

## SJI Newsletter

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### U.S. Treasury Opens Portal for Counties to Receive Fiscal Recovery Funds

On May 10, 2021, the U.S. Department of Treasury released [guidance](#) on the [State and Local Coronavirus Fiscal Recovery Fund](#) (Recovery Fund), which is part of the [American Rescue Plan Act](#) (ARP). The bill includes \$65.1 billion in direct, flexible aid to every county in America, as well as other crucial investments in local communities.

Additionally, the U.S. Treasury opened the [new portal](#) that counties must complete to receive Fiscal Recovery Funds. Since the ARP was signed into law, the National

Association of Counties ([NACo](#)) [has been supporting](#) the U.S. Treasury's efforts to successfully implement the Recovery Fund. Included in the guidance is the flexibility to use Recovery Funds to invest in broadband infrastructure, services and programs to contain and mitigate the spread of COVID-19, including capital investments in public facilities, investments in housing and neighborhoods and other guidance counties advocated for. **Courts are encouraged to work with their county and state governments on potential opportunities to access recovery funds.**



## Self-Represented Litigation Network Hosting a Webinar on Funding for Non-Lawyer Navigators

Under the recently passed [American Rescue Plan](#), there is a major new infusion of federal funding for [AmeriCorps](#) programs, a potential funder of court navigator programs. Join the [Self Represented Litigation Network](#) (SRLN) for a webinar **on Friday, 5/21/2021 at 2PM EDT** to take a deep dive into seeking AmeriCorps funding for court navigator programs. A senior AmeriCorps official, joined by several program leaders of court navigator programs who use AmeriCorps funds, will provide an overview and offer useful

guidance and handy tips for submitting applications to secure funding.

**Register Today:** <https://attendee.gotowebinar.com/register/1867915633479036172>



## Findings on Jurors and New Media

As a result of COVID-19, Americans rely even more heavily on the Internet and social media to complete everyday tasks than they did before the pandemic. Indeed, courts in several states are piloting remote jury selection and even fully remote trials to resume jury trials safely, raising concerns about the risk of juror misconduct involving new media. With SJI support, the National Center for State Courts (NCSC) undertook a study of jurors and new media, including a survey of judges and lawyers about their opinions and experience with incidents of alleged juror misconduct and a review of more than 20 years of case law in which the issue was addressed.

Among the key findings:

- Only one-quarter of judges and lawyers reported having any experience with juror misconduct involving new media in their professional careers, but 41%

believe that one or more jurors will use new media inappropriately in any given trial;

- Cases that pose the highest risk of juror misconduct include serious criminal charges, multiday trials, cases involving unfamiliar terms or concepts, trials in which jurors may find information on reputable websites or local news media, and trials in which attorneys know or suspect that prejudicial information exists online;
- Incidents reported in the judge and attorney survey were usually discovered during trial, providing the trial judge with the opportunity to conduct an investigatory hearing and address any prejudicial impact of the misconduct in a timely manner;
- As long as trial judges adequately investigated incidents of alleged juror misconduct, appellate courts overwhelmingly affirmed their responses to those incidents;
- Recent case law tends to focus on the extent to which extraneous information is prejudicial to the parties, reserving the remedy of a mistrial or new trial only for cases in which the information is clearly prejudicial.

A detailed technical report and a brief Research Highlights are available at <https://www.ncsc-jurystudies.org/what-we-do/jurors-and-new-media>.



## The Evolving Science on Implicit Bias: An Updated Resource for the State Court Community

The NCSC, with support from SJI, prepared an updated resource for the court community to summarize the current state of the continually maturing science on implicit bias as of March 2021. This report replaces NCSC's 2012 report, *Helping Courts Address Implicit Bias: Resources for Education*.

[\*The Evolving Science of Implicit Bias: An Updated Resource for the State Court Community\*](#) defines commonly used terms originating from the science of implicit bias; explains how the concept of implicit bias fits into broader conversations underway across the country about equity and fairness; and summarizes what is currently known from research in the psychological and brain sciences, including implicit bias interventions generally found to be effective and ineffective. This report concludes with some implications of this knowledge for state court leaders and other court practitioners who seek to better understand and address the reproduction and perpetuation of systemic biases through this lens. Preparation of the report was funded by State Justice Institute and NCSC.

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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.*



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