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by Crystal L. Banks, Esq.

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A publication of the Judicial Conference of Indiana, Judicial Balance includes stories and insights. [more >](#)

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News

NASJE Curriculum Committee Formed

In 2004 the NASJE Board approved a comprehensive set of competencies that outline the knowledge, skills, and abilities necessary for success as a Judicial Branch Educator. The NASJE Core Competencies can be found on the NASJE website. Now, the Board is taking the next step: using the competencies as a basis for a curriculum that will define courses to be offered both at conferences and online.

The NASJE Board has created a Curriculum Development Committee to complete this work. The committee will develop a curriculum, an overarching educational plan based on the competencies, for individuals new to Judicial Branch Education and for individuals who have experience in the field. The resulting curriculum will be a resource for the association, but will not dictate or restrict educational offerings. Courses from the curriculum will be offered alongside other event-based courses that the Education Committee deems appropriate.

The committee will work over the next three years to address all of the competency areas, beginning with those the NASJE Board identifies as high priority. The committee will: (1) Develop learning objectives based on the Core Competencies; (2) Based on the objectives, identify content areas to be addressed; (3) Develop comprehensive educational templates/outlines for each content area; (4) Submit the templates to a larger committee for review and feedback; (5) Based on feedback, refine the templates; (6) Submit the templates to the NASJE Board for approval.

The committee will include in the template for each content area: a course description, learning objectives, topics and subtopics to be addressed, resources for faculty, suggested delivery mechanisms, suggested teaching methods, and more. Faculty will use the templates as a foundation for developing courses for the association and/or for local state judicial branch education staff.

The Curriculum Development Committee is: Chair: Christy Tull, (OH); Members: Judith Anderson (WA), Michael Bell (NV), Maggie Cimino (CA), Martha Martin (FL), Dawn McCarty (MI). For additional information, contact Karen Thorson who is serving as a consultant to the committee:

johnkarenthorson@mac.com.

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"Hidden Injustice": A Report by The Equity Project

The National Juvenile Defender Center and the Campaign for Youth Justice are working together to promote a new report by the Equity Project on lesbian, gay, bisexual and transgender (LGBT) youth in the juvenile justice system.

The link below will take you to a PDF of the Equity Project's Report, "Hidden Injustice". The Equity Project is an initiative to ensure that lesbian, gay, bisexual and transgender (LGBT) youth in juvenile delinquency courts are treated with dignity, respect, and fairness. The Equity Project examines issues that impact LGBT youth during the entire delinquency process, ranging from arrest through post-disposition.

Core activities of the Equity Project include

- Gathering information from stakeholders about LGBT youth in juvenile delinquency courts
- Identifying obstacles to fair treatment
- Reporting findings
- Crafting recommendations for juvenile justice professionals

"Hidden Injustice" represents the first effort to examine the experiences of LGBT youth in juvenile courts across the country. The report is based on information collected from 414 surveys and 65 interviews with juvenile justice professionals, including judges, defense attorneys, prosecutors, probation officers, detention staff, and other juvenile justice advocates; focus groups and interviews of 55 youth who possess relevant firsthand experience; and an extensive review of relevant social science and legal research findings.

Please find a PDF of the report here: [PDF](#)

For further information on this report or the work associated with it, please contact

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Grant-Funded Courses - May 2010

The National Center for Justice and the Rule of Law (NCJRL) and the National Judicial College offer two grant-funded courses this May in Reno, NV. These courses are FREE and offer substantial scholarships to reimburse most expenses. Note that the courses are back-to-back and judges could choose to attend either or both courses.

1. Technology-Assisted Crimes Against Children: Understanding Investigative Techniques and Pretrial Motions Practice (2 days)

- Understanding of various investigative techniques and Internet distribution schemes; interrogation of suspects; in depth treatment of search and seizure of digital evidence; other pretrial motions, including discovery in child pornography cases. [Click here](#) for the course agenda.
- This course is made possible by a grant to the NCJRL from the US Department of Justice, Office of Juvenile Justice Delinquency Prevention.
- Location & dates: Reno, NV May 20-21, 2010

2. The Fourth Amendment: Comprehensive Search and Seizure Training for Trial Judges (4 days)

- Comprehensive framework to address search and seizure issues. This popular course is always full but we have a few slots left.
- [Click here](#) for the course agenda.
- This course is made possible by a grant to the NCJRL from the US Department of Justice, Office of Justice Programs.
- Location & dates: Reno, NV May 24-27, 2010

For more information and a list of all of our upcoming judicial courses, please visit [the NCJRL website](#). Upcoming course information can be found [here](#).

Registration is handled directly through the National Judicial College. You can [register online](#). Under payment information, simply type: U.S. Department of Justice. Don't worry that it defaults to "invoice your court." Your court won't be charged. Also, please type NA into all yellow boxes (within the payment information section). Alternatively, you can complete and fax the print version of the application ([PDF](#)).

Also, please feel free to contact the NJC Registrar, Muriel Bartlett, registrar@judges.org (800-255-8343) (775-784-1269 FAX), who can provide you with the most up-to-date information on registration, lodging, expense reimbursement and any other questions you might have.

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NASJE's First Virtual Web Conference a Success

The first virtual web-conference for NASJE members was offered in January, 2010. The two-hour webinar was hosted by NASJE President Christy Tull and covered association updates, tips for online web conferencing, and a session on learning activities live and online.

Serving as faculty were Joseph Sawyer and William Brunson from the National Judicial College and Susan Morley from Florida. There were about 60 participants representing members from across the country.

Tull said the objectives of the event were to engage members in an on-going dialogue, to share resources and learn from each other, and to advance the profession of judicial educators. She said the event was well-received and that the planning group will consider future web events based on the feedback from the evaluations.

Some of the evaluation comments were

- "Very helpful to learn while doing."
- "The demonstration and interaction with the group was excellent"
- "The content had good value."
- "Great presenters. Well planned."

Sawyer facilitated the discussion on web-conferencing best practices and other "techie tips." Some of his tips for a successful web-based learning event were to keep the learner informed of dates, times, and access information; allow time for installation and technical problems; explain the tools available within the webcast platform as they are being used; ignore tools that you don't plan to use; don't use cell phones for the voice component, develop a team (producer, presenter, help desk), and manage time well. He also discussed ways to humanize the event with video or photos and participant engagement, and encouraged educators to practice with presenters before going live.

Brunson and Morley not only discussed ways to incorporate learning activities into presentations, they demonstrated a number of methods during the webinar. Participants were able to voice their opinions through voting on topics, taking quizzes, submitting written responses, and "raising their hands" to be called on by the presenters. Other topics included how to effectively use lecture, facilitate a debate, and use buzz groups.

The program was recorded and is available to view [here](#). The password is nasje (all lower case). Once you enter your name and email address, choose the January 29, 2010 NASJE web conference. Once it loads, you will be able to see the slides and listen to the audio exchanges from the program.

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Office of Justice Programs Launches Grants 101

OJP Grants 101 provides an overview of OJP grants and funding opportunities and describes the entire grant process, from choosing what type of grant is right for your organization to how a grant is awarded.

Through OJP Grants 101 you will learn:

- How to find grants
- What you need to know before getting started
- The grant life cycle
- Grant writing tips
- The peer review process
- The award process

Visit the [OJP Grants 101 website](#) today.

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From the President: Working Together to Meet Today's Challenges and Opportunities
by Christy Tull



Christy Tull

NASJE was founded to "improve the justice system through judicial branch education (JBE)." As we celebrate our 35th year, many of us are asking how we are doing this year. In answer to this question, I will summarize a few observations and take this opportunity to alert you to some important happenings.

As president, I have the weekly privilege of talking with many of you from our forty-three member states and six countries.

Not surprisingly, there is a theme that has emerged in virtually every discussion this year. Exchanges often begin with "how is your state (or JBE office) doing" with the budget woes. Answers range from talk of furloughs, budget cuts, challenges in legislative and budgetary hearings/meetings, to okay now but worried about next year.

In response, NASJE is dedicating its next Virtual NASJE Conference to the topic of "why JBE is important". The goal of this 90-minute webcast is to equip state JBE directors and remind all JBES of the evidence and talking points that demonstrate the indispensable value we bring to the justice system and public good.

- Please join us Tuesday, May 4th, from 2:00-3:30 p.m. Eastern Time. An invitation will be emailed to you soon.

Other dates to note include:

- Friday, May 21st. Another webcast (i.e., an education & discussion forum via the internet) will be held and open to all NASJE members. It will be hosted by the Western Region, led by Michael Roosevelt and taught by Joseph Sawyer and Eddie Davis. The session will demonstrate the use of education technology and explore the challenges of transitioning audiences from live to web-based education.
- August 8th-11th. Our annual conference in San Antonio, Texas will give us all the opportunity for networking and education. Thanks to Education Chair Elizabeth Evans, her hardworking committee, and our Texas hosts, the event will be one to remember. Sessions will range from "radical resiliency", to roundtable exchanges, to model programs that get positive results. Check your mailboxes this month and the NASJE website for more information.

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Successful Activities and Updates

Thanks to the generosity of the State Justice Institute (SJI), we are the recipients of two grants: 1) to subsidize our annual conference, and 2) to develop a curriculum (i.e., an overarching educational plan) for JBEs, based on NASJE's core competencies. How does this benefit *your* state or organization? The answer is that our annual conference registration fee will remain at \$495, the conference will feature great faculty, and scholarships will again be available. Secondly, due to the curriculum development grant, not only will NASJE's education be enhanced, but this new curriculum can be used by states to address/apply content as it relates to their local environments.

THANKS TO THE SJI

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Regional activities abound. In addition to the upcoming Western Regional webcast, Arkansas, Mississippi, West Virginia, and Alabama just held a successful Southeastern Regional mid-year conference in Huntsville, Alabama. As one participant stated, "The troubleshooting and getting to know everybody... was invaluable!" Thanks to Marty Sullivan for his leadership on this event.

Finally, Martha Martin (FL) has recently joined the **NASJE Board of Directors** as Secretary to fill the unexpired term of Denise Dancy who had to resign due to unforeseen circumstances. Thanks for your service to NASJE, Denise, and welcome, Martha! FYI, Board calls are the second Monday of every month from 12:30-2:00 pm eastern time. Please contact me at christy.tull@sc.ohio.gov if you would like to join in on any meeting.

Thanks to our founders and the active investment by many in our organization, I hope that you will agree with me that NASJE membership can enhance your ability to impact the judicial system by continually improving the personal and professional competence of all persons performing judicial branch functions.

As ever, it is an honor to partner with you all. Contact me anytime with questions, comments, and ideas.

Warm regards,
M. Christy Tull
NASJE President

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Southeast Regional News

by **Marty Sullivan**

The latest issue of the NASJE Southeastern Regional Newsletter is available [here](#).

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Southeastern Region

NASJE's Southeastern Region consists of

- Alabama
- Arkansas
- Florida



- Georgia
- Kentucky
- Louisiana
- Mississippi
- North Carolina
- Puerto Rico
- South Carolina
- Tennessee
- Virgin Islands
- Virginia
- West Virginia

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Seeing Around the Corner: Capitalizing Upon Contemporary Court Crises

by **Thomas Langhorne**

This article continues the NASJE Futures Advisory Committee's series of articles for the 2010 NASJE News. These articles will focus on specific trends impacting judicial branch operations and values.

Stating the obvious, our courts are enduring a uniquely challenging era. Rough and tumble competition for diminishing public resources are shell shocking state and local courts in virtually every American jurisdiction. Simultaneously, courts are hearing unprecedented, vociferous demands upon them to solve increasingly complex social problems. Many state courts are reactively ducking for cover or, at times, sticking their heads in the sand. This is both predictable, understandable, and on occasion, self-preserving given the relatively weak position the judicial branch occupies vis a vis its governmental counterparts. No wonder our courts are instinctively looking for any safe port in this storm. Unfortunately, courts' fiscal and political harbors are as rare as the number of executive and legislative branch champions exhibiting fortitude to support what Hamilton and others have called the "superior but weakest" of branches. As a result, courts must become not only more resilient and creative, they must become more effective in communicating why courts, as independent institutions, must maintain their institutional independence.

Counterintuitive as it may sound, our courts' contemporary crises require us to be more vigilant in envisioning our *preferred* near future. All of us need to borrow practical, proven strategies that help us "look around the corner" and leverage those opportunities that inevitably offer themselves following acute change initiatives. The uncomfortable truth is that only those courts that think strategically understand these crises and the acute imperatives for change that forge innovative opportunities, efficiencies and renewed commitment to courts' core values.

This article identifies one emerging trend impacting courts, sheds light on ways courts can capitalize on those trends, and lists practical, readily accessible resources your courts can use to navigate today's and tomorrow's treacherously changing sea tides.

There exist too many relevant trends that can be accommodated in this short article. However, NASJE's Futures Advisory Committee, ably chaired by Judge Bob Pirraglia, will be addressing many of these trends in forthcoming NASJE News editions this year.

Trend One: Re-examining Courts' Core Purposes and Adapting Strategically

Working in the trenches with over 40 states' court systems reinforces my belief that there is one paramount, albeit uncomfortable, reality today's courts must embrace (and, based upon my observations, are, in fact, beginning to embrace). Specifically, courts, like all revered institutions, must

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continually examine (and re-examine), define, and be able to articulate their core purposes. Our judicial institution's longevity and its cemented foundation do not ensure its perpetual security. Too many formerly "untouchable," entrenched, now extinct, institutions learned this lesson the hard way. Let us compare two specific institutions that illustrate this point.

The Swiss watch making industry enjoyed a virtually unchallenged monopoly for countless decades. No one threatened their niche. As a result, they developed a false sense of insulated imperviousness. During a world trade association conference in the 1970s, the digital watch was introduced for the first time. The Swiss dismissed this new technological trend as a non-threatening aberration. After all, digital watches lacked the Swiss' expertly handcrafted workmanship. Their strategic miscalculation turned out to be a grave, irreversible error. Specifically, in less than 10 years, the Swiss watch making industry not only lost its arrogant, monopolistic stranglehold over its industry, it was struggling to stay relevant. It failed to continuously examine its "real business"- its core purposes and roles. Instead, it assumed its long standing stature would continuously assure viability.

Compare the ocean liner industry in 1950. In that year, the USS United States ocean liner smashed the world record for shortest time taken to cross the Atlantic Ocean. That industry, while still recovering from its recent celebratory hangover, saw the New York Times front page excitingly proclaim that the first transatlantic commercial passenger airplane had flown from England to New York City in a matter of *hours*. Suddenly, crossing the Atlantic in days became completely irrelevant to the world's travel industry.

Certainly we have all noticed that the cruise industry flourished for decades post 1950. It currently weathers the worldwide economic downturn. In fact, the world's largest cruise ship, several times larger than The Queen Mary, was launched in 2009. Why did the cruise ship industry, unlike the Swiss watch making industry, survive and thrive despite being faced with startlingly unexpected challenges? Precisely because the former dared to re-examine its true core business and purpose. They then *re-defined* their true business as being in the "pleasure and travel" business, not merely the transportation business. Courts should learn from this lesson. Plainly, it is a lesson that has been replayed countless times by other "insulated" institutions over our history.

How can courts capitalize on this lesson, which is becoming, in my opinion, the most salient trend impacting courts?

Disconcerting as it may seem, being one of the original three branches of government offers a dearth of insulation to external, scavenging pressures on "the weakest of the three branches of government." We must immediately embrace the political reality driving all policies impacting today's courts: courts do not enjoy equal political footing with the other two branches during these economic and political crises. That reality is nothing novel and accordingly, does not constitute a trend. What I think does constitute a trend is that courts are becoming more adaptive to their changing environment – a result, in part, from their listening to external and internal stakeholders, asking others what courts' core purposes should be. This does not intimate for one moment that courts are jettisoning their core identity to accommodate daily changing winds. What courts are doing is staying steadfast to their institutional and constitutional roots while accommodating the public's evolving expectations. As a result, we now see courts executing novel, often community-saving strategies, that a mere 10 years ago would have strained traditional notions of courts' roles.

Let's examine some specific trends of innovative court practices that are a proven successful by-product of courts' examining their core role, purposes and responsibilities. Beginning with a more esoteric trend, I am seeing an increasing number of courts trying to objectively quantify and articulate their core purposes, and more importantly, concretely measure their success is accomplishing those core purposes. We owe this positive trend to the National Center for State Courts, which was the original architect of "Trial Court Performance Standards" (TCPS) in the mid 1990s. [NOTE: The 5

TCPS are: (1) Access to Justice (2) Expedition and Timeliness (3) Equality, Fairness, and Integrity (4) Independence and Accountability (5) Public Trust and Confidence.]

TCPS continue to evolve and become more user friendly thanks to the innovative thinking of folks like Ingo Keilitz, among others, at NCSC.

This positive trend is terribly critical to the ability of courts to remain relevant and explain to the public (from purse string holders to the average Mary standing at the court clerk's window) why courts add precious value to local communities. What intrigues me is why this trend is just now beginning to gain a foothold. When I began my private court consulting practice eight years ago, I routinely integrated TCPS into most of my judicial and court management workshops (believing it was important to quantify workshop learning objectives in a way workshop participants could apply in practical, concrete ways upon their return to their courts). Eight years ago, in any typical judge or court manager audience of 100 participants, when asked, "How many of you use TCPS in your court's operations and management," I would be fortunate to have one to three hands raised, if that! Compare my 2009 experiences. For example, during a District of Columbia court's workshop, I asked the same question, and to my pleasant surprise, the majority of over thirty participants raised their hands.

Courts aren't Kellogg. We don't make cornflakes. Courts aren't Kia. We don't make cars. The essential core purpose of courts is to "do justice" and be seen as doing justice. Our challenge lies in our ability to concretely articulate to stakeholders just what and how "justice" is being done. TCPS allow us to tether otherwise aspirational, fleeting notions of "justice" in grounded, practical, understandable terms to laypersons. Courts' every procedure and operation, are in one way or another, measured by TCPS. TCPS allow us to effectively describe to stakeholders at town hall meetings, state legislative hearings and in our court clerk hallways why courts matter. Fortunately, in my observation, courts are now becoming more adroit in doing so.

We are seeing a second trend emerge that better positions courts during these times of challenge. Specifically, as a result of more courts examining and redefining their core purposes, we see courts collaborating across traditional public boundaries. These public-non-profit collaborations and resource sharing allow courts to solve increasingly complex local issues and leverage existing state and community resources.

For example, two years ago when the housing market crisis initially arose, the city of Philadelphia saw the ominous specter of debilitating property tax erosion and mass population exodus. This threatened all of that city's public services' and institution's viability. Enter the Philadelphia Court of Common Pleas. According to a Pennsylvania Bar Association May 26, 2009 press release:

Judge Rizzo presides over the Residential Mortgage Foreclosure Diversion Pilot Program, which is touted as the first city-sponsored plan in the U.S. to broker negotiations between mortgage lenders and homeowners who have fallen behind on their mortgage payments. The pilot program has garnered national press coverage and has become the model to be emulated both within and beyond

Pennsylvania's borders. 'Judge Rizzo was the first to understand that the mortgage foreclosure problem was both urgent and extensive in our county' wrote Philadelphia County Court of Common Pleas Judge Anne Lazarus, who supported Rizzo's nomination for the Goffman Award. 'She understood that all of the players had to be brought to the table and had to 'buy in' to the possible solutions.' [NOTE: See, [this webpage](#)]

Thousands of homes were saved as a result of that court's courage to examine its core community role and exert innovative leadership during a time of crisis. Do you think a single home owner who was able to stay in his or her home as a result of this collaborative program questions the Philadelphia courts' relevancy?

Another court's adaptive innovation is seen in New Jersey's Municipal Courts' "Shared Courts" model which allows fiscally strapped courts and municipalities to share resources and costs [NOTE: See, [this webpage](#)].

The Virginia Supreme Court began collaborating with The Century Council, a national not for profit organization committed exclusively to stopping underage drinking and drunk driving in America. The Century Council has spent millions of dollars in that effort. They have collaborated with organizations such as Nickelodean, NCAA, the National Judicial College among many others. Virginia courts will soon collaborate with The Century Council, using their extensive cutting edge media and public education/outreach expertise to develop compelling multi-media presentations for local courts' teenage driver license ceremonies. The goal is to make an indelible impression on teenagers about their responsibilities as drivers.

Resources You Can Use to See Around the Corner

Your task of "seeing around the corner" is made easier for you by the efforts of others in this specific regard. For example, the National Center for State Courts regularly publishes its Future Trends in State Courts. This is my suggested starting point for all courts. You can read same at their [website](#).

The Council for State Government is another excellent resource. The CSG routinely surveys the horizon for trends impacting state and local governments and offers insightful impact analysis. See their [website](#).

You might be surprised at the wealth of "visioning" resources on your local level. For example, having served on my local United Way board, I know first hand that many local United Ways conduct strategic planning initiatives. Many spend considerable resources and collaborate with local profit, non-profit and governmental entities to visualize trends affecting the community across all spectrums ranging from transportation to demographics. Interestingly, these are some of the same local and state trends that will ultimately impact local courts.

Consider calling your state or local university for their insight and resources. Most state universities have in-house strategic planning and visioning departments. They are often devoted to anticipating future trends and suggesting proactive measures to leverage opportunities that accompany those trends.

Tom Langhorne is a court consultant and judicial educator. He is a NASJE past president and former Director of Judicial Education for the Supreme Court of Virginia. Tom has served over 40 state court systems and taught over 6,000 judges and court managers across the country. He can be contacted at rightinfo@aol.com

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Diversity Affects All Our Courts

by **Crystal L. Banks, Esq.**

When many of us hear the term “Diversity” I think we automatically think about large urban courthouses in the big city. However, this is not the case at all. All of us are impacted by diversity of many kinds. In fact, we could make the argument that “we”, an all inclusive “we”, is the true heart of diversity; so why not fully embrace it. Diversity is defined as a variety, mixture or assortment of something. In perhaps its most common context, people generally think of the many cultural ethnicities and races that make up the United States of America and beyond. However, diversity also includes age, gender, those with disabilities, sexual orientation, religious beliefs, socio-economic status and the list goes on and on. The important thing is that we allow for all of these differences in our thoughts, hearts and our world.

Diversity is clearly exemplified in the jobs and careers we have all chosen to do. We work in and around the Courts. The Courts are the pillar of our society where we have pledged to all of our citizens and those who live in the United States (whether legally or not) that we will consider you as someone who is valuable within our society. We have vowed to give access to justice to everyone. We have vowed to listen to everyone, to respect them and to give them their day in Court.

The populations continue to rapidly change in each of our states and we strive to keep up with these changes. We must recognize that a constant learning process is taking place as we welcome people from all over the world. It is incumbent upon us all to look at all of these changes as an opportunity to learn more about our world, ourselves and our justice systems. Instead of clinging to the familiar and grumbling about alteration, why not embrace the freshness that comes with change?

Many of our citizens look to the Courts for Justice. They look to us to implement what the laws say after the Judges have interpreted them. Now is a good time for all of us to look inward and ask if we are doing all that we can as we go about our daily work lives to implement an inclusive feeling within our workplaces. It does not matter if you work in the busy courthouses of Los Angeles, Washington, D.C. or New York or some of the rural courthouses spread all over the United States, the ideals are still the same. Each person, no matter what they are labeled, is still a person worthy of our understanding, respect, dignity, and given excellent customer service.

One such example is when the District of Columbia Courts joined several other states in recently recognizing and performing same sex marriages. The change has been embraced by many and has gone quite smoothly from an administrative stance. The Courts have been lauded for the professional handling of the work and people were extremely appreciative.

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This would be a good time for each of us to look at our own Courts to see where we could offer a seminar to our employees, judges and court administrators. We have to offer it in a new way so that we cannot be told that this is an old topic and that they are all already aware of everything that we want to teach or convey. Since we know that unconscious bias has permeated practically all parts of our lives, let's try to bring better awareness to it. Perhaps, we can teach an old dog new tricks, after all!

Crystal L. Banks is the Deputy Director of Judicial Education and the Center for Education and Training at the District of Columbia Courts. She is Co-Chair of the Diversity Committee and Co-Chair of Education for the 2011 Joint Conference for NASJE & NACM.

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Book Review: *Lawyers in Your Living Room! Law on Television* by Michael Asimow, Editor

by Kelly Tait

The average U.S. American has the television on over 4 hours per day, sees an average of 20,000 commercials per year, and has seen 200,000 acts of violence on television by age 18 (see [here](#)). Judges and court staff bemoan the fact that many self represented litigants come to court thinking that the experience will be similar to being on *Judge Judy*, with insults hurled by everyone including the judge. Jury members often have distorted views of the evidence and forensic analysis that's commonly available as well as how the long the trial process is likely to take—they've seen major crimes committed, investigated, and prosecuted all in less than one hour.

What's a judicial branch educator to do? Putting the medium to work for us could be part of the answer.

The book *Lawyers in Your Living Room! Law on Television*, edited by Michael Asimow and printed by the American Bar Association Press (2009), can help you do just that. Michael Asimow, one of the authors of the excellent book *Reel Justice: The Courtroom Goes to the Movies* (2006), expands his theme to include that ubiquitous medium — television.

As its title indicates, attorneys are the focus more than judges or court staff in *Lawyers in Your Living Room!* However, the justice system overall is included in the discussions in all of the chapters. There also are analyses of TV judges that go beyond a cursory look, but you might have to put some effort into finding them. One place you don't have to work to find them—for better or for worse—is in the section called Daytime Television Judges which includes chapters called "Judging Judge Judy" and "Judging the Judges—Daytime Television's Integrated Reality Court Bench."

That is just one of seven sections (with several chapters in each section) in *Lawyers in Your Living Room! Law on Television*. Here is the list of all seven:

1. Dramatic Lawyer Series—The Genre
2. Foundations of Law on Television
3. The American Criminal Justice System
4. Criminal Justice—British Shows
5. The Civil Justice System

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6. Daytime Television Judges

7. Lawyers on Non-Law TV Shows

The book has relatively short chapters (averaging eight to ten pages) by thirty-seven different authors. This format is both a strength and a weakness. It works well to provide varied perspectives of the justice system as portrayed on “the tube” and to keep the reading lively. However, some of the chapters could have used a little more depth, and a more consistent format across chapters might have made the book more useful as a resource.

I think the book could have been improved with the inclusion of a chronological chart of the relevant shows and a clear compilation/guide to some of the specific legal concepts, challenges, etc., that were spotlighted in episodes of particular shows. This is an approach that makes Asimov’s other book, *Reel Justice: The Courtroom Goes to the Movies*, so useful to us as judicial branch educators. *Lawyers in Your Living Room!* does have a reasonably complete index that is helpful, particularly if you already know what you’re looking for.

In any case, the book is worthwhile to anyone who is interested in the influence of entertainment media on perceptions of the justice system and to anyone looking for tools from the popular culture that can be used as examples—positive and negative—for teaching in the justice field. Some of the shows it highlights in particular are *Perry Mason*, *The Defenders*, *Gideon’s Trumpet*, *L.A. Law*, *Matlock*, *Law and Order*, *The Practice*, *Murder One*, *JAG*, *Shark*, *Ally McBeal*, *Judging Amy*, and *Boston Legal*, among others. In addition, there are four chapters on British shows about criminal justice (including *Rumpole of the Bailey* with its curmudgeonly barrister) and one chapter each devoted to the impact of criminal justice shows in France, Spain, Germany, and Brazil.

Some of the chapters include discussions of specific episodes of particular shows that help illuminate legal concepts. For example, *Pickett Fences*, which aired from 1992-1996, is described as “...a show about how the application of law reverberates throughout a community and the individual citizens who live in it” (p. 375). An episode illustrating some issues related to probable cause is discussed in the book: “...when a police officer is shot, the basic constitutional requirement of probable cause poses a difficult professional challenge to both Judge Bone and [defense attorney] Wambaugh” (p. 377).

As you might expect, some fun trivia comes to light along the way in *Lawyers in Your Living Room!*. For instance, Amy Brenneman not only was the series star of *Judging Amy* (airing 1999-2005), she also was its chief creator. She drew on the experiences of her mother, Frederica Brenneman, who was just the second woman to serve on a state court in Connecticut.

While it’s quite easy to find examples on television where the justice system isn’t accurately portrayed, there are also examples of where’s it’s done correctly, and this book helps you find them. As Reginald Rose, the creator of *The Defenders* (airing 1961-1965) and the writer and co-producer of *Twelve Angry Men*, said: “I wish to emphasize that law is the subject of our programs; not crime, not mystery, not the courtroom for its own sake. We were never interested in producing a ‘who-done-it’ which simply happened to be resolved each week in a flashy courtroom battle of wits” (p. 63).

You can find the analysis of this show this as well as discussions of everything from flashy battles of wits to why more realistic “reality” court TV shows don’t last to why television writers often make the choices they do in this book. It’s an interesting read and a reasonably useful resource for getting ideas to enhance your judicial education sessions.

The list price of *Lawyers in Your Living Room! Law on Television* is \$24.95, but new and used copies are available at sites like Amazon.com for less.

With Americans watching so much TV for so many years, we can look at it as an opportunity to use

what the medium has produced to tap into shared vicarious experiences and to instruct judicial branch employees in a culturally meaningful way.

[NOTE: For more information on the why and how of using media clips to teach, please see the article "[New Showing: Movies in Judicial Branch Education Sessions](#)" in NASJE News Quarterly, Winter 2009.]

Kelly Tait is a speech communication instructor at the University of Nevada, Reno, and a communication consultant who has designed and conducted a variety of communication skills-based workshops and seminars for organizations such as the National Judicial College, the New York State Judicial Institute, the Supreme Court of Virginia, and the Nevada State Bar Association. Her specialties include faculty development, courtroom communication skills, and diversity issues.

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Judicial Balance - Lessons for Law and Life

A publication of the Judicial Conference of Indiana, Judicial Balance includes stories and insights.

- **March 2010** ([Web](#))

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Thiagi Game Letter

The [February 2010](#) issue contains:

- A hefty article on simulation games with embedded puzzles.
- A game called 20 PUZZLE TYPES.
- A PDF collection of 20 instructional puzzles and solutions.
- A Guest Gamer interview with Debbie Newman, who talks about her discovery of the meaning of Second Life.
- Brian Remer's explorations of The Fun Theory, the Fun Cycle, and Five Senses.
- Information about game design workshops in Zurich and Chicago.
- Tracy's single topic survey, which asks who you are and how you use games and activities.
- Tracy's report on your New Year's resolutions.
- Information on our new podcast episode.
- A link to an excellent Puzzle Playground.

The [March 2010](#) issue contains:

- An article on different elements in evaluating training activities.
- A Guest Gamer interview with Dimis Michaelides, a magical and creative game designer.
- A framegame by Dimis on handling the flak when you are trying to bring about an innovation.
- A jolt called DOUBLE THE MONEY that explores gullibility and paranoia.
- An instructional puzzle invented by Lewis Carroll.
- A 99-word article by Brian Remer on the impact of superfluous overload.
- Brian's musings on oil spills and hair-raising learning.
- An activity from Brian about meaning in the moment.
- Invitations to Thiagi workshops in Europe and the USA.
- Tracy's survey on evaluation.

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- Tracy's survey results on your professional identify.
- A link to Kirkpatrick Partner's web site with resources on evaluation.

The April 2010 issue contains:

- A memorial tribute to Mel Silberman, a pioneer in our field of active learning.
- Our interview with Mel, first published in 1999.
- DOT IN A CIRCLE, a jolt by Mel on the importance of asking for feedback.
- A how-to article on using serial jolts to produce repeated insights.
- A serial jolt on team planning and one on teamwork.
- A 99-word article by Brian Remer on the brain and enculturation.
- Brian's review of The Brain That Changes Itself, a book by Norman Doidge.
- Brian's musings about surprising ways enculturation affects the brain.
- An activity by Brian about overcoming cultural assumptions.
- Tracy's single topic survey on multitasking.
- Tracy's survey results of your responses on evaluation.
- Matt's summary of four new episodes of our podcasts.

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