

# E-SJI News

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## SJI CONTINUES TO FOCUS ON NATIONAL COURT ISSUES

The Strategic Initiatives Grants (SIG) program enables SJI to address critical national court issues, and develop solutions to those problems. SJI began using the SIG program in FY 2008 to address immigration issues in the state courts, and is continuing those efforts in FY 2010. In particular, the Center for Public Policy Studies (CPPS) will build off the very successful criminal bench guide for state court judges on immigration issues, and produce a bench guide focusing on juvenile and family issues. In addition, CPPS will continue providing technical assistance to new pilot learning sites. SJI will provide updates on these activities in future editions of the E-SJI News and on the SJI website, and CPPS has recently launched a new tab on their website devoted exclusively to the initiative.

In addition to focusing on immigration issues, SJI is also continuing to support state court re-engineering and budgeting in FY 2010. The National Center for State Courts (NCSC) will continue their efforts to maintain a clearinghouse of information on state court budgets, and provide technical assistance to a new set of state courts. This second year grant will include the development of a Toolkit for re-engineering that will provide guidance in making policy decisions and implementing changes.

## PADILLA v. KENTUCKY AND IMPLICATIONS FOR THE STATE COURTS

The U.S. Supreme Court's decision in *Padilla v. Kentucky*, announced on March 31, 2010, held that a criminal defendant who was not advised by counsel that a guilty plea might carry a risk of deportation could claim that his representation was constitutionally deficient. The Court determined that the immigration consequences of a guilty plea are an integral part of the punishment that could result from a criminal conviction, and thus are within scope of the 6<sup>th</sup> Amendment's right to counsel. (continued on page 2)

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It is clear that *Padilla* will affect the practice of criminal defense attorneys in cases involving immigrant defendants, particularly since all non-citizens, including lawful permanent residents, face the risk of deportation for a wide range of criminal convictions. However, it is not clear how state criminal court judges will be affected by the decision. Therefore, in their continuing work under a SJI-funded Strategic Initiatives Grant, the Center for Public Policy Studies (CPPS) has recently published a summary document, [\*The Effect of Padilla v. Kentucky on State Court Judges\*](#), that includes: 1) a brief summary of the *Padilla* decision; 2) examples of how some states are requiring judges to investigate whether non-citizen criminal defendants have been advised of the potential immigration consequences of a guilty plea; and 3) what the judge's role will likely be as a direct result of the *Padilla* decision.

This document is now available on both the SJI website, and the new CPPS [website](#) on immigration issues in the state courts.

## UPDATE ON RE-ENGINEERING EFFORTS IN THE STATE COURTS

SJI awarded a Strategic Initiatives Grant (SIG) to the National Center for State Courts (NCSC) in FY 2009 to focus on re-engineering in the state courts in response to severe budget cutbacks. NCSC began Phase I of these efforts by establishing the [Budget Resource Center \(BRC\)](#) – a website to track latest budget issues and cost saving measures in the state courts, by state. NCSC also provided direct technical assistance to several sites, including: 1) Vermont Judiciary – A workload study for judges and court staff was completed. Using the information from the workload, various recommendations with potential savings were developed. A final report was provided to a commission charged with overseeing the project. The project began with the state legislature directing the judiciary to look at the court system and find efficiencies. Since many of the recommended changes require legislative changes, the Judiciary is now awaiting legislative action on the report's recommendations; 2) 6<sup>th</sup> Judicial District of Minnesota – NCSC assisted the Court in adjusting to reduced staff by instituting a change management process; 3) Salem, Oregon, Municipal Court – The goal of this project was to help the Court improve its collections processes. A final report was developed with recommendations, and the Court is currently implementing the recommendations; and 4) Taylorsville, Utah, Municipal Justice Court – NCSC assisted in documenting and recommending operational efficiencies. **(continued on page 3)**

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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.



SJI recently awarded a new SIG to NCSC to continue these activities. Phase II will include new TA sites in Alabama, New Hampshire, and Nebraska. In addition, it includes the continuation of the BRC and budget monitoring nationwide, and the development of a Toolkit for re-engineering that will provide guidance in making policy decisions and implementing changes in areas such as centralized traffic tickets and payables; centralizing jury operations; video conferencing; and utilizing technology.

## SPECIAL ANNOUNCEMENTS

- Next grant and scholarship application deadline: **May 1, 2010** (3<sup>rd</sup> Quarter, FY 2010).
- Grant and scholarship application deadlines for the remainder of the fiscal year: **August 1, 2010** (4<sup>th</sup> Quarter).
- Grant and scholarship application deadline for the 1<sup>st</sup> quarter of FY 2011: **November 1, 2010**.
- Current grantees are reminded that Quarterly Status Reports (QSRs) and Financial Status Reports (FSRs) should be mailed to SJI. The FSR must also include an original signature.
- Current grantees who require grant adjustments to allow more time to complete their projects, need budget realignments, other changes to their projects that require SJI approval, must submit a letter to SJI requesting the adjustment. The letter should clearly describe why the change is necessary.
- Current and future grantees and scholarship recipients can choose to receive payments via EFT. This is a faster method of receiving payment from SJI. To participate in EFT, SJI will need a completed [SF 3881-Automated Clearing House \(ACH\)/Miscellaneous Payment Enrollment Form](#), which is available on the SJI website under the [Forms](#) tab.