

Court Review

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EDITOR'S NOTE

We present you with a number of thought-provoking items in this issue on a variety of topics touching those working in and around the judiciary. This issue brings our annual review of recent criminal decisions of the United States Supreme Court and the debut of our new reporter, Michigan Law Prof. Eve Brensike Primus. Prof. Primus teaches criminal law and is a coauthor of one of the leading criminal procedure casebooks. On behalf of all the readers of *Court Review* across the continent, welcome, Prof. Primus. Her coauthor for this issue is Kristin Froehle of Williams & Connolly LLP.

Our regular columnist from Canada, Judge Wayne Gorman, has provided us with highlights of notable decisions from the Supreme Court of Canada. I suspect two cases will be of particular interest to all our readers even if you do not work in Canada. The *Le* case regarding the role of minority status and the “detention analysis” raises intriguing points that are factually applicable in any U.S. criminal court. Whether the points in the opinion should be incorporated in U.S. legal analysis will spark many animated discussions in the “robing room.” The *Barton* case similarly raises points of thoughtfulness and respect for the human beings at the core of our cases that should be on the minds of every judicial officer regardless of your view of the specific legal analysis in the case.

Judge Tim Schutz reviews the book *Unexampled Courage* by Judge Richard Gergel. *Unexampled Courage* is an inspiring as well as controversial story of the role our courts and judges played in the civil rights movement. As Judge Schutz explains, the book and its story provide ample material for lively discussions about our history and the proper role of courts in a society founded on rule of law.

Speaking of the role of courts in society, Prof. Gary Marchant provides us with a breathtaking tour of new technology issues arising in our courtrooms. If they haven't bedeviled you yet, they soon will. Prof. Marchant gives you a head start on planning how you will cope with them.

Finally, Judge Eric Smith of Alaska provides us with a thoughtful exploration of using engagement techniques for handling our judicial duties. You will find the wisdom of experience in his observations. You may also find a path to smoother, more efficient, and more just proceedings.

As always, we hope you enjoy the issue. If you have comments or suggestions, please write to editors@courtreview.org.—David Prince



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 161 of this issue. *Court Review* reserves the right to edit, condense, or reject material submitted for publication.

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The cover photo is the Second Pinal County in Florence, Arizona. The Second Pinal County Courthouse, built in 1891, is an historic three-story redbrick courthouse designed by architect James M. Creighton in the Late Victorian Revival style. It was replaced by another courthouse in 1961, fell into despair, and was closed in 2005. In January 2011, the county approved a plan to restore the building to its former glory and for use by the county. It was listed on the National Register of Historic Places in 1978. Photo by Mary Watkins.

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