

SJI News

June 2007

The Voice of the State Justice Institute

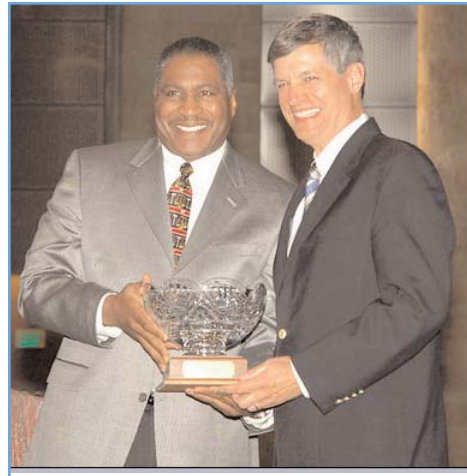
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Center for Access to Justice & Technology Receives 2006 Howell Heflin Award

Each year the SJI Board of Directors selects a product for the Howell Heflin Award. This award is given in recognition of an innovative Institute-supported project that has a likelihood of significantly improving the quality of justice in State courts across the nation. This past spring the 2006 award (the eleventh) was presented by SJI Board member Judge Tommy Jewell to Ron Staudt, from the Illinois Institute of Technology, Center for Access to Justice & Technology, for its project “Meeting the Needs of Self-Represented Litigants: A Consumer Based Approach.” The award was presented at the National Legal Aid and Defenders Association 2007 Equal Justice Conference in Denver, Colorado. This project has been a collaboration between the Chicago-Kent College of Law and the Center for Computer Aided Legal Instruction, and has resulted in the development of a software program that enables courts and legal service providers to build user friendly court document assembly and electronic filing for use by the public.

The partners for this project worked closely with the California Administrative Office of the Courts and courts in Illinois to invent and test

the authoring tool that builds A2J Guided Interviews for specific types of cases. These A2J Guided Interviews graphically “walk” a self-represented litigant down a



SJI Board Member Tommy Jewell (pictured left) presents the Heflin Award.

road to the courthouse passing signposts, such as “Do You Qualify?” and “Spouses Information.” At the end of the road, the software uses the answers gathered in the A2J Interview to generate the final legal document ready to file with the court system. This tool has been successfully used in a number of courts and agencies during the project period. Courts in Washington, New York City civil courts, Legal Assistance of the Finger Lakes, Atlanta Legal Aid Society, and the North Penn Legal Services are building the A2J Guided Interviews, and more courts are signing

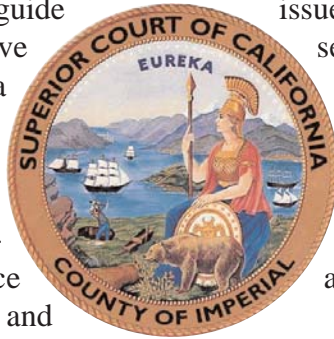
up to use the software. The A2J Author is available for free to interested courts, legal service organizations, and members of HotDocs development community for non-commercial use. As a result of these efforts, the products are significantly improving access to justice in courts and legal service agencies across the country. SJI is proud to have supported these efforts. New York City civil courts, Legal Assistance of the Finger Lakes, Atlanta Legal Aid Society, and the North Penn Legal Services are building the A2J Guided Interviews, and more courts are signing up to use the software. The A2J Author is available for free to interested courts, legal service organizations, and members of HotDocs development community for non-commercial use. As a result of these efforts, the products are significantly improving access to justice in courts and legal service agencies across the country. SJI is proud to have supported these efforts.

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Imperial County, California, Superior Court Announces Borderland Justice Field-Guide



On March 29, 2007, the Imperial County Superior Court submitted its final report entitled, “Field Guide to Justice Improvement for Communities Along the United States and Mexico Border” (SJI-05-T-158). This field guide was a result of a 24-month initiative sponsored by SJI and the California Administrative Office of the Courts to: clarify the strategic direction of the Imperial County Superior Court in light of its rapidly changing community; develop a regional court service delivery strategy and network; develop and implement culturally appropriate services; and document project results for use in other Southwest border jurisdictions.



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. The Imperial County Superior Court’s field guide examined some of these issues, and offers practical tools for improving court and justice services along the Southwest border.

SJI is interested in further exploring the impact of immigration on State and local courts. We welcome your input on this critical issue, so please feel free to contact us with any feedback you may have.

Law Matters: War-torn Country Seeks Measure of Stability By Establishing Fair, Impartial Courts

The following is a reprint from “Law Matters,” a series of columns distributed in Missouri.

A study of another region’s legal system is an excellent opportunity to reflect on the values that we protect in our own system.

I recently attended a conference in Kosovo, where the National Center for State Courts is working with the Kosovo judicial system under the auspices of the U.S. Agency for International Development. I was a member of a team of state and federal judges and court administrators who discussed how an effective judicial system operates. The keynote speaker, who appeared by video, was John Roberts, chief justice of the United States.

Kosovo is part of the former Yugoslavia. The vast majority of its people are ethnic Albanians. Serbia,

its neighbor, claims Kosovo is part of its territory. The conflict resulted in war in the 1990s, which ended after the United States and its allies bombed Serbia and took further military action. Troops from various nations around the world enforce a truce under the auspices of NATO.

Kosovo now is under the supervision of the United Nations, which is expected to resolve the status of Kosovo soon. The Kosovars seek to have a sovereign democratic nation. The model to which their leaders look is the United States system separating powers into three branches of government: executive, legislative and judicial.

For the courts, the goal is to be a

separate branch of government – to make decisions based on the law, independent of undue political influence from the executive or legislative branches. At the same time, courts are dependent on the other branches for resources and for the means of enforcing their judgments.

This is the delicately balanced interdependent system we Americans have been experiencing, and testing, for more than 200 years. The people of Kosovo, however, are trying to get it right in a matter of a few short years.

One obstacle, expressed to us by a Kosovo legislator, is the function of the judiciary under the former communist regime. During that time, courts existed solely as an instru-

continued on next page

LAW MATTERS (continued from page 2)

ment of the all-powerful executive and were, the legislator said, considered instrument so of oppression. With that history, it is difficult for the courts to be seen immediately as protectors of the people's legal and constitutional rights.

The key, in Kosovo as in the United States during our own history, is for courts to be guided by the law, not by the personal preferences of judges or the preferences of politicians currently in power. That is what we Americans call the rule of law, expressed by John Adams, who in 1780 wrote these words as part of the constitution of the Commonwealth of Massachusetts:

“The legislative department shall never exercise the executive and judicial powers or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end that it may be a government of laws and not of men.”

What are the stakes for a society whose government is being developed? Because of the recent war, Kosovo has lost half of its 4 million population; many were killed, and many others have fled to other countries and have not returned. About 60 percent of those still living in Kosovo are unemployed, and the country is in great need of capital investment.

But therein lies the need for a strong court system. Those who have capital will not invest if there are no

effective means for assuring that the contracts under which their investments are made will be enforced. The rule of law protects not just the constitutional rights of citizens but also the contractual rights of businesses and investors. Economic development is all but impossible unless there is a judiciary sufficiently trained, independent of political influence and able to follow the law in enforcing the arrangements that are made to bring economic progress.

Those of us who traveled to Kosovo hope its leaders are able to forge a strong government that will be able to protect its citizens and businesses in a way heretofore not seen there. We know it will be a struggle to instill trust and confidence in those courts, but for those of us here in America, where we continue to struggle to preserve the fairness and impartiality of our courts, we know the struggle is well worth it.

ABOUT THE AUTHOR



Michael A. Wolff is Chief Justice of the Missouri Supreme Court. In September 2005, he launched a series of columns, which are distributed to newspapers throughout the state by the Missouri Press Association. The columns, entitled, “Law Matters: Reflections of Chief Justice Michael A. Wolff,” discuss a range of issues related to Missouri’s courts and the legal system. SJI thanks Chief Justice Wolff for his permission to reprint this article in the E-SJI Newsletter.



Status of FY 2008 Appropriations

SJI is eagerly awaiting both the House and Senate Commerce, Justice, Science (CJS) Appropriations Committee marks for FY 2008. The Senate Appropriations Committee is marking up the CJS bill on June 28, 2007, and the House may mark up the bill in July. SJI anticipates that the July e-SJI Newsletter will have more information on FY 2008 Appropriations.

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The State Justice Institute is a private, non-profit corporation established by Congress in 1984 to provide financial support for projects to improve the quality of justice in State courts. SJI is governed by a Board of Directors appointed by the President and confirmed by the Senate.



MARK YOUR CALENDARS

**NEXT APPLICATIONS ARE DUE FOR BOARD
CONSIDERATION NO LATER THAN**

AUGUST 1, 2007

Project Grants Applications - Applications will be accepted on a rolling basis. Applications received less than 30 days before a quarterly Board meeting will be considered at the next Board meeting.

Technical Assistance Applications - Applications will be accepted on a rolling basis. Applications received less than 30 days before a quarterly Board meeting will be considered at the next Board meeting.

Curriculum Adaptation and Training Applications - Applications will be accepted on a rolling basis. Applications received less than 30 days before a quarterly Board meeting will be considered at the next Board meeting. Requests for curriculum adaptations should be submitted at least 120 days before the date of the proposed program.

Scholarships - July 2 - August 24, 2007 for programs beginning between October 1 - December 31, 2007

October 1 - November 30, 2007 for programs beginning between January 1 - March 31, 2008 (tentatively)

**The next SJI Board of Directors meeting is scheduled for
September 20, 2007.**

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