

AJA BENCHMARK

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AJA Meets in San Francisco

The 44th annual educational conference of the American Judges Association was held October 24 to 29 at the Grand Hyatt in San Francisco. The conference host, Judge Tam Nomoto Schumann of the Orange County Superior Court in Fullerton, California, organized many activities that enabled all participants to enjoy the conference and the amenities of San Francisco. Her efforts were appreciated by all who attended.

Judicial Independence Highlights Educational Program

President Mike McAdam called the conference to order, and Chief Justice Ronald George of the California Supreme Court delivered the keynote address. Participants enjoyed an excellent educational program, which featured a variety of speakers on diverse topics, including "A Prosecutor's Story of Justice in the Medgar Evers Case," "Problem-Solving Courts: Principles and Methods," and a "Judicial Leadership Symposium."

One highlight was the National Forum on Judicial Independence, which gave participants a chance to discuss the issues raised by problem-solving courts, judicial elections, and court accountability, as well as other topics (see page 2).

Another highlight of the educational program was Professor Charles Whitebread's ever-popular annual lecture on "Recent Decisions of the U.S. Supreme Court," which is always entertaining and informative. His book on recent decisions of the Supreme Court was made available to attendees through a generous grant from the American Judges Foundation.



Gayle Nachtigal is sworn in as AJA's new president.

AJA/AJF Elect New Officers

The annual AJA conference affords the members the opportunity to conduct business, in addition to the wonderful education sessions. Members at the general assembly elected these new officers for 2004-05:

- Gayle Nachtigal, Hillsboro, Oregon—president
- Michael Cicconetti, Painesville, Ohio—president-elect
- Steve Leben, Olathe, Kansas—vice president



Photo by AJA member Jeff Rosinek

- Eileen Olds, Chesapeake, Virginia—secretary
- Michael McAdam, Kansas City, Missouri, is AJA's immediate past president, and Harold V. Froehlich, Appleton, Wisconsin, remains as treasurer. The House of Delegates and Board of Governors met as well.

AJA operates through many committees dedicated to specific tasks that result in great benefit to the judicial profession (see committee list, page 4). Members are encouraged to become active by contacting AJA and joining a committee. More information may be obtained *continued on page five*

Winners of AJA's Annual Law Student Essay Competition

1st Place (\$3,000): Elizabeth Chorvat, University of Virginia Law School, for "Judge Level and the Post-Texaco Revolution: The Judicial Enforcement of Business Norms."

2nd Place (\$1,500): Moira Brennan, California Western School of Law, for "Out of the Problem, Into the Solution: How Juvenile Multisystem Services and Mental Health Courts Are Decreasing Delinquency While Enhancing Social Welfare, Saving Lives and Saving Money."

3rd Place (\$1,000): Keith Becker, Harvard Law School, for "A Defense of Rules of Evidentiary Admissibility in Civil Non-jury Trials."

National Forum Held on Judicial Independence

AJA's National Forum on Judicial Independence—held on the first day of the 2004 annual conference in San Francisco—exceeded expectations and will lead to future events as well.

The brainchild of last year's AJA president, Michael McAdam, the Forum was an all-day conference focused on judicial independence, especially at the trial-court level. It consisted of five separate panel discussions, with healthy interaction with the AJA members in attendance.

The Forum was supported by a generous grant from the Joyce Foundation, which allowed the inclusion of several notable speakers, many of whom prepared articles for *Court Review* to provide a framework for the discussion. Follow-up articles, and edited transcripts of the panels, will be featured in a future issue of *Court Review*.

A notable “buzz” surrounded the Forum not only because of the excellent panel discussions, but also because a film crew was on hand for the syndicated PBS program *Inside the Law*. A separate panel discussion on judicial independence issues was filmed for that program, including AJA's officers and several of the speakers from the Forum.

Jack Ford, former chief legal correspondent for *NBC News* and a part-time anchor for *Good Morning, America*, the *Today* weekend edition, and *Court TV*, moderated the PBS panel discussion. A one-hour *Inside the Law* program will be available to PBS stations for broadcast sometime in 2005.

Among the panelists in the Forum were:

- Bill Vickrey, administrative director of the California court system
- Mike Buenger, administrative director of the Missouri court system
- Roy Schotland, Georgetown law professor and expert on judicial elections



Inside the Law's Jack Ford interviews the panel at the Forum on Judicial Independence.



AJA member Kevin Burke



Mary McQueen, president of the National Center for State Courts

- Malcolm Feeley, University of California-Berkeley law professor
- Kevin Burke, former chief judge of the Hennepin County District Court in Minneapolis
- Mary McQueen, president of the National Center for State Courts
- Larry Myers, court administrator in Joplin, Missouri, and past president of the National Association for Court Management
- John Russonello, a public opinion pollster and consultant
- Jeff Rosinek, circuit court judge in Miami, Florida, and past AJA president
- AJA's current officers 

With Vision We Move Forward

Steve Leben, AJA Vice President

I don't claim to be familiar with the entire history of the American Judges Association. Not only was I absent when it was founded in 1959, I was only three years old. So I do not intend by these comments to overlook the many important contributions that have been made to this organization over the years by so many people.

What I do want to do, though, is to single out two of our recent leaders for praise and to comment about some of the significant things they have helped us to achieve. These things were achieved because each of them had a vision for the AJA in which we could do things beyond what we had done before.

Gerald (Terry) Elliott served as AJA's president in 1999-2000. He has continued to serve the association in a number of roles since then, including a term just concluded as chair of our Education Committee. Terry saw a need for education tailored for judges on substance abuse issues. He organized an excellent half-day educational program on the topic that was presented at an AJA conference and sought a grant from the State Justice Institute (SJI) to make an educational program on the topic widely available.

SJI approved the grant and ultimately allocated about \$160,000 toward the initial grant and a continuation project. With staff assistance from the National Center for State Courts, a model presentation was developed. Detailed materials were prepared and are now available in court libraries throughout the United States. Educators in several states have been trained to use the materials. And the program will be available in early 2005 in an online, e-education format.

Mike McAdam served as AJA's president in 2003-2004. He decided in early 2003 that he wanted to focus on judicial independence concerns, particularly at the trial-court level. Perhaps emboldened by the SJI grant AJA had received, he looked for outside funding to expand what could be accomplished in such a program. The result was a \$100,000 grant from the Joyce Foundation and a conference of substance and interest on judicial independence. Those of you who attended the conference know it was a tremendous program; those who didn't have the chance to follow along

through two issues of *Court Review*: a pre-conference issue with papers from program presenters and a post-conference issue that will provide edited transcripts of the program.

But Mike's efforts didn't stop with the program itself. He had a greater vision, which was realized when film crews from the syndicated Public Broadcasting System program *Inside the Law* agreed to use the conference as the primary component for a one-hour television program. AJA officers and program presenters participated in a one-hour taped discussion at the San Francisco conference, moderated by Jack Ford. Edited portions of that discussion, along with additional interviews, will become a one-hour program on judicial independence that will be on PBS stations sometime in 2005.

Two key ingredients have been a part of the leadership style of Terry Elliott and Mike McAdam. First, they had a vision for AJA that was bigger than the present, one that could move us to new accomplishments and additional service to our members and the public. Second, they involved others in their projects so that the projects could not only accomplish more through the group than through a few individuals, but also continue over time. For the substance abuse education program, Bill Schma has chaired an advisory committee for the project for the past several years, and Paul Beighle, Peggy Hora, Tom Merrigan, and Jeff Rosinek have served on that group as well. For the judicial independence project, McAdam got all of the other AJA officers involved, as well Mike Manners, all of the attendees at the San Francisco conference, and the membership in general.

This year's AJA president, Gayle Nachtigal, also has a vision. She will seek to develop the AJA's role as "the voice of the judiciary." With the base provided by our past leaders, I know that she—and the association—will have a successful year. bm



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Embroidered Patches: \$3.00 each
Membership Certificate Plaques: \$15.00 each
 With clear acrylic cover

New Items (with Embroidered Logo)

Canvas Briefcases: \$25.00 each
Hawaiian Shirts, blue with white palm trees:
 \$40.00 each
 medium large extra large XX large

Sweatshirts: \$25.00 each
 Navy with white AJA logo
 large extra large XX large

T-shirts: \$20.00 each
 Navy with white AJA logo/White with navy AJA logo
 large extra large XX large

Lined Windbreakers: \$40.00 each
 Navy with white AJA logo
 large XX large

Polo shirts: \$25.00 each
 Navy with white AJA logo
 large extra large XX large

Sale!! Items with Stamped Logo

AJA Sport/Duffle Bags: \$10.00 each
 Navy with white AJA logo

Juror Certificates: Box of 100 \$25.00 each

(preprinted certificates of appreciation for presentation to citizens serving as jurors in your court—not suitable for running through a laser printer)

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_____	_____	x	_____	= \$	_____
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AJA Meets in San Francisco, *continued*

by contacting AJA president Gayle Nachtigal (Gayle.A.Nachtigal@ojd.state.or.us) or from the AJA website at <http://aja.ncsc.dni.us>.

The American Judges Foundation (AJF) also conducted business at the conference. AJF elected the following officers for 2004-05:

- Jackie Heupel, Fredericksburg, Texas—president
- Ron Garvin, Annandale, Virginia—president-elect
- Molly Williams, Kansas City, Missouri—vice president
- Russell Hines, Ann Arbor, Michigan—secretary
- Elizabeth B. Campbell, Ewing, New Jersey—treasurer

AJF also sponsored the Law Student Essay Competition and, along with the Joyce Foundation, helped make the Forum on Judicial Independence possible through generous grants. AJA is deeply appreciative of this support. If you have never attended a conference, you are missing tremendous opportunities to meet colleagues, learn about the law, and serve our profession. We hope to see you soon at a midyear or annual conference. bm



On the social side, Mick Unti, proprietor of Sonoma County's Unti Vineyards, discussed grapes and wines, and shared stories about running a small vineyard, at AJF's annual luncheon meeting. AJA members also enjoyed a banquet in San Francisco's famous Chinatown.

Join the President's Circle!



Win a Free Trip and Registration for the 2005 Conference in Alaska!

AJA's Member-Get-a-Member Campaign!

The American Judges Association kicked off a new membership drive on September 1, 2004. Share the same important membership benefits and opportunities you enjoy by sponsoring new AJA members.

The person who sponsors the most new members will be eligible for a free registration at the 2005 AJA Annual Conference in Alaska. Rules are as follows:

- Sponsoring members must be current active members of AJA who have paid, in full, all dues for the current year.
- It is the sponsoring member's responsibility to ensure that new recruits identify him or her as their sponsor on their signed applications for membership.
- Paid staff from the National Center for State Courts; AJA's president, president-elect, vice president, and immediate past president, and their immediate families; and any paid contractors for AJA are not eligible to win prizes.
- Winners will be announced at the AJA midyear meeting in 2005 and will be acknowledged on the AJA website and in other media. All contest participants consent to all AJA publicity to the general public of their participation in this campaign.

Grand Prize: Free conference registration and hotel stay at the AJA 2005 Annual Conference in Anchorage, Alaska—plus AJA merchandise (minimum of 10 new members)

President's Prize: Free conference registration and AJA merchandise

Prizes not transferable. If unable or unwilling to attend the 2005 Annual Conference, the *Grand Prize* winner may

- Defer prize to the 2006 conference
- Forfeit the prize to the member who recruited the next highest number (minimum of 10)

All participating members who sponsor one or more new members will be recognized as members of the *AJA President's Circle*.

Contest runs through January 31, 2005!

AJA Membership Application

If your membership has expired, please use this form to rejoin. Or, if your membership is current, please use this form to urge a colleague to join.

Name: _____

Title: _____

Name of Court: _____

Mailing Address: _____

Billing Address: _____

E-mail: _____

Telephone (work): _____ (fax): _____

Type of Jurisdiction: _____

Elected Appointed

Annual Dues - \$100 (*group rates available*)

Retired Judges - \$30

Payment Enclosed Please Bill

Spouse's Name _____

Referred by _____
(*not necessary for membership approval*)

Signature _____

Mail to: American Judges Association,
300 Newport Avenue • Williamsburg, VA 23185-4147

New Trends Report Looks at Present, and Future, of Courts

Courts have a new tool for strategic planning in the *Future Trends in State Courts 2004* report (*Trends Report*), which was published by the National Center for State Courts (NCSC) in mid-November. This annual report tracks important trends in judicial administration, such as problem-solving courts and court technology, and is compiled and written by NCSC's Knowledge and Information Services Office (KIS), with contributions from judges, consultants, and other NCSC staff.

The *Trends Report* leads with an Environmental Scan that not only takes in courts and court management, but also looks beyond courts at events, trends, and developments from the world in general that could "take the court beyond its current way of doing business."

Developments and issues examined in the Environmental Scan include population decline, the "wireless revolution," challenges to judicial independence, efforts to limit liability, "private justice," and the probable slowing of the decline in crime rates that started in the early 1990s.

The Environmental Scan has been redesigned to be more useful and user friendly, with improved graphics to illustrate events, trends, and developments in courts and the world at large. KIS will maintain and update the Scan online as well.

The Trends articles relate information from the Environmental Scan directly to the courts. For example, David Wexler (University of Arizona) examines the ramifications of therapeutic jurisprudence beyond problem-solving courts and calendars; Ann L. Keith (consultant, KIS) looks at what courts must do to grapple with the controversy surrounding same-sex marriage; Judge Jacqueline Connor (Los Angeles Superior Court) and Anne Endress Skove (KIS) discuss how mass media and pop culture affect jurors' expectations about the justice system; and Don Hardenbergh (Court Works) discusses new trends in courthouse design related to both security and the needs of court "customers."

Updates of previous *Trends Reports* feature a case study of a children's mental health program in Miami (Judge Cindy Lederman), use of the death penalty in juvenile cases (Carol R. Flango), alternative resources for courts in times of tight budgets (Kenneth G. Pankey, Jr.), biometrics (J. Douglas Walker), and data exchanges between courts using JXDD (Tom Clarke). "What to Watch" by Lin Walker looks at the promise of e-courts.

Future Trends in State Courts 2004 is available on NCSC's Web site at www.ncsconline.org. 

2004 Changes in Judicial Salaries Reflect Flat Economy, Says Latest Survey

Salaries of state supreme court justices, appellate judges, trial judges, and state court administrators grew only 1 percent annually, on average, in 2003 and 2004, according to the National Center for State Courts' latest *Survey of Judicial Salaries* (vol. 29, no. 1). This *Survey* provides salary information as of April 1, 2004, and is compiled by NCSC's Knowledge and Information Services Office.

Forty percent of the states reported salary changes for judges or justices, while 50 percent reported changes for state court administrators.

But a judge's or court administrator's true purchasing power depends not only on how much they make, but also on where they live. Therefore, the *Survey* takes local cost of living into account as well. Adjusting "real dollar salaries" to "cost-of-liv-

ing adjusted salaries" yielded some interesting results. For example, trial court judges in the District of Columbia were ranked number 1 in terms of real or nominal salary (\$158,100); however, when adjusted for the cost of living in D.C., that ranking drops to 22 (\$113,946). In contrast, Oklahoma was ranked 44th in terms of real salary (\$95,898), but 31st when salaries were adjusted based on cost of living (\$106,706). The *Survey* also provides real and adjusted salaries for a number of cities of various sizes, including Buffalo, New York; Fresno, California; and Green Bay, Wisconsin.

The results of NCSC's survey of judicial leave policies, conducted during the spring of 2004, are reported in this issue as well. The new *Survey of Judicial Salaries* is available online at www.ncsconline.org/D_KIS/Salary_Survey/ (pdf format). 

AMERICAN JUDGES ASSOCIATION Future Conferences

2005 Midyear Meeting

Sanibel Island, Florida
May 12-14, 2005
Sundial Beach Resort
\$125 single or double

2005 Annual Conference

Anchorage, Alaska
September 18-23, 2005
Hotel Captain Cook
\$135 single or double

2006 Midyear Meeting

Coeur d'Alene, Idaho
May 18-20, 2006
Coeur d'Alene Resort
\$130 deluxe room
\$160 premier room

2006 Annual Meeting

New Orleans, Louisiana
October 8-13, 2006
Hotel Monteleone
\$169 single or double

2007 Midyear Meeting

Newport, Rhode Island
April 18-20, 2007
Hotel Viking
\$169 single or double

2007 Annual Conference

Vancouver, British Columbia

BENCHMARK

American Judges Association

300 Newport Ave.
Williamsburg, VA 23185-4147

President

Judge Gayle Nachtigal
Circuit Court
Washington County Courthouse
150 N. First Street
Hillsboro, OR 97124

Editor

Judge Milt Nuzum
Marietta Municipal Court
301 Putnam St.
Marietta, OH 45750

President-elect

Judge Michael Cicconetti
Painesville Municipal Court
7 Richmond Street,
P.O. Box 601
Painesville, OH 44077

Managing Editor

Chuck Campbell
National Center for State Courts

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