

AJA BENCHMARK

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An Elected Judge's Odyssey

Mitt Nuzum, Marietta Municipal Court, Ohio

I agreed to write an election article about the experience of an elected judge long ago. This is not the article I expected to write because I lost my bid for reelection, and I leave the bench at the end of this year. I have served nearly 13 years as a judge and spent some of the most enjoyable and fulfilling time in the profession as an active member of AJA. This is not a sad story. Read on.

I have served as a single judge in a limited-jurisdiction court with a countywide jurisdiction in rural southern Ohio. I have complete administrative responsibility over the court. We have a high volume of traffic cases. The court traditionally generated excess funds for the city treasury. I used grant funding to start a probation department and a drug court. Crime fell. Lives were being saved. The very success of some of my programs and a policy change in traffic enforcement resulted in our caseload falling from a high of 17,000 per year to 9,500. That made a deep bite in our revenue stream.

Our cramped facilities are not handicapped accessible. They cannot be made secure, and juror accommoda-




The editor rides the zip line.

tions are abysmal. I convinced the community that we needed to build a justice center for the court. This was
continued on page five

AJA Invites You to Beautiful Idaho for the 2006 Midyear Meeting

Come to the shores of beautiful Lake Coeur d'Alene (pronounced core-da-lane), Idaho, for the 2006 Midyear Meeting of the American Judges Association, May 18-20. The meeting will be held at the Coeur d'Alene Resort, called America's top mainland resort by *Conde Nast Traveler*.

AJA's midyear meeting will include one or two continuing judicial education programs, plus business meetings of the AJA Board of Governors.

Coeur d'Alene is located 31 miles east of Spokane, Washington, and is one of the prettiest settings in the western United States. We hope to see you in Idaho this spring! 




Judicial Salaries, Court Trends, and Dispute Resolution Are Subjects of New NCSC Publications

The National Center for State Courts provides the latest data on judicial salaries, discusses societal trends that affect courts, and examines the workings of dispute resolution programs in three recent publications: the *Survey of Judicial Salaries*, *Future Trends in State Courts 2005*, and the *Justice System Journal*.

Salaries of state general jurisdiction judges increased by 3.1 percent from 1997 to 2005, according to the latest *Survey of Judicial Salaries* (vol. 30, no. 1) by NCSC's Knowledge and Information Services (KIS). The *Survey* also reports the salaries of state chief justices, intermediate appellate court judges, and state court administrators as of April 1, 2005. Other features of the new *Survey* are cost-of-living-adjusted salaries and a look at retirement pension plans for general jurisdiction judges. For more information, contact Chantal Bromage (cbromage@ncsc.dni.us) or go to NCSC's Web site (www.ncsconline.org), then click on "Information."

Trends in judicial salaries also play a part in *Future Trends in State Courts 2005*, the latest entry in NCSC's long-running "Report on Trends in State Courts" series. *Future Trends*, which is also produced by Knowledge and

Information Services, presents an Environmental Scan that reviews global issues to answer two questions: How do these issues affect courts? What do courts need to do now to plan for the future? Trends Articles build on subjects briefly touched on in the Scan, providing a more in-depth look at issues that affect courts nationwide. This year's edition also provides an index to help readers and researchers. For more information on *Future Trends*, contact NCSC's Knowledge and Information Services at (800) 616-6164, or go online to http://www.ncsconline.org/D_KIS/Trends/index.html.

"Making Dispute Resolution Work" is the topic of a special issue of NCSC's *Justice System Journal* (vol. 26, no. 3). Articles in this issue examine a variety of aspects related to the functioning of dispute resolution programs. Contributors include not only academics, but also professionals responsible for administering dispute resolution programs and a federal magistrate judge. Programs in Virginia, the Eastern District of New York, and the Ninth Circuit Court of Appeals are described, as well. For more information on the *Justice System Journal*, go to www.ncsconline.org, then click on "Justice Sys. Journal" under "NCSC Products." 

AJA Honors Student Writers

The American Judges Association announced the winners of its 2005 Law Student Essay Competition at the annual conference in Anchorage, Alaska, in September. Congratulations to . . .

- **1st Place (\$3,000):** Dennis Yai, Fordham University School of Law ("De Minimus Intrusion or Dangerous Invasion: Does Compulsory DNA Testing upon Arrest Violate the Fourth Amendment?")
- **2nd Place (\$1,500):** Ryan Farley, Washburn University School of Law ("Eroding Fourth Amendment Protections at the Border: An Analysis of *United States v. Cortez-Rocha*")
- **3rd Place (\$1,000):** Michael Abdelkerim, Osgoode Hall Law School, York University, Ontario ("Section 273.65 of the *National Defence Act*: Inappropriate and Unconstitutional") 

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during better financial times. Everyone was onboard. As I write this, the architects are finishing the design.

The campaign unfolded and a negative spin was placed on my management style, particularly with the funding of programs and the new court facility. Public support for the project eroded. Negative perceptions are hard to overcome. I am, by nature, a positive person and proud of my record of service to the community and our profession. I did not run away from my record. The voters made a choice. They wanted a change.

Needless to say, I am seeking employment. I just completed my résumé. I have been heavily involved in AJA and the development of court technology policy for our state. These activities are going to open doors for me that would never open for a small-town judge from a rural area. Although it hurts to lose an election, it is also liberating. I can now reach out and aspire to greater opportunities to serve beyond the boundaries of my county. AJA has given me a network of friends and opportunities to demonstrate abilities far beyond any opportunities that would have existed if I had not become involved in AJA. I intend to capitalize on those advantages as I look to the future.

As I close, I have to say that the drug court has been one of the best programs I implemented. Our clients just completed an eight-week challenge course that involved walking on high wires and climbing walls 30 to 50 feet off the ground. I joined them. I am deathly afraid of heights and could not bring myself to go up on the high elements of the course. However, as we prepared to graduate this week, the clients urged me to go up. I put my fear aside and climbed the 53-foot tower and jumped off down a zip line. It was an exhilarating experience. I am at the same point in my career. The voters pushed me out of my comfort zone. Perhaps I would have stayed on the ground in my career all my life if not nudged out. Just as that challenge-course tower had a ladder to the top, AJA is the ladder to greater heights for me in a career that towers before me. I am looking forward to the climb. Right now I have no idea where it leads, but certainly you, my fellow AJA members, inspire me to continue to support this profession that I love. I hope to see all of you in Couer d'Alene. 

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2006 Annual Meeting

New Orleans, Louisiana
October 8-13, 2006
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Newport, Rhode Island
April 18-20, 2007
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BENCHMARK

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