



The Resource Page



WEBSITES OF INTEREST

Resource Guide for Courts on Combatting Implicit Bias

<http://www.ncsc.org/ibeducation>

The National Center for State Courts has put together an excellent collection of resources that courts and judges can turn to in addressing implicit bias (detailed in this issue in an excellent article by several NCSC researchers; see page 64). The website includes materials used in a pilot project with judges in three states (California, Minnesota, and North Dakota). The California website includes video presentations by several experts on emerging and settled research in neuroscience and social psychology, describing how unconscious or subconscious processes may affect our decisions. You can also find tests to see how you may be affected by implicit bias, and there are several resources you can look at for addressing the issue.

The article in this issue of *Court Review* is a good starting point, and this web-based set of resources enables you to explore the area much more fully, including the online tests.

Access Brief on Access-to-Justice Commissions

<http://www.ncsc.org/atj>

In our last *Court Review*, we told you of the National Center for State Court's new Center on Court Access to Justice for All, which seeks to assist judges and courts in providing better access to justice to everyone they serve. One key feature of the Center is a series of "Access Briefs," short papers on key topics in the field. Readers of this special issue may be interested in a new paper published in January 2013 in access-to-justice commissions (<http://goo.gl/OTXSo>).

According to the paper, twenty-seven states and the District of Columbia have

established access-to-justice commissions—most created since 2000—and several other states are presently looking into the possibility of doing so. The Access Brief also provides a useful collection of resources on existing commissions, with links to other web resources.

We do want to note one good resource that wasn't included in the Access Brief: Liz Neeley's 2009 *Court Review* article, "From Investigation to Implementation: Factors for Successful Commissions on the Elimination of Racial and Ethnic Bias" (<http://goo.gl/U8yRW>). Her article discusses a number of questions that are good to consider when setting up any statewide commission to address a specific issue. (And it also explains the work of the National Consortium for Racial and Ethnic Fairness in the Courts.)



NEW PUBLICATIONS

Future Trends in State Courts 2012

<http://www.ncsc.org/trends>

For more than two decades, the National Center for State Courts has been producing an annual look at "future trends" in the state courts. This has become a big-time process: In addition to National Center staff, there's now an Editorial Board just to provide feedback on each potential submission for the latest edition of this monograph.

The 2012 edition (which may be downloaded in its entirety at <http://goo.gl/wSBjw>) runs 165 pages and contains 31 separate articles. Key features of the Future Trends series are that the articles are short and easy to grasp, often contain a helpful chart or graph, and usually include further resources that can be used to explore that topic. So it's an enjoyable publication that provides an excellent overview of lots of issues affecting judges and their courts.

The 2012 edition focused on courts and the community, with articles on vet-

erans courts, housing courts, improved access to court for non-English speakers, how to encourage effective court-community collaboration, and how to better work with Indian tribes in child-protection cases. There also are groupings of articles on four other topics: court leadership, making better courts, court education, and the intersection between privacy policies and court technology.

NATALIE KNOWLTON & MALIA REDDICK, LEVELING THE PLAYING FIELD: GENDER, ETHNICITY, AND JUDICIAL PERFORMANCE EVALUATION (2012)

(<http://goo.gl/XfWbO>)

The Institute for the Advancement of the American Legal System at the University of Denver (IAALS) recently released a report that considers whether judicial-performance-evaluation programs are fair to women and minority judges. IAALS researchers Natalie Knowlton and Malia Reddick carefully consider whether implicit bias against women or minority judges might impact formal evaluations of their performance as judges.

Knowlton and Reddick looked closely at four states with long-established judicial-performance-evaluation programs—Alaska, Arizona, Colorado, and Utah. Although women and minority judges scored lower in evaluations by attorneys, the differences were quite small. But in detailed reviews of data from these states, they concluded that the differences, though small, "tend to be pervasive."

The study does a good job of summarizing the available data, past studies of bias in judicial-performance-evaluation programs, and general reviews of implicit bias in forming opinions about judges. Because implicit bias—to the extent it exists—could impact judicial-performance-evaluation programs "in ways that are difficult to detect," Knowlton and Reddick provide a series of recommendations to minimize it to the extent possible.