, to appreciate a keen sense of justice. Jessica and Rachel continue their father's legacy of justice as attorneys in Washington, D.C., and San Antonio, respectively.

Steve's public service included service in the United States Army as he was a patriot and firm believer in his country. As an attorney and judge, his belief in America encompassed a respect for the rule of law as the courts were the arena in which wrongs could be righted and rights would be protected.

Patriot though he was, Steve fostered an affection for Ireland through his family ties and his visits to the Emerald Isle, making lifelong friendships that underscore the charm and luck of the Irish that simmered in Steve, bubbling to the surface at unexpected moments through his laughter, his wit, and his occasional outbreaks of song.

Steve approached his legal career and his life by learning from the past, seeking the influence of the present, and laying a foundation for the future. He practiced hindsight as a student of history. He sought insight as an observer of society based on human behavior. He embraced foresight as a philosopher whose ideas became reality through relentless planning and implementation.

The accomplishments of Steve's public service are many and varied and his influence remains immense within the justice system.

Perhaps no greater accomplishment of his storied career are the mentorships and friendships he extended to colleagues, constituencies, and the people who worked with him, whether maintenance staff or court reporter. In addition to his daughters, Steve's mentoring is unmatched with judges, prosecutors, defense attorneys, varied practitioners, and government officials sprinkled throughout northeast Indiana who all learned from Steve at some juncture of their own careers.

Steve's tenure as prosecutor and judge are marked by many firsts. Though often Steve's own ideas, he worked tirelessly with others to ensure the implementation and success of the concepts hatched by him in his ongoing efforts to learn and to improve the justice system and his community.

Steve served twelve years as prosecutor (1983-1994). In 1989, he became the first prosecutor in Indiana (and only the eighth prosecutor nationwide) to pursue a prosecution based on the then relatively unknown forensic evidence of DNA. After a lengthy period of pretrial hearings and trial, Steve and his team secured a murder conviction. His commitment to blazing the trail in the forensic science of DNA analysis and identification, laid the foundation for DNA as an accepted and reliable tool that can lead to both convictions and exonerations.

Steve was a formidable trial attorney who often handled major cases personally. At times, the commitment to the job led to safety concerns for him and his family; but with proper precaution and awareness, he never backed down from embracing the role as shepherd of his family and community. He directly handled death penalty litigation and prosecuted difficult cases. In one case, he convicted the defendant of murder even though the body of the victim was not found.

As prosecutor, Steve worked with judges to start the first problem-solving courts in Allen County thru the Addicted Woman and Children program for mothers who used illegal drugs

while pregnant and the Alcohol Abuse Deterrent Program for repeat drunk driving offenders. The programs were designed to apply justice in tune with mercy, so the offenders were encouraged and rewarded for breaking a cycle of criminal behavior while protecting the public.

He was also the first prosecutor to offer deferral programs for first-time offenders who were charged with certain misdemeanor offenses or infractions. Upon successful completion of informal probation and counseling or driving school, the case was dismissed as a successful effort of rehabilitation. While providing a funding source for the office outside of tax dollars, the deferral programs were most notable as the original second-chance offerings within the criminal justice system.

Steve was the first prosecutor in Allen County to use racketeering laws to curb adult bookstores and movie theaters by prosecuting the owners with ties to organized crime for the distribution of obscene materials. Steve stood toe-to-toe with the promoters of the illegal activity and kept the darker forces out of the community. This use of the racketeering laws was challenged up to the United States Supreme Court. Steve appeared before that august court and earned an opinion in which the court approved the use of such laws as applied to the distribution of obscene material.

Steve became a thoughtful and visionary administrator. Within the prosecutor's office, Steve transformed the department into a full-time team of trained and dedicated professionals while transitioning to technology that improved efficiency and accountability. Those changes laid the foundation for the Prosecutor's Office that now occupies an entire building and embraces cutting-edge technology while adhering to Steve's legacy of justice and mercy.

In what many would deem nontraditional prosecution tasks, Steve recognized the need to hold fathers who were absent from their children's lives accountable for supporting their children and the mothers. As both prosecutor and judge, he increased efforts to collect the money owed as court-ordered child support by the disinterested fathers. Though this effort helped alleviate the need for some families to rely on government assistance programs and provided mothers with income they had been ordered to receive, Steve noted that the accountability of the father financially could lead to the father becoming more directly involved with his children and fostered a parental bond that had been missing.

Steve continued his streak of firsts when he was elected Judge of the Allen Superior Court in 1997. For sixteen years, he served in family and juvenile court.

Early in his tenure on the bench, Steve determined the need to replace the then-existing juvenile detention center with a modern facility developed to meet the needs of the future. After being rebuffed repeatedly by other county officials, he enlisted the support of the Board of Judges—

his colleagues on the bench—and ordered through mandate that the county build a new juvenile justice center.

The Allen County Juvenile Center became the capstone of Steve's career. In addition to providing state-of-the-art facilities for detention, courtrooms, probation officers, and public interaction, he implemented a first-of-its-kind in-house diagnostic evaluation program to identify the needs and concerns of children brought to the center and to partner with service providers in the community to help address the needs and concerns beyond simply judging a juvenile to be delinquent.

Additionally, Steve realized that many juveniles who were detained or on probation had been suspended or expelled from school. In another first, he convinced all four of the County's school districts to provide educational programming for the students on site at the Center, so they continued to learn in a structured classroom.

Upon his retirement from the bench and public service, the penultimate recognition as a Sagamore of the Wabash was bestowed on him. The Sagamore is awarded through the Indiana Governor to those whose wisdom, public service, and commitment to the well-being of others are paramount. Steve embodied those traits throughout his career and service to the community.

Steve proudly displayed a sign hanging in his office, whether when prosecutor or judge, that was given to him by his father-in-law. It read: Life is not so short but there is always time for courtesy. And so, it was with Steve as the consummate lawyer and judge always with the time for courtesy. He is often described by colleagues, by those who worked for and with him, and the public, as compassionate, loyal, humble, professional and ethical, a gentleman, and a brilliant legal mind.

Steve knew he could not save the world, but he knew he could serve the cause of justice within the rule of law brick by brick, case by case, and person by person. The community as a whole and the thousands of people whose lives he touched even without their awareness through his orders or his actions, through his collegiality and mentoring, are all the better for his hindsight, his insight, and his foresight.

As we remember Judge Sims, he leaves us with the observation of Portia in Shakespeare's The Merchant of Venice:

But mercy is above this scepter'd sway;

It is enthroned in the hearts of kings,

It is an attribute of God himself;

And earthly power doth then show likest God's

When mercy seasons justice.

NOW THEREFORE, BE IT RESOLVED that the Allen County Bar Association gives public expression of its sorrow upon this, the occasion of the remembrance of the life of Judge Stephen Michael Sims;

AND BE IT FURTHER RESOLVED that this resolution be unanimously adopted by those present at this assembly upon this occasion;

AND BE IT FURTHER RESOLVED that this resolution be transmitted by the Allen County Bar Association to the members of Sims family;

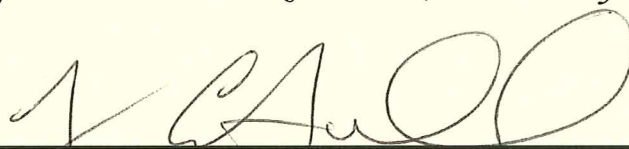
AND BE IT FURTHER RESOLVED that this Resolution be spread of record and become a part of the permanent online records of the Allen County Indiana Bar Association to evidence the respect and admiration of the members of the Bench and Bar for their dear, departed friend and colleague, Judge Stephen Michael Sims.

Dated this 20th day of June, 2025 at Fort Wayne, Allen County, Indiana.

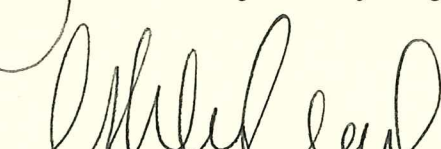
THE ALLEN COUNTY BAR ASSOCIATION

By: 

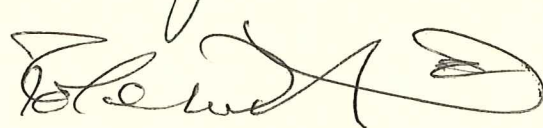
Magistrate Brian D. Cook, President, Allen County Bar Association

By: 

Honorable Frances C. Gull, Chief Judge, Allen Superior Court

By: 

Honorable Ashley N. Hand, Judge, Allen Circuit Court

By: 

Robert W. Gevers II, Author of Resolution

