NASJE Holds Annual Conference in Alexandria, Virginia

lmost seventy judicial educa-A tors and guests gathered in Alexandria, Virginia, for NASJE's annual conference, October 9-12. In addition to the educational program, conference attendees enjoyed a reception provided by SII at its Alexandria offices, where the chairman of the SJI board of directors, C.C. Torbert, chief justice of the Alabama Supreme Court, met with NASJE members. Participants also toured the United States Supreme Court, where Justice Sandra Day O'Connor explained the workings of the Court and fielded questions from the group.

Educational Program. The conference featured an extensive educational program. In a follow-up to the 1987 conference in New Orleans, Larry Stone explained how to develop a short videotaped presen-



Conference attendees on the steps of the Supreme Court, where they met with Justice O'Connor.

tation from many hours of previously recorded program material.

Larry used a ten-step process to move from defining the purpose of the video through the editing procedures, which he clearly demonstrated by using examples from

his videotaped program of his trip to China.

Dennis Catlin, Patricia Schuelke, Sherri Johnson, and Len Kowalski led a desktop publishing workshop that was tailored to the specific needs of those in attendance. Equipment was available for both demonstration and hands-on practice.

In the aftermath of the recent Supreme Court decision, Coy v. Iowa, upholding a defendant's right to confront the witnesses against him face-to-face, the Honorable Judith C. Chirlin, of the Los Angeles County Superior Court, presented a timely videotape that demonstrated techniques to make the courtroom less intimidating to child witnesses. Judge Chirlin indicated that these methods are sensitive to the needs of the child as well as to the sixth amendment rights of the accused.

The National Resources Display continued the technology theme.

continued on page ten

Newsletter Grant Continued

The State Justice Institute (SJI) has continued funding for NASJE News for an additional two years.

The funding will allow the editorial board and the staff at the National Center for State Courts to continue providing a forum for judicial educators to exchange ideas and share expertise.

New plans for the newsletter are to invite organizations interested in judicial education to participate, to inform its readers about adult education programs and innovations, to solicit contributions from judicial educators in other countries, and to devote a section to resource materials.

The editorial committee is striving to establish a balance between theory and practicality in the newsletter content. To this end, the committee encourages all NASJE members to contribute articles and ideas for future issues.

President's Column

Rita Stratton



any thanks to Southeast-M ern Regional representative Bill Capers and his staff for the excellent work they did in planning and conducting the 1988 Annual Conference. This conference had the largest number of attendees we have ever witnessed, which I believe is an indication of a greater interest in the field of judicial education. Welcome to the new members who were approved for association membership. I look forward to working with each of you.

As I undertake the task of representing NASJE as president, I am amazed at the tremendous amount of time and work past president Richard Reaves dedicated to this office. Rich has been an outstanding leader and advocate for state judicial education — a role and philosophy I intend to continue. On behalf of NASJE, thank you Rich for representing us well.

NASJE received a grant from the State Justice Institute (SJI) to conduct four technical assistance workshops for judicial educators. The management team for this project is Ellen Marshall, chair, Maryland; Carroll Edmondson, North Dakota; Jeff Kuhn, National Council of Juvenile and Family Court Judges; Dee Lawton, Florida; Nancy Scheffel, Arizona; and Larry Stone, Ohio. There will be continued on page eight

Mississippi's
Court Education
Program

by Krista R. Johns

s increasing emphasis is being placed on continuing professional education nationwide, Mississippi's Court Education Program (CEP) is expanding its statewide mission to court-related persons. Reorganized in 1981 after losing LEAA funding, the Court Education Program was funded by the state legislature through court assessments on all civil cases filed and all criminal fines given. With a budget of well over \$1 million and a full-time staff of 15, the Program reaches more than 3,000 persons yearly and relies on several hundred volunteer speakers.

Mandatory Training. State statutes require that the CEP give 32 hours of training to justice court judges and 12 hours to mayors who conduct court. Approximately half the number of training hours are required each year thereafter, as well as training for justice court clerks. The Court Education Program utilizes curriculum committees, input from state agencies, and program evaluations to develop training for these nonlawyer groups. As much as one-third of the overall budget is directed at training for these groups, with intensive regional training programs and statewide conferences accompanied by reference materials. As for all groups, the CEP provides funding to attendees for mileage, meals, and lodging, as well as instruction and materials at no charge.

EDITOR'S NOTE: Krista R. Johns is director of the Court Education and External Law Programs at the University of Mississippi School of Law.

Nonlawyer **Groups**. In addition to reaching court clerks and court administrators, the Court Education Program reaches school attendance officers. victims assistance coordinators, district attorney s investigators, social service professionals interested in juvenile justice, and other groups for limited purposes. For example, constables are offered several hours of training in service of civil process to fill a training gap that impacts on the justice courts of Mississippi. Hearings officers of administrative agencies have taken advantage of CEP training expertise, on a fee-paid basis. Training for all of these groups encompasses office management topics and technological highlights, as well as substantive legal topics.

Law-Trained Groups. Mississippi trial court judges are now required by supreme court rule to fulfill 12 hours of continuing judicial education training per year. In addition, if funding allows, they must complete a general jurisdiction course, such as that offered by the National Judicial College, within one year of taking office. Municipal court judges, public defenders, district attorneys, and county, city, and youth court prosecutors are required by supreme court rule to fulfill 12 hours yearly of continuing legal education, as are all continued on page seven

Multidisciplinary Studies in Judicial Education

by Jane W. Nelson

In the last decade, judicial education has seen the growth of courses and seminars that are not strictly related to judicial skills or even law in the ordinary sense. Many of these programs originated outside of state judicial education programs or traditional judicial education institutions.

The guestions in these newly developing areas strike at the heart of fundamental issues about judicial education. Given the expanded role of a judge in the judicial system and in American society during the final decades of the twentieth century, how should the judge be educated? Is it enough that the judge know the law? Is it enough that the judge run an efficient courtroom or court system? Doesn't society demand more, and don't we, if we are committed to the improvement of the administration of justice, demand more of ourselves?

Over the past twelve years, nontraditional, interdisciplinary judicial education programs have proliferated. In 1976, the National Judicial College offered the first course in "Judicial Decision Making." That same year, the Law and Economics Center, directed by Dr. Henry Manne, then at Miami and now at Emory, began offering courses for federal judges. In 1979, the "Justice and Society" program was first offered by the Aspen Institute. It involved state and federal trial and appellate judges as well as other community leaders. The University of Virginia master's program for state appellate judges, which includes emphasis on law and social science, medicine, and other disciplines, began in 1980, the same year that Brandeis University began its Humanities and the Professions

EDITOR'S NOTE: Jane W. Nelson is director of the degree program and special projects division at the National Judicial College.

program with a seminar for Massachusetts judges using works of literature as its base. In 1981, the California Center for Judicial Education and Research began its philosophically oriented Jurisprudence series for experienced trial and appellate court judges. The Master of Judicial Studies program at the National Judicial College, including a range of interdisciplinary topics, was inaugurated in 1986.

Inclusion of the social sciences in judicial education courses offered to judges suggests an expanded role for judicial education.

Many state judicial education programs now include decision making in their orientation or experienced judge programs. A number of others have included law and literature in their curricula. Focus on the social sciences, or philosophy of law, is more rare. Many educators question the need for such programs when judicial education resources are scarce and the demand of most judges is for instruction that will meet immediate needs in developing skills or learning new developments in the law.

As the judicial profession matures, however, the integration of these new subject areas is a natural evolutionary step in judicial education.

As Professor Saul Touster of the Brandeis Humanities and the

Professionals Program notes, "the role of one who judges and the nature of justice, amid a complex of social, moral, economic, political, and religious forces, are issues of great and troubling perplexity." The humanities and literature can provide the basis for discussion and insights. Judge Gerald Wetherington, of the Miami Circuit Court, believes that judges who deal daily with the symptoms of cultural crisis and conflict in their courtrooms must broaden their understanding of the human condition and the cultural forces at work in society.

For Judge Conrad Rushing, of the California Center for Judicial Education and Research Jurisprudence Program, the key is judges' philosophical analyses of the nature and function of law. Derek Bok suggests, however, that "it will be impossible ever to develop more sensible theories of the appropriate role of law if we do not make greater efforts to examine the effects of the laws we already have." The increasing inclusion of the social sciences in judicial education courses offered throughout the country, including the advanced degree programs offered to judges by the University of Virginia and the National Judicial College (with the University of Nevada), suggests an expanded role for judicial education and judges in meeting this challenge.

But there are questions. Do such programs make a substantial contribution to judicial education, or are they simply R&R for burn-out cases? Can the argument for including these nontraditional subjects be made successfully to legislators, allocators of judicial education resources, or judges themselves? If the objective is to counter the narrowness of traditional judicial training, shouldn't all judges be exposed to such courses?

When interdisciplinary topics are introduced, should judicial educacontinued on page twelve

The Institute for Court Management

A s the educational division of the National Center for State Courts, the Institute for Court Management (ICM) is dedicated to improving the management of the nation's courts through education and training services. Its programs are directed toward every level and type of court — trial or appellate, and local, state or federal. Since 1970, ICM has pro-

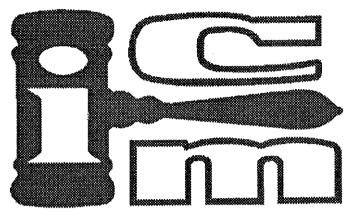
vided management training to thousands of administrators, clerks, judges, and other personnel from courts in the United States and many foreign jurisdictions—particularly Canada and Australia.

The Institute is also involved in court administration research and studies, in conjunction with the National Center. In addition, ICM publishes three times a year the Justice System Journal, which disseminates research findings and information about new developments in court and justice system administration

The Institute was founded in 1970 at the urging of then Chief Justice Warren E. Burger. Chief Justice Burger was also instrumental in establishing the National Center for State Courts in 1971.

ICM offers a wide variety of workshops and seminars dealing with court operations, technology, and management. In 1988 ICM will present 54 workshops and seminars both nationally and on an in-state basis. Some 2,000 court administrative personnel and judges are expected to attend.

Court Executive Development
Program. ICM's flagship program is
the Court Executive Development
Program. It was first offered in 1970
and is now an in-service training
activity for mid- to upper-level court
personnel. The program requires
completion of four phases, which
takes three to four years for most
participants. In Phase I, candidates



must complete a caseflow management seminar plus four additional ICM workshops or seminars. Phase II is an academic four-week residential seminar conducted each summer. In the third phase of the program, candidates prepare a comprehensive written report on a study and analysis conducted in their home jurisdiction. The final phase is a week-long seminar during which the study reports are reviewed and other major court management issues are addressed. The seminar culminates with a graduation ceremony which, in recent years, has been held at the United States Supreme Court. Retired Chief Justice Warren E. Burger has participated in a number of these ceremonies, and Chief Justice William Rehnquist addressed the graduating class in 1987.

There are nearly 525 graduates of the Court Executive Development Program. They serve as state court administrators, federal circuit and district executives, trial court administrators, and in a variety of other positions in the courts and allied agencies.

Special Programs. ICM also presents special programs in juvenile justice and child support enforcement. The juvenile justice program involves conducting six workshops annually on a variety of topics at locations throughout the country.

ICM provides presentations on child support issues at national

judicial conferences and instate judicial training programs pursuant to a contract with the Office of Child Support Enforcement (U.S. Department of Health and Human Services). The contract also calls for the provision of technical assistance to state or trial courts to improve their child support programs.

In-State and Local Programs. In addition to programs designed for national audiences, ICM conducts educational seminars geared to meet the needs of specific state and local jurisdictions. These programs are often variations on national workshops and seminars but are adapted to local requirements. In most situations, ICM works closely with the state judicial educator's office in designing and presenting a local program.

New Initiatives. As a result of a comprehensive evaluation of ICM's educational activities conducted in 1985-86, ICM has embarked on two major new initiatives: development of a comprehensive technology curriculum and the offering of more management programs for judges.

Technology. In 1989 ICM will offer five new technology courses, many of which will concern various aspects of computer applications in the courts. The development of these courses is being supported by a grant from the State Justice Institute (SJI). The courses will expand on presentations that were made at the National Conference on Court Technology held in Denver in April 1988. The National Center, ICM, and 31 other organizations including the National Association of State Judicial Educators sponsored the Conference, which attracted over 1,500 participants.

Management Programs for Judges. Two new seminars are part of ICM's 1988 schedule. In July, ICM conducted a management seminar for trial judges entitled "Improving Judicial Effectiveness." The program was very well received by the 29 judges who attended from locations throughout the country. At the end of September, ICM will present a seminar in San Diego entitled "Strengthening the Management of State Court Systems." The program is designed for teams of chief justices, state court administrators, justices, and other top officials in state court systems. SJI is also supporting the development and presentation of these new programs for judges, which will be offered again in 1989.

Faculty and Staff. The ICM staff of 18 is aided by a principal faculty of 25 men and women who serve as workshop leaders and primary presenters at educational programs.

The ICM faculty includes individuals who are nationally recognized for their contributions in their particular field of interest. In addition to ICM and National Center staff, faculty members come from academia, management and consulting firms, and the court community. Many members of the faculty are noted for the studies they have conducted and for books and articles in their fields.

National Conferences. Aside from the activities discussed above, ICM and the National Center present one or more national conferences on court management issues every year. This year, in addition to the National Conference on Court Technology, ICM conducted the National Judicial Conference on Child Support Enforcement in San Diego. The Conference was cosponsored by the National Judicial College. In November 1988, the National Center joined with the State Justice Institute and the National Institute for Dispute Resolution to sponsor a national conference on dispute resolution and the state courts in Baltimore. Future conferences on court/legislative relationships and the court management profession are now being planned for 1989 and 1990. These new endeavors will also involve other organizations in the planning and presentation of the programs.

National Leadership Institute in Adult and Continuing **Education** Founded

he Georgia Center for Continuing Education of The University of Georgia has announced the first National Leadership Institute in Adult and Continuing Education. The Institute's purpose is to provide a comprehensive professional development opportunity for a selected group of emerging leaders in the field of continuing

education.

The National Leadership Institute is a comprehensive, yearlong leadership development program designed to help participants incorporate knowledge learned into practice. The selected participants will come to the Georgia Center three times during the year, once for each focus. One design feature that separates the Institute from the many other training opportunities available to adult and continuing education professionals is the opportunity to interact with their participants throughout the year. Pre-Institute and transition assignments as well as linkage to the NCACE (National Center for Adult and Continuing Education) Computer Network will maintain continuity and communications between sessions. Post-Institute activities will support continued learning and contact with alumni. Participants will also have the occasion to experience first-hand the Georgia Center for Continuing Education, the largest university-based residential adult learning center in the world.

The Institute will focus on three critical areas of leadership individual leadership, organizational leadership, and leadership in the field of adult and

continuing education. An internationally recognized cast of leaders from business and education will join the speakers from The University of Georgia in the presentation of the program.

Participants will be selected. from a pool of nominations that are now being accepted. Nominees should be individuals with demonstrated leadership capacity who have a sincere commitment to developing their own leadership potential and to the future of the field of adult and continuing education. Current leaders in the field are encouraged to submit nominations; individuals who feel they meet the criteria are encouraged to nominate themselves. Application packets and a detailed description of the program will be sent to all nominees and must be completed and returned by March 1, 1989. Applications will be reviewed by the steering committee for the National Leadership Institute in Adult and Continuing Education and will be notified of acceptance by April 10, 1989.

For more information about the National Leadership Institute in Adult and Continuing Education, contact Susan Dougherty Kellogg Project Associate at (404) 542-2275, or Jack Azzaretto, Director, Continuing Professional Education at (404) 542-1328.

To submit a nomination, write a letter of recommendation to the National Leadership Institute in Adult and Continuing Education, The University of Georgia, Athens, GA 30602. The Institute will notify the nominees and send them an application packet.

New Federal Child Support Legislation Means Changes for the Judiciary and the Courts

n October 13, 1988, the Family Support Act of 1988 was signed into law. This enactment replaces the existing Aid to Families With Dependent Children (AFDC) Program with a new family support program and significantly amends the Child Support Enforcement Program (Title IV-D of the Social Security Act). The intent of the new act is to improve child support enforcement and establishment services available to children and reduce long-term welfare dependency by providing education, training, and employment to needy parents.

The impact at the state level will be new legislation and, ultimately, altered judicial practices. Although the Family Security Act addresses multiple areas, there are three child support provisions that will significantly affect the judiciary and the courts, which may require additional judicial education. They are: (1) child support guidelines; (2) immediate wage withholding; and (3) paternity establishment.

Child Support Guidelines. Effective October 1989, state-wide child support guidelines must be uniformly applied by judges and other decision makers. The presumption of the guidelines' appropriateness may be rebutted by a written

finding that the application of the guidelines would be unjust in a particular case, according to criteria established by the state. Also, the child support guidelines must be reviewed at least once every four years by the states to ensure that their application results in appropriate and adequate child support amounts. Although states were required to adopt statewide child support guidelines by October 1, 1987, pursuant to the Child Support Enforcement Amendments of 1984, the guidelines were not binding on judges or other decision makers, and there was no requirement for updating the guidelines to ensure a level

of adequacy or appropriateness.

Beginning two years after enactment, the state IV-D
agency, pursuant to its
state plan, and if it is
determined appropriate,

must, at the request of

either parent, initiate a review and adjust the child support awards in IV-D cases Review of an AFDC case may also be initiated at the request of the state agency.

Five years after enactment, the state IV-D agency must implement a review and adjustment process for AFDC cases at least once every three years unless it is determined not to be in the best interests of the child(ren). In all other non-AFDC IV-D cases, the review and adjustment must occur at least every three years at the request of either parent. Parents must also be notified of their right to a review.



Excerpts from the

From the National Center for State Courts

NASJE News Vol. 3, No. 4, Fall 1988

November 30-December 3 San Francisco, CA Courts and the Mentally III: How to Improve the **Involuntary Civil Commitment Process** Institute for Court Management

December 4-7 South Padre Island, TX Child Abuse Intervention and Prevention American Probation and Parole Association For more information, contact Norman Helber, (609) 853-3616.

December 4-7 Orlando, FL **Managing Traffic-Related Cases** Institute for Court Management

December 4-8 New Orleans, LA **Juvenile Justice Management** Institute for Court Management

December 4-9 New Orleans, LA Search and Seizure and Recent U.S. Supreme Court Criminal Procedure Cases; The Law of Hearsay American Academy of Judicial Education

December 4-9 Orlando, FL **Traffic Court Proceedings** National Judicial College

1989

January 4-6 Ft. Lauderdale, FL Appellate Judges Seminar—Nature and Function of the Appellate Court and Judge American Academy of Judicial Education

January 9-13 Ft. Lauderdale, FL Career Judicial Writing Program—Appellate Judges American Academy of Judicial Education

January 22-26 Orlando, FL Conference of Chief Justices Midyear Meeting By Invitation only. National Center for State Courts

*February 5-8 Long Beach, CA Using Video Technology in the Courts Institute for Court Management

*February 5-10 Scottsdale, AZ Fact Finding and Decision Making American Academy of Judicial Education

*February 13-15 Orlando, FL Space, Facilities, and Effective Management Institute for Court Management Provides the skills to analyze and redesign court space to meet functional needs.

February 13-17 Scottsdale, AZ A Judge's Philosophy of Law American Academy of Judicial Education

*February 19-22 Phoenix, AZ **Designing and Managing Court Improvement Projects**

Institute for Court Management Examines the process of innovation in the court environment with special emphasis on project planning, project monitoring, and implementation.

Information has been changed or added since the last issue of the Master Calendar.

Many of the conferences listed in the Master Calendar are sponsored by these organizations:

ABA Judicial Administration Division Appellate Judges' Conterence Sandra M. Roos 750 N. Lake Shore Drive Chicago, IL 60611 (312) 988-5696

American Academy of Judicial Education 2025 Eye Street, NW, Suite 903 Washington, DC, 20006 (202) 775-0083

Institute for Court Management of the National Center for State Courts Suite 402 1331 17th Street

Denver, CO 80202 (303) 293-3063

National Center for State Courts

300 Newport Avenue Williamsburg, VA 23187-8798 (804) 253-2000

National Council of Juvenile and Family Courl Judges P.O. Box 8970 Reno, NV 89507 (702) 784-6012

National Council of Juvenile and Family Law P.O. Box 8970 Reno NV 89507 (702) 784-6012

National Judicial College University of Nevada Reno, NV 89557 (702) 784-6747



National Center for State Courts

300 Newport Avenue Willamsburg, VA 23187-8798 (804) 253-2000

This calendar contains notices of seminars. meetings, institutes, and similar events of meetings, institutes, and similar events of interest to judicial educators. For further information about specific events, please call or write the sponsoring organization directly. The information in this calendar may be reprinted. Please specify the correct sponsoring organization and phone number.

*February 19-23 San Diego, CA

Appellate Judges Seminar

American Bar Association

For more information, contact Renee Prestipino, (312) 988-5695.

*March 5-10 San Diego, CA

Caseflow Management and Delay Reduction

Institute for Court Management

Provides participants with the principles of sound case management.

*March 8-11 San Diego, CA

Strengthening the Executive Component of the Courts: A Program for Judge/Court Manager Teams

Institute for Court Management

Institute for Court Management

Strengthens working relationships among the top managers of the court.

*March 12-15 Reno, NV

16th National Conference on Juvenile Justice

National Council of Juvenile & Family Court Judges and National District Attorneys Association

*March 12-15 San Diego, CA

Appellate Court Administration

Institute for Court Management

Examines administrative practices to reduce backlogs and case-processing times, make better use of resources, and enhance quality of appellate justice.

*March 12-16 Charleston, SC

Appellate Judges Seminar

American Bar Association

For more information, contact Renee Prestipino, (312) 988-5696.

*March 12-17 Coral Gables, FL

Trial Skills Workshop

American Academy of Judicial Education

*March 16-17 Williamsburg, VA

Twelfth Annual Symposium on Mental Health and the Law

University of Virginia Institute of Law For more information, contact Lynn Daidone, (804) 924-5435.

*March 20-23 Cincinnatl, OH

Juvenile Court Intake

Institute for Court Management Provides tools to assess and enhance the detention and Intake decision-making process.

*March 20-24 San Francisco, CA

Improving Managerial Effectiveness in the Courts

Institute for Court Management

Provides court managers an opportunity for selfassessment and development through examination and discussion of their leadership style, the court environment, and the factors which motivate and facilitate peak performance from themselves and subordinates.

*April 2-5 Denver, CO

Planning, Implementing, and Managing Court Automation Projects

Institute for Court Management

April 2-6 Milwaukee, WI

Midwest Conference on Court Management

National Association for Court Management, National Center for State Courts, & Wisconsin Supreme Court's Office of Judicial Education For more information, contact Gregg T. Moore, (715) 839-4826.

*April 2-7 Orlando, FL

Cooperation for Competence

American Academy of Judicial Education

*April 10-14 Philadelphia, PA

Planning, Budgeting, and Financial Controls

Institute for Court Management

Provides the skills to set objectives, design work programs, and allocate resources.

*April 23-26 Williamsburg, VA

Mental Health Services and the Juvenile Justice System

Institute for Court Management Examines the issues in the use of mental health services for juvenile offenders.

April 23-27 Cambridge, MA

Spring Probate Course

National College of Probate Judges For more information, contact Secretariat Service, National Center for State Courts.

*April 23-27 San Diego, CA

Jury Management

Institute for Court Management Provides practical, proven techniques for improving the management of jury systems.

*May 2-4 Phoenix, AZ

Personal Computer Applications in the Courts: A Basic Course for Judges/Administrators Institute for Court Management

institute for Court Managemen

*May 7-12 Savannah, GA

Caseflow Management and Delay Reduction

Institute for Court Management

Provides participants with the principles of sound case management.

^{*}Information has been changed or added since the last issue of the *Master Calendar*.

*May 14-19 San Francisco, CA

Employee Relations and Collective Bargaining in the Courts

Institute for Court Management Assists judges and administrators in courts either currently unionized or facing an organizing effort.

*May 14-19 San Francisco, CA

Judicial Independence and Separation of Powers American Academy of Judicial Education

*May 17-19 Reno, NV

The Family in the Future Court

By invitation only.

National Judicial College, National Council of Juvenile and Family Court Judges, National Center for State Courts, and the ABA National Legal Resource Center for Child Advocacy and Protection

*May 21-24 Monterey, CA

Strategic Planning in the Courts

Institute for Court Management

*May21-25 Williamsburg, VA

Appellate Judges Seminar

American Bar Association

For more Information, contact Renee Prestipino, (312) 988-5696.

*June 4-7 Annapoils, MD

Juvenile Court Dispositions

Institute for Court Management

Presents applications of differential case management, particularly regarding formal probation or specialized community-based programs.

*June 4-7 Williamsburg, VA

Court Security Management

Institute for Court Management

*June 4-9 Washington, DC

Judicial Educator Training Specialist Certificate Program

American Academy of Judicial Education

*June 11-16 Albuquerque, NM

Evidence

American Academy of Judicial Education

*June 12-14 Philadelphia, PA

Designing and Delivering Effective Presentations for Court Personnel

Institute for Court Management

*June 22-27 New Orleans, LA

Committee on Appellate Staff Attorneys Annual Seminar

American Bar Association For more Information, contact Renee Prestipino, (312) 988-5696. *July 2-7 Cambridge, MA

Fact Finding and Decision Making

American Academy of Judicial Education

July 9-14 Crested Butte, CO

National Association for Court Management Annual Meeting

For more information, contact Director of Secretariat Service, National Center for State Courts.

*July 10-14 Cambridge, MA

A Judge's Philosophy of Law

American Academy of Judicial Education

*July 15-22 Moran, NY

Philosophical Ethics and Judicial Decision Making American Academy of Judicial Education

*July 15-22 Moran, NY

The Rule of Law and Justice

American Academy of Judicial Education

*July 15-22 Moran, NY

Justice, Law, and Literature

American Academy of Judicial Education

*July 16-20 Charlottesville, VA

Appellate Judges Seminar

American Bar Association

For more information, contact Renee Prestipino, (312) 988-5696.

*July 16-August 12 Steamboat Springs, CO

Phase II Court Executive Development Program: Management in the Courts and Justice Environment

Institute for Court Management

Explores the roles and purposes of courts, the internal and external environments in which they operate, and modern management theory and practices as they apply to courts.

*July 17-21 Charlottesville, VA

Constitutional Criminal Procedure

American Academy of Judicial Education

*July 17-28 Charlottesville, VA

Trial Judges' Academy

American Academy of Judicial Education

*July 23-25 Steamboat Springs, CO

Adolescent Sexual Offenders: Intervention by Juvenile Courts

Institute for Court Management

*July 24-28 Charlottesville, VA

Career Judicial Writing Program—Trial Judges
American Academy of Judicial Education

July 30-August 3 Lake Tahoe, NV

Conference of Chief Justices and Conference of State Court Administrators Annual Meeting

By invitation only.

National Center for State Courts

*August 6-11 Palo Alto, CA

The Many Roles of a Judge and Judicial Liability
American Academy of Judicial Education

*August 13-18 Colorado Springs, CO

Constructive and Creative Judicial Change; Use of State Constitutions

American Academy of Judicial Education

*August 20-23 Stateline, NV

Appellate Judges Seminar

American Bar Association

For more information, contact Renee Prestipino, (312) 988-5696.

*August 21-25 Colorado Springs, CO

Domestic Relations

American Academy of Judicial Education

September 6-8 Reno, NV

National Conference on Judicial Education

For more information, contact the National Center for State Courts.

*September 17-21 Philadelphia, PA

Appellate Judges Seminar

For more Information, contact Renee Prestipino, (312) 988-5696.

*October 1-6 Durham, NH

Search and Seizure and Recent U.S. Supreme Court Criminal Procedure Cases; The Law of Hearsay

American Academy of Judicial Education

October 8-11 Seattle, WA

National Association of State Judicial Educators Annual Conference

For more information, contact Carol Weaver (206) 753-3365.

October 15-20 Nashville, TN

American Judges Association Annual Meeting

For more Information, contact Director of Secretariat Service, National Center for State Courts.

*October 31-November 5 Santa Fe, NM

Council of Chief Judges of Courts of Appeal Annual Seminar

American Bar Association

For more information, contact Renee Prestipino, (312) 988-5696.

*November 5-10 San Antonio, TX

The Trial Judge—Common Problems and National Perspectives

American Academy of Judicial Education

November 8-11 San Diego, CA

Fall Probate Seminar

National College of Probate Judges

For more Information, contact Secretariat Service, National Center for State Courts

November 10-13 Washington, DC

National Association of Women Judges Annual Meetina

For more Information, contact Director of Secretariat Service, National Center for State Courts.

*December 3-8 New Orleans, LA

Evidence

American Academy of Judicial Education

1990

January 28-February 1 Puerto Rico

Conference of Chief Justices Midyear Meeting

By Invitation only

National Center for State Courts

April 1-5 Jekyll Island, GA

Spring Probate Seminar

National College of Probate Judges

For more information, contact Secretariat Service,

National Center for State Courts

April 19-21 St. Louis, MO

American Judges Association Midyear Meeting

For more information, contact Director of Secretariat Service, National Center for State Courts.

*August 5-10 Tucson, AZ

National Conference of Appellate Court Clerks Annual Meeting

By invitation only.

National Center for State Courts

September 9-13 Phoenix, AZ

National Association for Court Management Annual Meetina

For more Information, contact Director of Secretariat Service, National Center for State Courts.

November 11-15 Lake Buena Vista, FL

Fall Probate Seminar

National College of Probate Judges

For more information, contact Secretariat Service,

National Center for State Courts

1991

April 11-13 San Antonio, TX

American Judges Association Midyear Meeting

For more Information, contact Director of Secretariat Service, National Center for State Courts.

^{*}Information has been changed or added since the last Issue of the Master Calendar.

provision is not yet known, the courts and judiciary can expect a substantial increase in the number of petitions filed to modify child support orders. The use of expedited processes to hear these cases, the application of child support guidelines, and the establishment of a simple stipulation process may reduce the amount of judicial time allocated to hearing these cases, but the workload of court support personnel is expected to increase.

Immediate Wage Withholding. Effective November 1990, states are required to provide for immediate wage withholding in all IV-D cases (AFDC and non-AFDC), without regard to an arrearage unless one of the parties demonstrates, and the court finds, that there is good cause not to require withholding, or there is a written agreement between both parties providing for an alternate arrangement. The amount that can be withheld from a parent's income is restricted to the limitations as set forth in the Consumer Credit Protection Act. Lastly, employers must be held liable for failure to withhold income pursuant to an order of the court.

The congressional intent is for wage withholding to be implemented immediately in all IV-D cases where the payer is employed, without regard to an arrearage. This greatly differs from the provision of the Child Support Enforcement Amendments of 1984 that required states to implement wage withholding in IV-D cases where a payer was employed and an arrearage accrued equal to one month's support.

Establishment of Paternity. Current data reflect that many children are being born to unwed mothers, many of whom are recipients of AFDC. The establishment of paternity is not being pursued and paternity is not being adjudicated. Moreover, no order for support is entered until such time as parentage is established. Congress, in responding to the increasing number of unwed mothers with no support order in effect, set performance standards for states with respect to establishing paternity for children who are receiving AFDC or IV-D

child support services. Further, Congress is now requiring, in contested paternity matters, that the parties and the child(ren) submit to genetic tests upon the request of any party. Each state is also encouraged to implement a simple civil process for voluntarily acknowledging paternity and a civil procedure for establishing paternity in contested cases.

The judiciary and the courts, thus, can expect the state IV-D agency to emphasize locating parents for the purpose of establishing paternity, which may result in additional trials to adjudicate parentage. Further, it is anticipated that the use of genetic tests to prove parentage will increase and in those states where establishing paternity is a criminal procedure or there is a cumbersome acknowledgment procedure, there will be an emphasis to develop a civil and simple acknowledgment process.

Lastly, this Act clarifies that parentage is to be established for all children up to 18 years of age. This includes any child for whom paternity has not been established and any child for whom a paternity action was brought and dismissed because a statue of limitations of less than 18 years was in effect at the time the Child Support Enforcement Amendments of 1984 were passed.

Conclusion. The successful adoption and implementation of the Family Security Act requirements, to a large degree, rest with state legislators and the judiciary. The Institute for Court Management of the National Center for State Courts, through its Child Support Judicial Education Project funded by the U.S. Department of Health and Human Services, Office of Child Support Enforcement, has funding and is available to assist states in the implementation of the various child support provisions and provide judicial education. For more information regarding the available resources, contact Brenda J. Wagenknecht-Ivey at the Institute for Court Management, 1331 Seventeenth Street, Suite 402, Denver, Colorado 80202. ■

Mississippi's Program continued

attorneys in Mississippi. The CEP provides training that meets the requirements under the supreme court rules, while specifically addressing issues relevant to their court positions. CEP funding is also provided to these groups on a limited basis for out-of-state training, when state travel funds are not available and when the attendance serves the overall CEP training mission.

Other CEP Projects. Through its funding statute, the CEP is required to offer technical information and assistance to the state legislature. As part of this, the CEP has prepared caseload studies and other reports for the legislature, has drafted and testified on behalf of legislation that would benefit state courts, and has regularly monitored legislation for report to court-related groups. Staff time is also allocated for participation in supreme court specific purposes. CEP reporting services for weekly slip opinions, and opinion outlines from the state attorney general, are relied upon by prosecutors and judges.

Looking to the Future. As the state legislature considers adding required training of other groups, and as the complexity of issues in state courts demands increasingly specialized training, the Court Education Program is struggling to maintain and improve its quality of training while maintaining some level of support for travel and subsistence expenses of attendees. The CEP is developing an intensive annual two-week program for trial judges at the University of Mississippi School of Law. Additional grant funds are being sought to develop an ongoing in-state traffic court training program for nonlawyer judges. Training assistance from national and regional providers of judicial education is seen as an important supplement to the CEP, allowing it to meet its varied commitments to the groups it is charged with training.

President's Column continued

a representative from the American Academy of Judicial Education and the National College on the management team. These two persons have

yet to be designated.

The workshops will be held in 1989 and will provide you with cours materials, suggested instructors and agenda for training on the topics of court security, jury management/jury impanelment, and the human relations aspect of personnel management. You will receive more information regarding the workshops when the management team has confirmed dates and locations.

SJI has also funded the continuation of NASJE *News* through December 1990. Three new members have been appointed to the editorial board: Betty Ann Johnson, Minnesota; Mike Runner, California; and Scott Smith, Texas. The editorial board welcomes your suggestions and contributions. Please call them

with your ideas.

I would like to express my appreciation to five members who agreed to respond to the SJI study papers on judicial education. Not only did these persons agree to the task, but they did so with a one-week deadline in which to read the papers and prepare a written response. Thank you to Jerry Beatty, Iowa; Kay Boothman, Arkansas; Edward Borrelli, New York; Carroll Edmondson, North Dakota; and George Glass, Indiana.

The State Justice Institute Proposed Guidelines should have arrived in your office. Please read the guidelines carefully because the SJI Board has changed several of them regarding judicial education. If you have comments concerning these guidelines that you believe NASJE should convey to the SJI Board, please contact me.

I look forward to working with everyone during the next two years. I welcome all suggestions and hope you will call or write me to let me know what is on your mind.

* As this issue went to press, we were saddened to learn of the December 3 death of Jack Dillard, past president and founding member of NASJE. He will be missed by us all.

SJIUPDATE

SJI Study of Judicial Education

Recently the State Justice Institute (SJI) convened a panel to conduct a study that would enable the SJI Board to make prudent judgments about how the Institute's limited funds could provide the most effective education for the nation's judges. The results of the study will form the basis for policy and criteria that will guide SJI's future funding decisions in the judicial education area.

The panel is composed of Thomas S. Hodson, with Eslocker, Grim, Hodson and Dioguari in Athens, Ohio; Justice of the Supreme Court of Utah Christine Durham; Dennis Catlin, executive director of the Michigan Judicial Institute; David Schultz, associate dean at the University of Wisconsin Law School; Charles Claxton, associate professor at Memphis State University's College of Education; and Frederick Lawrence, professor of theology at Boston College.

Questions Addressed by the Panel:

- Should the Institute continue to fund the best proposals it receives, or should it also take a more active role in shaping the future of judicial education by requesting proposals that address very specific issues and take specific approaches?
- Should the Institute set aside percentages of its education funds to be devoted to particular topics

or audiences? If so, what percentages?

- What should judicial education in the nation look like and what can the Institute do to shape its future?
- What kinds of judicial education programs do judges need in the future? What should be their content and how could such programs best be provided?
- What courses should be offered to judges? Please discuss their range, content, and merit.
- Should a stated proportion of Institute funds for education and training be allocated to the states and a proportion allocated to national programs? If so, what proportions? Should certain amounts or percentages of funds be reserved for certain providers? Should such reserved funds be for general maintenance of the provider, or be program specific?
- Should the Institute support scholarship programs, including specific allocations of funds to states to underwrite attendance of judges at educational programs?

SJI Applications Approved for Funding

In August, the State Justice Institute announced its intent to approve the funding applications listed below.

- National Association of State Judicial Educators: Judicial Education Newsletter
- American Arbitration Association: Model Judicial Mediation Training Program
- Ohio Supreme Court: Teleconferencing for Domestic Relations Referees
- University of Nevada-Reno, Master of Judicial Studies: The Master of Judicial Studies Scholarship Program
- American Judicature Society: Judicial Ethics — A Videotape Education and Training Series
- University of Virginia, School of Law: Graduate Program for Judges
- Institute of Judicial Administration, Inc.: Intermediate and Senior Appellate Courts Colloquiue
- National Center for State Courts: Broadening Educational Opportunities for Judges ...
- National Órganization for Victim Assistance (NOVA): Victim Rights and the Judiciary
- National Judicial College: Model Judicial Education Course Development
- National Association of State Judicial Educators: Technical Assistance Workshops for Ct. Jud. Educators
- University of Nevada-Reno: Curricular Development —Master of Judicial Studies
- National Judicial College: Civil/ Criminal Courts Coordination Symposium
- ABA, Committee on Continuing Appellate Education: Appellate Judges Seminar Series
- National Council of Juvenile and Family Court Judges: Making Reasonable Efforts to Preserve Families
- National Council of Juvenile and Family Court Judges: Key Issues Curricular Enhancement Project
- American Academy of Judicial Education: Career Writing Program for Appellate Judges
- Saint Louis University School of Law:

 Judicial Education Program
- National Council of Juvenile and Family Court Judges: Child Victimization Court Training Project

- ABA, National Conference of State Trial Judges: Rural Court Regional Leadership Meetings
- National Center for State Courts: Evaluation Court-Annexed Arbitration —Pace, Cost, and
- University of Colorado at Denver: Impact of Court-Annexed Arbitra-
- John Jay College of Criminal Justice: Retention and Productivity of Community Mediators
- Institute of Judicial Administration, Inc.: A Study of State ADR Programs
- Urban Institute: Evaluation of D.C.'s

 Multi-Door Courthouse
- Institute for Social Analysis: Mediation and Integrated ADR Services
- Philadelphia Adult Probation and Parole Department: Electronic Mail and Bulletin Board Demonstration Project
- Policy Studies, Inc.: Telephone Conferencing/Interstate Child Support
- National Center for State Courts: Court Automation Performance Standards
- Iowa Supreme Court: Iowa Statewide Records Management Project
- Colorado Judicial Department: Expanding Automated Information Centers for Pro Se Access
- National Center for State Courts: Court Technology Data Base and State of the Art Report
- Marion County Justice Agency:
 Onbench Automated Generation
 and Filing of Court Orders
- National Center for State Courts: Support for Jury System Standards and Improvements
- National Center for State Courts: Juror Fees, Terms of Service and Excuses from Service
- American Judicature Society: Juror Notetaking and Question Asking: An Experiment
- National Center for State Courts: Improved Case Processing—Intermediate Appellate Courts
- Duke University (Private Adjudication Center): Impact of Procedural Reform/Malpractice Litigation
- Commonwealth of Massachusetts, the Trial Court: Triage: A Team Approach for Caseflow Management

- National Center for State Courts: Improving Caseflow Management in Urban Trial Courts
- National Center for State Courts: Effective Fine Collection and Enforcement — Criminal
- New Jersey, Administrative Office of the Courts: Project MUSTER
- Northwestern University, Center, Urban Affairs/Policy Research: AIDS Education/Procedural Guidelines for Probation
- National Judicial College: Three-Part AIDS Education Program for Judges
- ABA, Criminal Justice Section:
 Evaluation Probation Response to
 Court Ordered Treatment ...
- Rural Justice Center: Improve Access for Victims of Domestic Violence
- South Carolina Medical University, (Crime Victims Research Center): Model Protocol for Crime Victim Cases in Criminal Court
- UCLA: Cognitive Interview Techniques for Use with Children
- Maine, Administrative Office of the Courts: Court Security Demonstration Program
- ABA, Criminal Justice Section: Federal Habeas Corpus Review — Death Penalty ...
- National Association of Attorneys General: State Constitutional Law Clearinghouse
- American Law Institute: Study of Complex Litigation
- Institute of Judicial Administration, Inc.: Procedural Default in Federal Habeas Corpus Review
- University of Wisconsin, School of Law: The Role of the Trial Court in Criminal Cases
- National Center for State Courts:

 Civil Jurisdiction of Tribal Courts

 State Courts
- National Center for State Courts: Impact of Transfer of Diversity Jurisdiction
- American Judicature Society: Improving Judicial Election Campaigns
- Association of Judicial Disciplinary Counsel: Manual for Processing Judicial Disciplinary Cases
- National Center for State Courts: Comprehensive State ADR Data Base

Annual Conference continued from page one

In addition to collecting the many written materials that were on hand, the display provided the interactive videodisk Evidentiary Objections from the Judge's Perspective. The Judicial Skills Training Program at the University of Minnesota Law School produced the disk to help judges develop the ability to analyze and rule on objections made during trial.

Rich Reaves held a discussion on the computer-based bulletin board service that is available through Georgia's National Center for Adult Continuing Education and noted its advantages and applicability to judicial educators. Jane Nelson demonstrated the Faculty Data Base Project, which allows access by state and judicial educators to a nationwide computer data bank of judicial education faculty members.

Ed Borelli shared his experiences of presenting courses on literature and the law and noted the enthusiasm with which these courses are received. He spoke too of the time that Tom Wolfe lectured his class on Bonfire of the Vanities.

V.K. Wetzel moderated a seminar entitled "Guardianship for Elderly and Disabled Adults: Tudicial Practices and the Role of the Judicial Educator." The aging of America presents far more problems and issues than many people allow upon first impression. It is important for the court community to prepare for it. Rich Reaves led participants in an exercise on ethical problems based on fact patterns taken from actual cases, which was highlighted by a discussion of strategies and materials that can be used for training in judicial ethics.

The final seminar, presented by Jim Vesper, Len Kowalski, George Glass, and Connie Dove, was a discussion of publications that are of particular use to judges, such as benchbooks, casenotes, and sentencing guides.

Business matters. President Richard Reaves conducted the business meeting in which the new

officers of NASIE were elected. Rita Stratton was elected president; Jerry Beatty, vice-president; Larry Stone, secretary-treasurer. New regional directors were also installed at the meeting: Nancy Scheffel, western region; Scott Smith, midwestern region; Ed Borelli, northeastern region; and Dee Lawton, southeastem region.

Rich Reaves presented Presidential Citations for work on behalf of judicial education during the last two years to Gordon Zimmerman. Jane Nelson, Doug Lanford, Geoff Gallas, Jerry Beatty, Kay Boothman, Carol Weaver, V.K. Wetzel, and Rita Stratton.

Rita Stratton reported that NASJE received two grants from the State Justice Institute. One provides funding for technical assistance workshops for judicial educators, and the other grant continues funding NASJE News for another two years.





Receiving Presidential Citations from Rich Reaves were (clockwise beginning from top) Doug Lanford, Larry Stone, Jerry Beatty, Carol Weaver, Geoff Gallas, and V.K. Wetzel.

P R O F I L E



Rita Stratton

R ita Stratton, the new NASJE president, grew up in rural America on a family farm 12 miles outside the small town of Lawrenceburg, Kentucky. While Rita's father maintained an insurance agency, she, her mother, and older brother managed the farm, raising tobacco and beef cattle. This background gives her an appreciation for human nature, as well as Mother Nature, and explains her propensity for hard work. Daily management of a working farm gives one strength under pressure and the ability to anticipate what needs to be done.

Rita is an enthusiast for her state, a land of rolling hills, beautiful horses, bluegrass, and coal mines. She, at all times, displays the famous southern gentility and charm but is totally selfless and a defender of the common good. Unwaveringly strong on what is right and ethical, she brings out the best in her colleagues.

Graduating from Eastern Kentucky University with a bachelor's degree in business administration, Rita did graduate work in public administration with an emphasis in judicial administration. Later she pursued graduate studies in communications at the University of Kentucky.

Having been in the field of judicial education since 1973, Rita has been manager of the Kentucky Administrative Office of the Courts' Division of Education since 1981. Her involvement in NASJE began with the 1979 Annual Conference in Clarksville, Indiana. In 1982 she was

elected regional director of the NASJE Southeast Region. Successive biennia found her elected secretary-treasurer in 1984, vice-president in 1986, and now president. Her views on and vision for NASJE are expressed in the "President's Column" on page 2.

As a judicial educator, Rita has had her share of unusual experiences ... some she does not wish to repeat. One of the most memorable occurred this past June. A training program she was managing for 350 clerks was disrupted by a hotel fire. All were evacuated from the hotel meeting site while rooms were sealed off from entry. Because of the fire damage, much of the the training session had to be canceled, the evening's activity relocated, and the attendees referred to other hotels or

sent home. Rita says the patience

and hard work of staff members

Diana Clemons and Jeanie Lyles

averted a major catastrophe.

At another program, judges were on a tour of the state's maximum security prison when a judge suffered a heart attack and collapsed deep inside the prison walls. After accompanying the unconscious judge in a racing ambulance to two hospitals, Rita found herself 70 miles from the program site, trying to answer personal questions about the judge for hospital admittance, and conferring with doctors whether the judge was capable of consenting to surgical procedures.

The court's press officer, Pam Vest, has witnessed Rita's handling of such situations and remarks that "she may not be Wonder Woman, but I know her to be 'faster than a speeding bullet, more powerful than a locomotive, and able to leap tall buildings in single bound.""

Rita likes the challenges of her profession and it is evident that she likes and respects her constituency and peers. Those sentiments are reciprocated. District Judge Richard FitzGerald of Louisville describes Rita as the "backbone of continuing judicial education in Kentucky ... she's always been there." Rita's boss, Chief Justice Robert F. Stephans contends "it would take hours to do justice to Rita's attributes." He emphasizes though that, "quality judicial education is a priority in my administration because it is vital to maintaining a professionally sound and capable judiciary. The nationally recognized excellence of our mandatory judicial education program is directly attributed to Rita's skill and dedication. As Chief Justice and as a friend. I would not want to ever be without Rita."

Rita says that she is very fortunate to work with a cooperative and supportive staff, "Diana Clemons, Jeanie Lyles, and Alice Blankenship are excellent, professional people in whom I have the utmost confidence and respect."

For the past 13 years, Rita has resided in Lexington. She lives with her 16-year-old daughter, Laura. Both enjoy attending all the high school sporting events for which Laura is a cheerleader.

Multidisciplinary Studies continued from page three

tors reconsider their assumptions about program format? Are some of these subjects best explored only over long periods? Only in small groups? Only with substantial preparation and study by judicial

participants?

The Master of Judicial Studies program, jointly offered by the National Judicial College, the National Council of Juvenile and Family Court Judges, and the University of Nevada-Reno, represents one experimental set of answers to many of these questions. The program offers two-to-fourweek classes exclusively for judges. Classes are taught by professors from a variety of scholarly disciplines beyond the legal field, including sociology, economics, literature, criminology, linguistics, political science, and medicine. The program is based on the premise that judicial education should be broader than legal education, and that a judge should be learned in more than the

Three judges graduated from the program in May 1988, and 55 judges from around the country are currently active candidates for the degree. One tangible demonstration

of the effect of the integration of perspectives is the theses published by the candidates. See, e.g., Colquitt, "Judicial Use of Social Science Evidence at Trial," 30 Arizona Law Review 51 (1987); O'Connell, "Pretrial Publicity, Change of Venue, Public Opinion Polls—A Theory of Procedural Justice," 65 University of Detroit Law Review 170 (1988); Donohue, "Another Door Closed: Rape Trauma Syndrome," 23 Gonzaga Law Review 1 (1987-88).

It remains to be seen whether such programs represent the next logical expansion of judicial education efforts or a temporary divergence from the focus on traditional staples (such as evidence training or legal updates). However, if our focus is on how best to prepare judges to meet the fundamental challenge of providing justice in the face of conflicting societal demands, constricted budgets, and changing values, the basic question may be whether we can justify a failure to reach outside the traditions of legal training for the best answers that researchers, scholars, and thinkers in any field can currently provide.



uring its few meetings, the editorial committee of NASJE News has developed a special camaraderie. This group is losing one of its members with the resignation of Nebraska's Sam Van Pelt.

To put it in the words of a committee member, Sam, we all "like your style"! Your contributions and your candidness will be missed.

Sam has been replaced by three new committee members, Betty Ann Johnson, Scott Smith, and Mike Runner. Bill Fishback, an editor at the National Center for State Courts, has been named managing editor for the newsletter.



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