

Court Review

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EDITOR'S NOTE

In this issue, we bring you our annual round up of criminal law and procedure cases issued by the United States Supreme Court. Prof. Eve Primus and her co-author Justin Hill provide an informative and thoughtful review of the developments from the Supreme Court's last term on issues like ineffective assistance of counsel claims, the harmless error standard, new limitations on *Bivens*, and fascinating developments regarding jurisdiction and Indian country. If you handle any cases related to the criminal arena or have an interest in jurisdictional concepts, you will want to keep their summary nearby even after you have read it.

In a welcome discussion piece, Dr. Jan Bouch talked with me about the unique challenges and stresses of being a judge in the modern world. She brings four decades of experience in psychology and working with judges as well as the latest research in neuropsychology to help us develop our resilience and find a healthier approach to the unique challenges we face as judges. She also gives us an overview of a new development in the world of supporting judges: coaching programs. If you have a program in your state, you'll learn why you should get involved. If you don't already have access to a program, you'll learn why you might want to help found one.

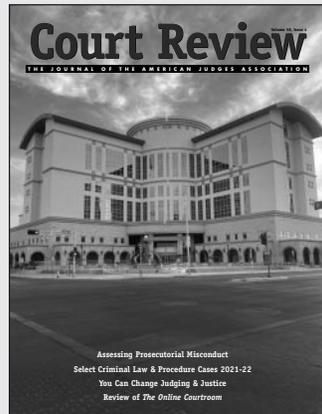
From a blue ribbon panel of authors led by Prof. Saul Kassir, we provide you with new insights on addressing claims of prosecutorial misconduct. You will be surprised and concerned by the level of prosecutorial misconduct the research indicates as existing in our systems. The team reports on some fascinating research they conducted on how judges identify prosecutorial misconduct. The team gives you a thorough understanding of how their research was conducted and the results so that you can evaluate what meaning to take from it.

Judge Thomas French provides new perspectives on implementing and teaching procedural fairness/procedural justice. Judge French's practical examples and insights on real world implementation are particularly informative for the judge who wants to improve their own use of procedural fairness principles. I found particularly interesting Judge French's review of the limited research available on the role of race in the effectiveness of procedural fairness principles. This discussion alone makes Judge French's piece a must-read for anyone student of procedural fairness.

Now that we have all learned that we can do more remote court proceedings through the school of hard knocks known as COVID, Justice Gary Hastings provides us with a thorough review of a useful book on the subject. You will find a good overview of what this new publication from the ABA has to offer to help you decide if you want to acquire a copy for your own use.

Our judicial ethics columnist, Cynthia Gray of the NCSC's Center for Judicial Ethics, provides us invaluable insights into constructive criticism. In this issue's column, Ms. Gray explains to us the analysis and reported cases regarding judges offering commentary and criticism regarding the judicial system. Ms. Gray will help you understand where the boundaries are located and what puts you at risk when you engage in the public dialogue about improving our systems of justice.

Of course, we also bring you a message from our AJA president, insights from Canada, the Resource Page, and the crossword. The hardworking team at *Court Review* hope you find this issue informative and thought provoking.



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 195 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 Bernalillo County Metropolitan Courthouse Building opened in 2004 as a part of Albuquerque, New Mexico's downtown Courthouse District. The building's award-winning contemporary art deco style was the result of an extensive research process and includes a three-story rotunda and energy conserving features. Photo credit by Eve Brank.

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