

E-SJI News

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SJI BOARD AWARDS GRANTS FOR THE 4th QUARTER

The SJI Board of Directors met on September 16, 2010, to award grants for the 4th quarter of FY 2010. Nine (9) new grants were awarded, totaling \$434,865. Two (2) Project Grants were awarded, including: support to the Lancaster County Court of Common Pleas for an operational efficiency study across 10 departments in Lancaster, Pennsylvania; and funding to the American Bar Association (ABA) for the 3rd National Guardianship Summit, which will focus on guardian standards of practice and decision-making.

Six (6) Technical Assistance (TA) Projects were awarded, including: expanding language access planning through the New Mexico Administrative Office of the Courts; updates and revisions to the *National Probate Courts Standards* by the National Center for State Courts on behalf of the National College of Probate Judges; continued support to the Vermont Supreme Court's Superior Court Planning Project as they implement trial court consolidation and improve judicial services; and evaluation of criminal case processing in the 17th Judicial District Court, Parish of Lafourche, Louisiana. In addition, SJI supported operational studies and assessments in two other jurisdictions including: Hendricks County, Indiana and Pierce County, Washington.

One (1) Curriculum Adaptation & Training (CAT) Grant was awarded to the National Judicial College to develop an online interactive training curriculum for newly elected or appointed judges.

NEW PRESIDENTIAL NOMINEE FOR THE SJI BOARD

On September 13, 2010, the President nominated Chief Justice Marsha Ternus to serve on the SJI Board. She is currently pending consideration by the Senate Judiciary Committee and full Senate confirmation.

Marsha Ternus is currently the Chief Justice for the Iowa Supreme Court. She was appointed to the Supreme Court in 2003 and selected as Chief Justice in 2006. Prior to becoming a judge, she was in private practice at the law firm of Bradshaw, Fowler, Proctor & Fairgrave from 1977 to 1993. She currently serves on the Board of Directors of the Conference of Chief Justices, and on the Judicial Conference Committee on Federal State Jurisdiction. She received a J.D. with Honors, Order of the Coif, from Drake University Law School, and a B.A. with high distinction, Phi Beta Kappa, from the University of Iowa. (continued on page 2)

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The Senate previously confirmed six new Board members on June 22, 2010. The President nominated two new Board members last month. By law, SJI is supervised by a Board of Directors consisting of 11 members appointed by the President with the advice and consent of the Senate. Pursuant to 42 U.S.C. 10703, the President appoints 6 judges and 1 state court administrator from a list of candidates submitted to the President by the Conference of Chief Justices (CCJ). In addition, the President also appoints 4 public member positions, no more than 2 of whom can be from the same political party.

SPECIAL INTEREST CATEGORIES FOR FY 2011

The SJI Board approved the following Special Interest Categories for Project Grants during the 4th quarter meeting:

Immigration Issues in the State Courts: Recent immigration growth is having a significant impact on state and local courts. Courts along the Southwest Border, and other areas of the United States with large immigrant populations, are contending with issues such as how to provide culturally appropriate services; increases in gang-crime cases involving immigrants; and the impact of federal and state immigration policies on court operations. SJI is interested in projects that highlight the issues state and local courts face in addressing the demands of increased immigration, and potential solutions to those issues.

State Court Budgeting and Reengineering: SJI continues to recognize state court reengineering and budgeting as emerging needs under the present economic conditions. SJI is interested in projects that include the development of plans, tools, and resources in reengineering that provide guidance in making policy decisions and implementing changes in the state courts. SJI is also interested in projects focusing on the new challenges of maintaining access to justice while controlling or reducing costs, and improving efficiency in measurable ways.

Courts and the Media: Recent repeated public attacks on the state courts have gone largely unanswered because the state courts were unable to respond effectively. No one is better prepared than a judge to describe decision-making on the bench within the law and the Constitution. SJI is interested in projects that explore the role of judge as public commentator within ethical and professional boundaries. SJI is also interested in judicial education or other programs that prepare judges and court officials to serve as spokesmen in high profile circumstances, especially in situations where courts lack dedicated public information officers.

Elder Issues: This category includes research, demonstration, evaluation, and education projects designed to improve management of guardianship, probate, fraud, Americans with Disability Act, and other types of elder-related cases.

These categories will take effect beginning FY 2011 (October 1, 2010), and will be included in the FY 2011 SJI Grant Guideline. The FY 2011 Grant Guideline will be available on the SJI website in October.

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The State Justice Institute is a private, non-profit corporation established by federal law in 1984 to improve the quality of justice in state courts, and foster innovative, efficient solutions to common issues faced by all courts. SJI is governed by a Board of Directors appointed by the President and confirmed by the Senate.



DOJ RELEASES NEW RESOURCE FOR COURTS ON IMMIGRATION CONSEQUENCES IN RESPONSE TO PADILLA v. KENTUCKY



In response to the U.S. Supreme Court's decision in *Padilla v. Kentucky*, the Department of Justice/Office of Immigration Litigation (OIL) recently released a reference guide, titled *Immigration Consequences of Criminal Convictions: Padilla v. Kentucky*. The guide provides criminal justice partners, including state courts, with an understanding of the immigration consequences resulting from a non-citizen defendant's guilty plea.

As the impact of the *Padilla* decision on the responsibilities of defense attorneys in criminal proceedings is clarified, a greater understanding of basic immigration law by federal and state prosecutors and judges, as well as other interested parties is also warranted. OIL created the guide to concisely summarize an array of literature, legislation, and protocols that presented issues in *Padilla*.

The guide includes a five-part expert analysis on the statute, processes, implications, and related case law, including: 1) overview of the removal process; 2) consequences of criminal acts; 3) relief and protection from removal; 4) other immigration consequences of guilty pleas; and 5) overview of criminal law-related amendments to the Immigration and Nationality Act (INA).

This reference guide is available on OIL's Appellate Section of the DOJ website: http://www.justice.gov/civil/oil/Padilla_Monograph.htm.

SJI, in partnership with DOJ, has been working to disseminate information to the state courts regarding practices affected by *Padilla*. A *Padilla* primer document is available on the SJI website, which was written by the Center for Public Policy Studies (CPPS) shortly after the *Padilla* decision. SJI also continues to address immigration issues in the state courts through its Strategic Initiatives Grants (SIG) Program.