

# Court Review

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## EDITOR'S NOTE

**R**eactions to the lead article in this issue may vary greatly. Some will find its conclusions surprising, while others will simply find new labels for concepts they already understand. Nancy Perry Lubiani and Patricia H. Murrell apply the concepts of emotional intelligence to judges, including suggestive evidence that judges who are rated best in bar association surveys are the ones who score highest in emotional intelligence. Another article follows up on our Spring 2000 special issue on therapeutic jurisprudence: David Wexler returns with some specific thoughts on how judges can promote offender rehabilitation.

We continue our examination of ethical rules governing judicial speech about pending or impending cases, which began in our Summer 2000 and Winter 2001 issues. In this issue we reprint the portions of the appellate opinion in *U.S. v. Microsoft* dealing with the trial judge's comments to reporters. In a future issue, Professor William G. Ross, whose article on judicial speech was cited by the *Microsoft* court, will provide overall guidance for judges on dealing with both the ethical rules and the media.

The issue includes two essays. Denver judge Mary A. Celeste discusses the problem of unlicensed, illegal immigrant drivers. Pennsylvania appellate judge Stephen J. McEwen, a past contributor to our pages, returns with some thoughts about the war record of Chief Justice John Marshall.

I want to close with a few comments about the work-in-progress that is *Court Review*. This is the 13th issue that we've put out since I became the editor. It has been a great learning experience for me, and I hope that you've found the issues of interest as well. I have received some helpful suggestions recently from some of our Canadian members, and we certainly appreciate suggestions about what would be of interest to you. The Canadian members rightly note that articles focused purely on facets of the United States legal system are only of limited interest to them. It's a difficult problem—even though we've had nice growth in our Canadian membership, it still represents less than 4% of total membership in the American Judges Association.

We have attempted to meet the interests of our Canadian readers, along with the rest of our readers, in a variety of ways. We have increased coverage of psychology and law topics, which cut across national boundaries and affect judges at all levels. We have also increased coverage of judicial ethics, having included something on judicial ethics in three of the past four issues. We welcome your input about topics you would like to see addressed here or authors you'd like us to invite to write something for the judicial audience. If you have thoughts about those subjects or other comments on *Court Review*, please contact me at sleben@ix.netcom.com. I hope to hear from you—SL



*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. 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 31. *Court Review* reserves the right to edit, condense, or reject material submitted for publication.

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Letters to the Editor, intended for publication, are welcome. Please send such letters to *Court Review's* editor: Judge Steve Leben, 100 North Kansas Avenue, Olathe, Kansas 66061, e-mail address: sleben@ix.netcom.com. Comments and suggestions for the publication, not intended for publication, also are welcome.

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