

Saving the State Justice Institute

José F. Dimas

Last fall, Congress seriously undermined efforts to strengthen and improve state court systems. The appropriations bill for FY 2002 funded the State Justice Institute (SJI) at \$3 million and called for its demise by September 30, 2003.

SJI is the only federal institution dedicated to improving the state court systems. It does this primarily by funding national-scope court projects and the awarding of educational scholarships to court personnel. A national effort led by the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) is under way in the court community to reverse this decision and gain full funding for FY 2003.

While SJI has faced difficulties in funding before, this was the first time that its elimination has been legislated. The \$3 million for SJI is just enough to cover the costs of phasing out the institution as of September 30.

BACKGROUND

SJI was established by federal law in 1984 and it is, in fact, the only vehicle for distributing federal funds dedicated exclusively to improving the quality of the nation's state courts. Since becoming operational in 1987, SJI has supported more than 1,000 projects with awards totaling more than \$125 million. Courts in every state have received at least one SJI grant. Other grantees receiving awards include national court-support organizations, such as the National Center for State Courts; national court-education organizations, including the National Judicial College and American Academy of Judicial Education; national and state court membership organizations, such as the American Judges Association and the National Association for Court Management; universities; bar associations; other non-profit groups; and individuals receiving judicial scholarships.

Annual funding for SJI—which was last authorized by Congress to receive an annual appropriation of \$25 million, modest by federal standards—has ranged from \$13.55 million in the mid-1990s to \$6.85 million in 2001.

SJI is not a federal agency but rather a nonprofit corporation governed by a board of directors whose members are appointed by the President and confirmed by the U.S. Senate. By law, the board must include six state court judges, a state court administrator, and four public members. The judicial and state court administrator members must be selected from a list submitted to the President by the Conference of Chief Justices.

WIDESPREAD SUPPORT

The proposed elimination of SJI has not been popular with the state court community. Besides CCJ and COSCA, other groups have also gone on record as opposing the elimination of SJI. They include the American Judges Association, the

Conference of Court Public Information Officers, the Leadership Institute in Judicial Education, the National Association of State Judicial Educators, the National College of Probate Judges, the Association of Trial Lawyers, the Civil Justice Reform Group, the National Association for Court Management, the National Association of Women Judges, the National Conference of Appellate Court Clerks, and the American Bar Association.

Already, meetings have occurred with important members of the House and Senate Appropriations Committee on maintaining SJI. In March, South Carolina Chief Justice Jean Toal and Robert Miller (retired chief justice of South Dakota and chairman of SJI's board) met with Senate Appropriations–Commerce, Justice, State Subcommittee Chairman Ernest Hollings (D-S.C.) and made the case for keeping SJI. The Commerce, Justice, State Subcommittee is the Congress's primary funding body for SJI. This was followed by an April meeting between Chief Justice Harry Carrico of Virginia and House Appropriations–Commerce, Justice, State Subcommittee Chairman Frank Wolf (R-Va.). Other members of the full House and Senate Appropriations Committees also have been the primary targets of the "Save SJI" message. In addition to meeting with state court representatives, these members have been receiving faxes, letters, e-mails, and phone calls from the state court community.

In our constant communications with members of Congress and their staff, no one has contended that SJI has been doing a poor job or wasting taxpayer dollars. In fact, most objections center on the need for fiscal tightening throughout the federal government. SJI, perhaps due to its small size, seems to be a target for elimination.

As stated in the CCJ/COSCA resolution supporting SJI, the \$13.5 million amount requested for FY 2003 is "a necessary first step" for this organization. The state court community intends to fight for that amount and gradually call for additional funds in the following years to the amount originally authorized by Congress. Only then can SJI truly fulfill its national mission and scope.

PROJECTS FUNDED

SJI has primarily addressed pressing national issues through its grants process. For example, SJI provided early seed money for improving the way state courts across the country deal with family violence cases, which began to fill court dockets. To address this growing problem, SJI convened the first-ever National Conference on Family Violence and the Courts. All 50 states sent teams of judges, criminal justice officials, social service/domestic violence workers, and others to develop strategies to respond to family violence. After the conference, SJI awarded grants to help 17 states put those plans into action. The result: in those 17 states, there was an unprecedented

degree of collaboration between agencies and organizations that usually know of each other, but rarely communicate with each other. All this benefited abused women and children in those states. Even more, the results of that teamwork are available to anyone who requests them from SJI or goes to the SJI website: www.statejustice.org.

One of the benefits of allocating funding through SJI is it only has the authority to work with all aspects of state court systems. Since family violence cases come to the state courts in criminal, civil, juvenile, and family courts, SJI is able to respond in a comprehensive matter. On the other hand, any federal agency attempting to respond would have to do it in a piecemeal fashion; for example, the Department of Health and Human Services could only fund projects related to child support cases.

SJI has also been helpful in helping address problems due to illegal drugs. As it did with family violence, SJI coordinated a national conference followed by a round of grants implementing many state plans. It has also supported the first national evaluation of drug courts. SJI also hosted regular meetings of federal funding agencies concerned with the criminal use of drugs such as the Bureau of Justice Assistance, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Center for Substance Abuse Prevention and Treatment. The goal of these meetings was to coordinate efforts, avoid duplication, and maximize the impact of federal dollars.

Other projects funded by SJI that have had a national impact include examining the utility of court-based computer information kiosks and the delivery of conferences via CD-ROM.

KPMG REPORT

On March 31, 2002, the consulting firm of KPMG conducted a survey of SJI projects relating to drug abuse, family violence, and violence against women. The survey was designed to identify respondents' awareness of SJI projects and resources, the involvement of the respondents in SJI-supported actions, actions taken by respondents as a result of the involvement, and the benefit gained from such actions.

"It is clear from the results of the survey that SJI's impact has been felt in state court systems across the country," the KPMG report concluded. "This impact is not limited to the specific grant recipients, but instead the many grants that have had an impact on other court systems nationwide."

CONCLUSION

It is undeniable that SJI serves critical national and federal purposes. At a time when the public demands for an efficient and accountable use of taxpayer funds from every level of government, it is counterproductive for Congress to dismantle the only federally funded organization dedicated to helping the state courts more efficiently cope with their increased workload. In addition, what happens in state courts affects not only citizens' concepts of justice and confidence in the judicial system, but also the operation of federal courts. Congress must keep alive the only institution charged with improving the system where most Americans experience justice—our state courts.

ACTION REQUESTED

We urge you to contact your U.S. senator or representative and make the case for keeping SJI, especially if they serve on the Appropriations Committee. We still have a number of members on the Appropriations Committee who have not been contacted. A list of the Appropriations Committee members, along with their fax numbers and e-mail addresses, accompanies this essay. Faxes and e-mails are more effective at this time due to increased scrutiny being given to the U.S. mail.

In addition, we must continue to highlight that a funding level of \$13.55 million is needed for SJI to be truly effective in fulfilling its national mission. Finally, the "repetition effect" cannot be overemphasized. The busy lives of members of Congress necessitates this kind of strategy. If you have already communicated with your member, be sure to extend your thanks along with your hopes for a positive result for SJI.

For the full copy of the KPMG report, as well as a summary of the grants that have gone to your state, go to the SJI website at www.statejustice.org. Please keep the NCSC Government Relations Office informed of your outreach to congressional members as we are keeping a log of such efforts. Please let me know of your efforts, and feel free to call me with any questions or concerns.

**We urge you
to contact your
U.S. senator or
representative
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keeping SJI.**



José Dimas is a government relations associate at the National Center for State Courts. He has extensive experience in federal relations, having worked both on Capitol Hill and elsewhere in the federal government. Dimas has a bachelor's degree in government from the University of Texas at Austin and a master's degree in public policy from Baylor University.

CONTACTING MEMBERS OF CONGRESS

Funding for the State Justice Institute is under the jurisdiction of the Appropriations Committee of each house of Congress. Initial decisions are made by the Subcommittees on Commerce, Justice, State, and Judiciary.

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COMMUNICATING WITH MEMBERS OF CONGRESS

Personal Visits: If possible, schedule personal visits with your Members of Congress either in Washington, D.C. or in their home offices as soon as possible. If you cannot schedule a visit for several weeks, precede it with a letter. It is critical that you convey your concerns in the next few weeks.

Phone contact: The office of any Member of Congress may be reached through the Capitol Switchboard: **202-224-3121**.

Letters: A letter succinctly expressing your concerns and the action you are asking the member to take should be sent, even if you plan to visit in person. A post-visit thank-you letter also is recommended because it is appreciated and gives you an opportunity to reiterate your message.

Mail delivery to Congress has been slow since the anthrax scare. If possible, **fax** your letters. Transmission by e-mail attachment is not as effective, because such letters do not always get printed out. In addition, please note that many offices block e-mail that is not from constituents.

Addressing Correspondence:

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To a Senator

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