

E-SJI NEWS

SJI Announces New Priority Investment Area: Human Trafficking and the State Courts

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The SJI Board of Directors has established Human Trafficking and the State Courts as a new [Priority Investment Area](#) for grant funding. Human Trafficking manifests itself in a variety of court settings, including prostitution and drug cases where the individual may be a trafficking victim, child thieves who are part of trafficker-controlled organizations, and abused and neglected children in a variety of settings. In addition, human trafficking goes beyond immigrants who are in the United States legally or illegally, but also includes U.S. citizens who are victims.

Since 1994, Congress has enacted a series of laws addressing human trafficking, most notably the Violence Against Women Act (VAWA) and the Trafficking Victims Protection Act (TVPA). State courts are beginning to see human trafficking cases under state laws, as 47 states have passed criminalization statutes for human trafficking. However, the state

courts are finding themselves without the knowledge, expertise, processes, and basic infrastructure needed to address this issue. SJI is interested in future grant applications that address the challenges state courts are facing on this issue. SJI recently announced a request for [Concept Papers on Human Trafficking and the State Courts](#), which are due by November 1, 2012.

The SJI Priority Investment Areas were established in FY 2011 to replace the former Special Interest Categories, and apply to all grant types (i.e. Project, Technical Assistance, and Curriculum Adaptation Grants). SJI encourages all potential grant applicants to consider projects addressing one or more of the Priority Investment Areas.

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FY 2013 Grant Guideline Now Available

On October 11, 2012, the Grant Guideline for FY 2013 was published in the Federal Register. The Grant Guideline sets forth the administrative, programmatic, and financial requirements for completing and submitting a grant application, and administering SJI-funded grants. The Guideline also includes instructions for judges and court managers interested in the Education Support Program (ESP). A PDF version of the [FY 2013 Grant Guideline](#) is available for download on the SJI website.

The new SJI Grant Guideline provides applicants and grantees with comprehensive guidance on the types of grants available, as well as procedures for pre/post-award administration. Potential grant applicants are strongly encouraged to contact SJI prior to submitting grant or ESP applications if there are questions about the Guideline.

Application deadlines for FY 2013 grants and the ESP are as follows: 1st quarter – November 1 2012; 2nd quarter - February 1, 2013; 3rd quarter – May 1, 2013; and, 4th quarter – August 1, 2013.

National Summit for Language Access and the Courts

Nearly 300 court leaders from 49 states, three territories, and the District of Columbia, concluded the first ever Nation Summit on Language Access and the Courts in Houston, Texas, October 1-3, 2012. The Summit focused on developing solutions to improve

access to justice for litigants with Limited English Proficiency (LEP). The Summit enabled state court leaders to share successful strategies and evidence-based practices, plan system improvements, and discuss ways to pursue greater consistency across the states on

policies related to court interpretation. A Summit website is available that includes the Summit program, speaker bios, and videos [conference and events section](#). A National Call to Action report will be issued on the Summit's outcomes and strategies.

Executive Session Offers Resources for State Courts and Stakeholders

The [Executive Session for State Court Leaders in the 21st Century](#) (SJI-07-I-203, and SJI-11-I-064) brought together state court leaders including chief justices, judges, and court administrators, as well as key stakeholders to address an array of issues impacting the state courts, including:

- adapting to the budget crisis and leadership in times of limited resources;
- identification of essential principles for effective court governance;
- the tension between problem solving and decision making;
- the challenges social media pose to court legitimacy;
- how courts defend themselves from political attack; and,
- the concept of chief justices as civic leaders.

The SJI and [Department of Justice, Bureau of Justice Assistance \(DOJ/BJA\)](#) funded Executive Session recently released the fourth and fifth papers from the series. Additionally, the National Center for State Courts (NCSC) has created a [Vimeo Feed](#) that includes introductory videos explaining the purpose and significance of the papers. A brief explanation of each paper with a link follows:

[A Case for Court Governance Principles](#)

In this report, Utah Chief Justice Christine Durham and Utah State Court Administrator Dan Becker describe the limits to what structural changes like centralization can accomplish. Recognizing that court culture inherently stresses independence and self-interest, the authors propose eleven unifying principles to guide states as they seek to improve court performance.

[Herding Lions: Shared Leadership of State Trial Courts](#)

Retired Arizona Judge Barbara Mundell and Texas Chief Justice Wallace Jefferson put forward an approach based on the recognition that all courts within a state have a collective responsibility for the quality of justice. They urge that leadership be shared across the different levels of court structure and that local innovation be encouraged and, where effective, replicated statewide.

[Opinions as the Voice of the Court: How State Supreme Courts Can Communicate Effectively and Promote Procedural Fairness](#)

This paper discusses the nature of, and trends in, the formation of state supreme court opinions and the methods by which opinions are communicated to the press, the public, members of the bar, and online communities. It considers current practice in light of a field in social psychology called procedural fairness—

a practical theory that explains what makes it likely that people are satisfied with and comply with decisions by authorities, such as judges.

[Courts Are Conversations: An Argument for Increased Engagement by Court Leaders](#)

Social media expert Garrett Graff explains the true significance of the arrival of social media as it alters the expectations and habits of American society. He advises state court leaders that they “must not only learn how to communicate with new tools; they must also envision new means of judicial engagement with the public through the new social media that can further advance the legitimacy of courts in a democratic society.”

[Juror and Jury Use of New Media: A Baseline Exploration](#)

NCSC staff members Paula Hannaford-Agor, David Rottman, and Nicole Waters offer insights into the current and likely future use of new media by jurors at all stages of the process. The project explored the impact of the new media on jurors and jury decision-making as a basis for recommending steps to reconcile new media use with the adversarial process.

Multnomah County, Oregon Completes Analysis of Spatial Resources and Court Needs

Multnomah County's central downtown courthouse is located in Portland, Oregon, and has 39 courtrooms on eight floors serving 36 district courts, two traffic courts, and a number of other units of state and local government, including the District Attorney and Sheriff. Constructed in two phases during the early 1900s, it was once the largest court facility on the west coast, and remains a municipal landmark of historical significance. One of the Court's defining features is a large open-air space in the center of the facility.

Over the past 30 years, population growth and demands for services have expanded the number of courts, programs, judges, and staff occupying the space. Multnomah County's Circuit Court and Facilities Management Division partnered to request a Technical Assistance grant from SJI in order to acquire services from the National Center for State Courts (NCSC) to perform an analysis of the County's main judicial facilities (SJI-11-T-172).

The NCSC study updated an earlier spatial analysis completed 12 years ago, which also emphasized potential court needs based on population growth and projected resources. The goal of the new study was to evaluate the following:

- Existing case file data and projection of future caseload;
- Jury management;
- Staffing needs;
- Population changes, including the three surrounding counties.

Consultants then reviewed the caseload, case file, and staffing needs analysis to provide the Court and County with an accurate projection of the physical space needed to serve the current and future population. The NCSC



worked in conjunction with the County's selected architects to prepare preliminary plans that would help utilize existing facilities and generate recommendations for resource sharing and spatial allocation during construction; in lieu of new buildings or renovations.

The report is available [online](#) through the NCSC Library and Digital Archive.

Other courts have also pursued SJI grant opportunities to determine the feasibility of renovating, expanding, or building new facilities. These grants always include obtaining outside assistance from expert consultants to review current operations, evaluate potential for modernization, determine projected needs, and identify collaborative goals for spatial resources where multiple partners are invested.

One recently funded project is a Justice Center Facilities Planning Study for the Barberton Municipal Court in Ohio (SJI-12-T-166): An Akron-based commuter community, Barber-

ton, has secured technical assistance from the NCSC to conduct a comprehensive assessment of their current court facilities, focusing on public safety and security recommendations for possible enhancements to an existing court facility. In addition, working with its partners, the Court will determine the best approach to pursuing a new justice facility.

Depending on the scope of the project, these types of projects are often components of broader reengineering efforts. SJI has committed to reengineering projects over the years, including the establishment of reengineering in response to budget reductions as a [SJI Priority Investment Area](#).

Council for Court Excellence Holds Police, Protests, and Press Coverage Program

On October 2, 2012, the Council for Court Excellence (CCE) held its third public program in its second series of the Bench-Bar-Media Project at Georgetown University School of Law. The program, titled, *Police, Protests and Press Coverage*, addressed the effects of “citizen journalism” on the D.C. justice system.

The program explored various topics, including:

- Taking photographs on federal property, including photos of trial participants;
- Differences between credentialed and non-credentialed media outlets/members;
- Representation of non-credentialed media by legal advocates; and,
- The relevance of the federal Privacy Protection Act to claim seized journalist materials.

The expert panel (pictured from the left to right) included, Fred D’Ambrosi, WUSA-TV; Arthur Spitzer, American Civil Liberties Union of the Nation’s Capital; Mary McCord, U.S. Attorney’s Office for D.C.; Mickey Osterreicher, National Press Photographers Association; Panel Moderator Patrick Madden of WAMU



88.5; Chief Judge Royce Lamberth of the U.S. District Court for D.C.; and Commander Steven Sund, Metropolitan Police Department.

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The State Justice Institute is a federally-funded, non-profit corporation established by federal law in 1984 to improve the quality of justice in the state courts.

