

Court Review

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EDITOR'S NOTE

In these difficult times, we judges often find ourselves staring at our screens, our files, out the window—and wondering what's going on. Our trusted landmarks appear murky, and our common practices shaken to their roots. On the other hand, change is an opportunity for growth. One large debate today poses a challenge to every person and every institution, even the courts: racial inequality. As the nation comes to grips with its discriminatory past, the justice system sits squarely in the middle of this tense discussion. *Court Review* is proud to present this special double issue, which includes direction to help keep us thinking about our work, and our future, to counter racial injustice.

Professor Shawn C. Marsh and wife Diane C. Marsh, both from the University of Nevada-Reno, have done a terrific job writing about implicit bias education and judges. By examining the history of implicit bias judicial education, and a survey regarding what is good and bad about it, they present solid ideas and conclusions to develop crucial improvements to judicial education needed to identify implicit bias in our courts.

Since the implicit bias conversation is coming to the forefront of judges' training and practice, we feature a book review of Sarah Redfield's (ed.) *Enhancing Justice: Reducing Bias*. Victoria A. Knoche adeptly guides us through this compilation of chapters about bias, mainly aimed at judges, by a variety of professionals and experts, including judges. She recommends the book, with some keen constructive criticism, as a timely guide for the justice system.

Since we are finishing the calendar year, it is time for our annual U.S. Supreme Court roundups.

Professor Todd Pettys was superb for the past eight years in examining civil cases. Thomas M. Fisher, Solicitor General for the State of Indiana, and four-time High Court contender, debuts here with a remarkable treatment of a challenging term of civil cases. We are proud that University of Michigan Law Professor Eve Primus again writes about the important criminal matters from her special perspective.

Judge Pierre Bergeron of the Ohio Court of Appeals is known as an important judicial reformer. He presents an intriguing article in this issue about how appellate courts treat video evidence. In a world that lives and breathes on the video-ization of literally everything, Judge Bergeron leads us to see the dilemma arising in courts. De novo or defer? You be the judge.

Finally, two of our trusted regular contributors appear in this issue to again educate and inform us as always. Judge Wayne C. Gorman of Canada explains and compares the law of stopping vehicles in the two countries, as well as complementing our implicit bias reflection. Cynthia Gray, the leading scholar regarding ethics in the American legal system, shows us the latest in significant professional conduct commentary.

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We hope you will benefit from the items about implicit bias, and these other important topics to help you in your work. Thanks for reading *Court Review*.
—David Dreyer



Court Review, the quarterly journal of the American Judges Association, invites the submission of unsolicited, original articles, essays, and book reviews. *Court Review* seeks to provide practical, useful information to the working judges of the United States and Canada. In each issue, we hope to provide information that will be of use to judges in their everyday work, whether in highlighting new procedures or methods of trial, court, or case management, providing substantive information regarding an area of law likely to be encountered by many judges, or by providing background information (such as psychology or other social science research) that can be used by judges in their work. Guidelines for the submission of manuscripts for *Court Review* are set forth on page 97 of this issue. *Court Review* reserves the right to edit, condense, or reject material submitted for publication.

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On the cover: The Carteret County Courthouse, in Beaufort, North Carolina, was built in 1907 and designed by noted New Bern architect Herbert Woodley Simpson. It is a monumental brick Classic Revival building occupying the center of the 400 block of Broad Street. Corinthian porticos face Broad and Turner streets and a tall octagonal cupola dominates the Beaufort skyline. Photo by Jeff Fairchild.

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