

AJA BENCHMARK

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AJA and NCSC Work Together Against Substance Abuse

Every day our courts confront issues of substance abuse in a variety of faces and cases. The American Judges Association and the National Center for State Courts, with funding from the State Justice Institute, have produced a new curriculum to help judges confront these issues—"Judicial Education on Substance Abuse: Promoting and Expanding Judicial Awareness and Leadership." The curriculum also represents the collaborative efforts of other national organizations.

"Judicial Education on Substance Abuse" explores the nature of alcohol and other drug abuse, as well as the dynamics of recovery in the court context. It is an introductory session for judges who handle all case types and is adaptable (and expandable) for various educational contexts at the national, state, and local

levels. The curriculum encourages judges in all types of courts to share current information and work with experts in other disciplines to develop new systemic approaches to address this challenging problem.

The curriculum consists of three standalone modules focused on increasing judicial awareness of the challenges substance abuse poses to the courts, individuals, and the community; providing a basic overview of addiction, pharmacology, and recovery principles; and exploring strategies and tools judges can use from the bench to respond more effectively to substance abuse.

For more information, log on to NCSC's Web site at www.ncsconline.org and click on "What's New," or contact Denise Dancy at the National Center for State Courts by phone at (757) 259-1593 or by e-mail at ddancy@ncsc.dni.us. 

Kentucky Says "Yes" to Family Courts

On November 8, 2002, Kentuckians made a historic decision. By ballot, they informed their government that they believe Kentucky should amend the state's constitution to initiate family courts.

The general election ballot in Kentucky asked voters: "Are you in favor of Family Courts in Kentucky by amending the Kentucky Constitution to allow the Supreme Court to designate a division of circuit court as a Family Court?" Voters overwhelmingly supported the amendment, with 76 percent voting yes and 24 percent voting no.

For ten years, Kentucky operated a family court pilot project in a handful of locations. There was a question, however, as to the constitutionality of the family courts, and many believed that the courts should not be expanded statewide until the state constitution could be amended to provide for them.

According to Chief Justice Joseph E. Lambert of Kentucky, there is a lesson to be learned. "Citizens want improved courts, and when they are properly educated, respond enthusiastically."

Virtually all major newspapers in Kentucky endorsed the amendment before the election, and it was passed overwhelmingly in both houses of the Kentucky General

Assembly. The amendment also received the support of the Kentucky Education Association, the Kentucky Farm Bureau Federation, the Kentucky State AFL-CIO, the Kentucky Association of School Superintendents, the Jefferson County Teachers Association, several Kentucky chapters of the NAACP, any many other organizations.

In an op-ed piece published by several Kentucky newspapers, Chief Justice Lambert wrote, "Where court involvement in family matters is necessary, courts should do more than merely decide who wins and who loses. With dedicated judges, competent and well-trained support staff, and helping professionals, family courts are making an otherwise dreadful ordeal a survivable experience."

For more information on family courts, the National Center for State Courts recommends the following publications, both available online at www.ncsconline.org.

- *How Are Courts Coordinating Family Cases?* by Carol R. Flango, Victor E. Flango, and H. Ted Rubin
- *Integrating Criminal and Civil Matters in Family Courts: Performance Areas and Recommendations*, by Brenda Uekert 

Bonjour!

The American Judges Association invites you to its
43rd Annual Educational Conference

September 14-19, 2003, in Montréal!

Hotel Omni Mont-Royal

Watch your mail for the registration brochure, which will provide complete information on the education sessions (14.75 CLE hours will be offered), the facilities and accommodations of the beautiful Omni Mont-Royal, the planned optional tours to see and experience Montréal's exciting attractions, and the other activities that await you in the lovely city of Montréal. The brochure also will be available in the "Members Only" section of the AJA Web site. Check out <http://aja.ncsc.dni.us>, and join us for an outstanding conference this fall. Discount registration fees are available until June 15.



NOTICES

Midyear Meeting Coming to Montana

Mark your calendars for the AJA Midyear Meeting at the Sheraton Billings in Billings, Mont., May 15-17. Registration fees are \$125 for judges and \$75 for spouses and guests; room rates are \$65 to \$75. For more information, check AJA's Web site at www.aja.ncsc.dni.us or contact Shelley Rockwell at (757) 259-1841 or e-mail srockwell@ncsc.dni.us.

NCSC Releases 2002 Trends Report

The National Center for State Courts' 2002 *Report on Trends in the State Courts* is available in print and online at www.ncsconline.org. This latest edition of NCSC's long-running *Trends Report* series profiles recent issues and developments, such as biometrics and problem-solving courts, and includes an *Environmental Scan*, which gives courts a long-range

look into the future. This report was reviewed in the latest issue of AJA's *Court Review* (vol. 39/2). For more information, contact the National Center for State Courts, Knowledge and Information Services Office, 300 Newport Ave., Williamsburg, VA 23185-4147 or call (800) 616-6164.

NJC Offers Courses on Problem-Solving Issues

Three National Judicial College courses focus on problem-solving issues for judges: "How to Be a Change Agent: Problem Solving in the Courts" (by invitation only); "Managing Cases Involving Persons with Mental Disabilities" (June 5-6, 2003); and "Co-occurring Mental and Substance Abuse Disorders" (September 29-October 2, 2003). For more information, call (800) 25-JUDGE or (775) 784-6747, or consult www.judges.org on the World Wide Web. 

NOMINATIONS and ELECTION

The Nominations Committee chair, Judge Bonnie Sudderth, requests early nominations for positions to be filled at the annual conference in Montréal. In order for the Nominations Committee to give each name full consideration, it is important that nominations be received no later than **July 15**. The other members of the Nominations Committee are Merwin Brandon, Gerald Elliott, Cedric Kerns, and James Van Winkle.

Officers: A president-elect and vice-president must be nominated for one-year terms. A bylaws revision approved at the 2002 annual conference provides for changing the first and second vice-president positions into one vice-president office.

Judge Steve Leben was elected to a one-time-only two-year term as secretary in 2002, so that position does not need to be filled.

Court of Appeals: There is one five-year term to be filled.

Governors: AJA's bylaws provide that the number of governors representing a district depends on the number of members in that district. Based on the current membership roster, 18 positions on the Board will be up for election. Of these 18 positions, 9 currently are held by incumbent Board members who are eligible for reelection. All positions are for three-year terms unless noted otherwise.

Shown below are the states and provinces in the AJA districts. Immediately following is the number of Board positions up for election.

District I (CT, MA, ME, NH, RI, VT, Quebec, Prince Edward Island, Newfoundland, Nova Scotia, New Brunswick). One position, Morton Minc (Quebec) incumbent.

District II (NY). One position, no incumbent – Ira Raab completing service.

District III (DC, DE, MD, NJ, PA). One position, no incumbent. A vacancy went unfilled last year for a term that expires in 2004. The person elected to this position would serve for one year and then be eligible for election to two three-year terms.

District IV (NC, SC, VA, WV). One position, George Harris (VA) incumbent.

District V (AL, GA, FL, VI, PR). One position, no incumbent.

District VI (AR, LA, MS). Two positions, no incumbent. Judge James McKay is completing his service on the Board. An additional vacancy went unfilled last year.

District VII (OK, TX, Mexico). Two positions, Judge James Heupel (TX) incumbent and Judge Steve Wallace (TX) completing service.

District VIII (IL, IN, KY, TN). Two positions, Judge Karen Thomas (KY) incumbent and Judge John Rosson (TN) completing service.

District IX (OH). One position, Larry Allen incumbent.

District X (MI). One position, Leo Bowman incumbent.

District XI (IA, KS, MN, MO, ND, NE, SD, WI, Ontario). Two positions, John Williams (MO) incumbent. An additional vacancy was created last year when Judge Leben was elected secretary and nobody was elected to fill his position on the Board of Governors.

District XII (AZ, CO, NM, UT, WY, Alberta, Manitoba, Saskatchewan). Two positions, Denise Lightford (AZ) and David Orr (SK) incumbent.

District XIII (AK, ID, MT, OR, WA, British Columbia, Northwest Territories, Yukon Territory). No vacancies.

District XIV (CA, HI, NV, Guam, American Samoa, Marshall Islands). One position, James Van Winkle (NV) completing service.

Please send your nominations and the Declaration of Candidacy Form (see pp. 5-6 of this issue of *Benchmark*) to Ms. Shelley Rockwell, American Judges Association, 300 Newport Avenue, Williamsburg, VA 23185-4147, (757) 259-1841.

Fordham University Honors AJA Member



Chief Judge Judith Kaye of the New York Court of Appeals was honored with Fordham University's prestigious Stein Prize for her creative interdisciplinary approach to solving problems faced by courts and society.

She has donated the \$5,000 prize to the National Center for State Courts (NCSC) to be used for a national summit focusing on child protection and child welfare issues. NCSC will present this summit in spring 2004 under the leadership of the Conference of Chief Justices (CCJ).

Chief Judge Kaye is the president of CCJ and chair of the NCSC Board of Directors. bm

Attention: Presiding/Administrative Judges Help AJA Develop New Programs

The American Judges Association is developing a program for judges with presiding/administrative assignments, duties, or interests to provide networking, training, and information opportunities. Current membership information does not identify all of those judges.

So AJA can solicit input and inform you of available programs, we ask that if you have such assignments, duties, or interests, please complete the short form

below and send it to Shelley Rockwell, National Center for State Courts, P.O. Box 8798, Williamsburg, VA 23187-8798. If you prefer, you can fax the form to Ms. Rockwell at (757) 259-1520.

Development will begin in fall 2003 and activity in 2004. If you would like to be involved in planning/development, please e-mail Gerald.Elliott@jocoks.com.

NAME: _____

PRESIDING/ADMINISTRATIVE: _____ assignment _____ duties _____ interests

ADDRESS: _____

TELEPHONE: _____ FAX: _____

E-MAIL: _____

American Judges Association

2003-2004 Declaration of Candidacy

NAME: _____

COURT: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS: _____

ALL CANDIDATES, INCLUDING INCUMBENT GOVERNORS FOR REELECTION, MUST DECLARE THEIR CANDIDACY BY THIS DECLARATION SUBMITTED AS INDICATED AT THE END OF THE FORM. THE NOMINATIONS COMMITTEE WILL INTERVIEW ALL CANDIDATES FOR OFFICE, INCLUDING FIRST-TIME GOVERNORS, VICE-PRESIDENT, AND PRESIDENT-ELECT, ON SEPTEMBER 14 DURING THE CONFERENCE IN MONTREAL; INCUMBENT GOVERNORS FOR REELECTION WILL NOT BE INTERVIEWED.

I am a member of AJA in good standing. YES NO

I have been a regular member of AJA since _____.

I have attended the following AJA midyear meetings, district meetings, and/or annual conferences:

I am declaring my candidacy for the following position:

- President-elect
- Vice-President
- Governor, representing District _____
- Court of Appeals

State briefly your court-affiliated duties and experience and describe your qualifications for serving as an elected official of AJA. The Nominations Committee will pay particular attention to whether each candidate has (1) a knowledge of the duties of the office, (2) a commitment to perform those duties, and (3) a record of prior service and performance to the organization. (Attach a separate sheet if necessary.)

Please complete reverse side

State your reasons for wanting to serve as an AJA elected official. (Attach a separate sheet if necessary.)

Yes No

- Will you attend the annual conference in Montréal?
- Will you be available for an interview on September 14, 2003?
- Will you be able to attend all AJA board meetings or any special meetings that may be called?
- Will you be willing to serve on or chair committees when asked?
- Have you served previously on any committees? If so, which committee(s) and what was your function on each? (Attach a separate sheet if necessary.)

Signature: _____ Date: _____

Mail completed form with your résumé to: Shelley Rockwell
American Judges Association
300 Newport Avenue
Williamsburg, VA 23185-4147

*NOTE: Declarations of Candidacy must be postmarked by **July 15, 2003**. All candidates will receive a written confirmation, which acknowledges receipt of your materials. If you do not receive a confirmation by August 15, 2003, please contact the Association Management Office at (757) 259-1841.*



AJA MEMBER PROFILE

Gregory Thomas Evans
*Chief Justice (ret.), High Court of Justice,
Supreme Court of Ontario, Toronto*

Gregory Evans served as the Chief Justice of the High Court of Justice, Supreme Court of Ontario, from 1976 to 1985.

But back in the mid-1930s, he didn't exactly set his sights on a career in law.

He had played hockey for St. Joseph's University, and after graduation in 1934, he moved to Timmins (near Hudson's Bay) thinking that he might play hockey there. "I was pretty small," he said. "I wound up tending bar." He then considered medical school, which would've taken five years. But he could earn a law degree in three years. He signed up at Osgoode Hall Law School and discovered that he liked it.

He joined the Bar of Ontario in 1939 and set up a law office in Timmins, "not knowing how little law I knew," he said. Eventually, his law firm employed eight lawyers in three offices covering a territory of roughly 300 miles. He practiced for 25 years.

While he was tending bar in Timmins, Judge Evans met a group who would play a significant role in his later legal life: the Dionne Quintuplets, who were a worldwide media sensation. He knew them when they were babies and remembers seeing them out playing when they were five years old.

Little did he realize then that he would be appointed to investigate corruption in the administration of the Dionne Quintuplets trust fund nearly 60 years later. "Not a nice affair," he said.

He started his bench career in 1963, when he was appointed to the High Court of Justice, Supreme Court of Ontario, followed by service on the Court of Appeal from 1965 to 1976, as Chief

Justice of the High Court from 1976 to 1985, and as a supernumerary judge from 1985 to 1988.

Chief Justice Evans also received a taste of working with the media when Ontario experimented with televised trials. He felt that the programs were important for educating the public about the justice system, but the Canadian Broadcasting System needed either higher ratings or corporate sponsorship to continue the broadcasts. Some breweries were interested in sponsoring the televised trials but he felt that such a connection "didn't seem appropriate." The "highly scandalous" OJ Simpson trial also took the attention of many Canadian viewers.

Chief Justice Evans retired from the bench in 1988, but continued to be active on numerous committees and commissions. For example, he worked as an Integrity Commissioner in Ontario from 1988 to 1997 (and as an Interim Integrity Commissioner in 2001). Each Canadian province requires its legislators to disclose all their assets to an Integrity Commission to ferret out possible conflicts of interest.

This work can get a bit sticky. Chief Justice Evans recalls, "I was stuck fixing compensation for legislators. Not a pleasant job."

He has been quite active in the American Judges Association, as well. He served on the Board of Governors from 1984 to 1991 and as treasurer of the American Judges Foundation from 1991 to 1994. AJA honored him with the Judge William H. Burnett Award for outstanding service in 1995. He is a Member of the Order of Canada—the country's highest civilian honor. 

2003 AJA AWARDS

The AJA Awards Committee welcomes your suggestions for recipients of AJA's 2003 awards. Please look over the form and fill it out with information on any person you would like to nominate. Be sure to fill in your own name so that we know whom to contact if we need further information.

Award of Merit. To a judge for outstanding contributions to the judiciary.

Glenn R. Winters Award. To a layperson who has made substantial contributions toward improving the image of the judiciary.

Judge William H. Burnett Award. To an AJA member for outstanding service to the association.

Judge Bob Jones Memorial Award. To an AJA member to recognize significant contributions to judicial education. 

FORM

Please send your suggestions by **August 15** to Lidio Rainaldi (AJA Awards Committee Chair), 1101 Martinelli Drive, Gallup, NM 87301.

Name of person submitting nomination(s). _____

AWARD (Check one): Merit Winters Burnett Jones

Name _____ Title _____

Address _____

Telephone _____

Reason for nomination _____

BENCHMARK

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