

SJI Newsletter

April 2018 | Volume 28, No. 7



National Judicial Opioid Task Force Accelerates its Work in the Face of Epidemic

The SJI-supported National Judicial Opioid Task Force recently added more members and, in an effort to reach a wider audience, established an <u>Opioids and the Courts website</u>.

Hosted by the <u>National Center for State Courts</u> (NCSC), and formed in September 2017 by the <u>Conference of Chief Justices</u> (CCJ) and the <u>Conference of State Court Administrators</u> (COSCA), the Task Force recently added 20 new members from all areas of the criminal justice system, including attorneys, judges, probation officers, and children and family services representatives.

In addition to the new members of the Task Force, an online resource center has expanded on the previous work and developed cutting-edge resources that are specific to the opioid epidemics ongoing impact on the justice system and its partners. The web page includes:

- o Reports Recommendations, News and Literature on the Opioid Epidemic;
- o Geographic Representation of Overdoses and Impacts from the CDC; Court
- Management Considerations;
- Round-Up of the Latest Opioid-Related News;
- Medication Assisted Treatment; and,
- Child Welfare System Issues.

The work of the Task Force and resource center aims to treat the epidemic from a total justice system perspective, including criminal, civil, and child welfare court issues, as well as sentencing, probation, and rehabilitative result-driven strategies. With most U.S. communities impacted by the far reaches of this impact, the Task Force will continue is work so that courts can play an active role in solving the epidemic in collaboration with community partners, state plans, and federal agencies.



Trends In States Courts Monthly Articles and Close Up Features

State courts and court support organizations across the country utilize the annual publication of *Trends in State Courts* to identify emerging challenges, and inform planning efforts with knowledge shared by peers, researchers, and consultants. The annual publication is one part of the overall <u>Trends in State Court series</u>, developed by the <u>National Center for State Courts</u> (NCSC), which provides new and updated information all year long via the <u>Monthly Trends Articles</u> and <u>Trends:</u> Close Up features.

Recent *Monthly Trends* articles that that highlight existing work supported by SJI include: Supporting Judicial Excellence by Jennifer K. Elek, Senior Court Research Associate at the NCSC; and High Performance Court Leadership by Janet G. Cornell, a Court Consultant and retired Court Administrator.

Some of the *Trends: Close Up* features include current and previously-supported SJI projects include:

Civil Justice Myths

Five years ago, the Conference of Chief Justices (CCJ) convened a Civil Justice Improvements Committee to make recommendations for best practices in state court civil justice cases.

The Rise and Fall of State Court Caseloads

Since the Great Recession in 2008, caseloads in the state courts have been declining rapidly. This trend is applicable across all case categories civil, criminal, juvenile, domestic relations, traffic, in every state.

Policy Implications of Body Worn Cameras

Body Worn Cameras, or "BWCs," are increasingly being deployed by law enforcement agencies.

It is important to note that there are a wide variety of contributors to the *Trends in State Courts* series, and the opinions expressed are those of the authors, not necessarily of SJI or the NCSC. The *2018 Trends in State Courts* annual publication will be out later this year.



Pretrial Justice and the State Courts Initiative Publishes Framework to Prepare Administrators for Pretrial Program Budgeting

The Pretrial Justice and the State Courts Initiative, through the work of its key leadership from the Pretrial Justice Institute (PJI) and the National Center for State Courts (NCSC), has published a framework for assessing pretrial programs cost with respect to assessment and monitoring services.

The publication serves as a guide for existing and new pretrial program administrators to document the importance of, and estimate costs to, administer a pretrial assessment that meets justice system standards. It further details factors such as pretrial release, staffing, supporting technology, and infrastructure needed to support another core function of pretrial programming, monitoring.

Features of the report include:

- o A framework based on best practice standards and the latest research;
- Ways to establish if enough information to conduct an assessment exists, and how to onboard justice system partners during pretrial assessment;
- Options for presenting and disseminating information to stakeholders, including budgeting(with examples based on cost of pretrial programming versus jail bed days saved); and
- Special sections devoted to infrastructure planning and technology needs.

The authors also encourage readers to refer to the pretrial release standards of the <u>American Bar Association</u> (ABA) and the <u>National Association of Pretrial Services Agencies</u> (NAPSA), as well as the <u>National Institute of Corrections document</u>, <u>A Framework for Pretrial Justice: Essential Elements of an Effective Pretrial System and Agency</u>.

JURORS WITH FACT SHEET DISABILITIES

TITLE II OF THE AMERICANS WITH DISABILITIES ACT

- Applies to state and local governments, including courts, regardless of whether the entity receives any federal funding or the size of the entity.
- It requires that state and local governments provide disabled persons with an equal opportunity to benefit from all of the programs and services offered.
- Request must be addressed by the head of the public entity or designee in written statement
- · Document reasons for not providing accommodation
- Court must still provide access to the program or service to the "maximum extent possible."
 (See 28 C.F.R. § 35.164 Duties)

SOME EXAMPLES OF A

New Resource Addresses Jurors with Disabilities

The <u>Jurors with Disabilities: Fact Sheet</u> covers essential information that court staff, judges, and hearing officers, and others who work with juries should know about the <u>Americans with Disabilities Act</u> (ADA).

Uses of the Fact Sheet include:

- O Identifying who the ADA covers;
- Specific exclusions of the ADA;
- o Reasonable accommodations and exceptions under Title II;
- Caselaw guiding when and what not to modify; and,
- o Best Practices.

For more tools, best practices, and recent research, visit the NCSC Center for Jury Studies.

SJI Board of Directors

Chair

John D. Minton, Jr.

Chief Justice
Supreme Court of Kentucky
Frankfort, KY

Vice Chair

Daniel J. Becker

State Court Administrator (ret.)
Utah AOC
Salt Lake City, UT

Secretary

Gayle A. Nachtigal

Senior Circuit Court Judge Washington County Circuit Court *Hillsboro, OR*

Treasurer

John B. Nalbandian

Partner
Taft Stettinius & Hollister LLP
Cincinnati, OH

Jonathan Lippman

Chief Judge of New York (ret.)
of Counsel Latham
Watkins, LLP
New York, NY

Chase T. Rogers

Chief Justice (ret.)
Supreme Court of Connecticut
Hartford, CT

David V. Brewer

Justice

Oregon Supreme Court Salem, OR

Wilfredo Martinez

County Judge 9th Judicial Circuit of Florida Orlando, FL

Marsha J. Rabiteau

Executive Director
Center for Human Trafficking Court
Solutions *Bloomfield*, *CT*

Hernan D. Vera

Principal
Bird Marella P.C.
Los Angeles, CA

Isabel Framer

President

Language Access Consultants, LLC Copley, OH

Jonathan D. Mattiello

Executive Director

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.

Products and Resources

Since 2011, SJI has designated the library at the National Center for State Courts as the official repository of published work related to SJI-supported grant projects. You can search the ecollection online by using the term, State Justice Institute.

Share the News

SJI uses <u>Facebook</u> and <u>Twitter</u> to promote the work of its grantees and also shares information of interest to the entire state court community. If your organizations work complements ours, let us know and we will share.