

# SJI NEWSLETTER

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## North Carolina Commission on the Administration of Law and Justice Presents Final Report

### Accepting Submissions

SJI is accepting submissions from its grantees for the May and June issues of the SJI Newsletter.

Articles of fewer than 300 words are preferred and should report on the culminating work of single grant or significant progress of a multi-year project.

Please email articles to:

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With support from SJI, [Z. Smith Reynolds Foundation](#), and the [North Carolina Governor's Crime Commission](#), the [North Carolina Commission on the Administration of Law and Justice](#) (NCCALJ) presented its [final report](#) to Chief Justice Mark Martin earlier this month during a ceremony at the Supreme Court of North Carolina. The report includes recommendations to strengthen the state's court system to best meet institutional needs and 21st century public expectations.

Convened by Chief Justice Martin in September 2015, NCCALJ is an independent, multidisciplinary study group created to undertake a comprehensive evaluation of the judicial system and make recommendations for strengthening our courts within the existing administrative framework. Recommendations featured in the report include:

- implementing a strategic technology plan for paperless courthouses;
- raising the juvenile age;
- reducing case delays and improving efficiency; and,
- assisting the growing number of self-represented litigants.

These recommendations reflect the understanding that public trust and confidence in the courts is at its highest when the courts are seen as fair, accessible, and effectively managed.

NCCALJ is an independent, multidisciplinary commission comprised of leaders from business, academia, the Judicial Branch, the Legislative Branch, the Executive Branch, the legal profession, and the non-profit sector. The Commission's diverse member-



ship was divided into five Committees corresponding to five areas of inquiry: 1) Civil Justice; 2) Criminal Investigation and Adjudication; 3) Legal Professionalism; 4) Public Trust

and Confidence; and 5) Technology.

The committees conducted research, consulted with numerous experts and court officials, and engaged in collaborative discussions to identify areas for improvement in North Carolina's court system. This past summer, the Commission produced interim reports and gathered public input through online comments and four public meetings held across the state.

"The Commission's recommendations create a framework for dramatic, systemic improvement in the administration of justice in North Carolina," said Chief Justice Martin. "The work of this blue-ribbon Commission will help ensure that North Carolina's Judicial Branch meets the needs and expectations that the people of North Carolina have for fair, modern and impartial courts."

The Administrative Office of the Courts, along with other component parts of the Judicial Branch, will implement the Commission's recommendations.

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## Pretrial Justice Reform and the State Courts Initiative

During the last decade, research on practices to improve pretrial release decisions has increased dramatically. This clearly demonstrates the need to move to a risk-based system, relying on actuarial instruments to inform decisions regarding the likelihood the defendant will appear in court or pose a danger to the community. The research also has much to say about the short-term and long-term harms that accrue to defendants who remain in detention pending their trial, as well as potential threats to public safety when high risk defendants are able to pay for their release. In recognition of this research, the [Conference of Chief Justices \(CCJ\)](#) and the [Conference of State Court Administrators \(COSCA\)](#) have joined multiple national criminal justice stakeholder organizations to promote system change. In 2015, both organizations provided educational programs on pretrial justice reform issues to their members, and are now engaged in convening a series of regional summits of multi-stakeholder teams to craft action plans for improving state court pretrial justice practices.

SJI recently awarded a Strategic Initiative Grant to support a national Pretrial Justice Reform and the State Courts Initiative. The Initiative will build on the momentum generated by CCJ and COSCA, and help courts implement legal and evidence-based pretrial practices through the development of national resources and the provision of technical assistance (TA) targeted specifically to state courts. The [National Center for State Courts \(NCSC\)](#) and the [Pretrial Justice Institute \(PJI\)](#), the

leading organizations in judicial and pretrial reform, will partner to implement the Initiative. In consultation with an Advisory Committee of judicial and pretrial reform leaders, NCSC and PJI will produce and widely disseminate a court pretrial organizational assessment tool, online educational tools, written policy papers, and provide TA for jurisdictions seeking expertise in specific pretrial areas.

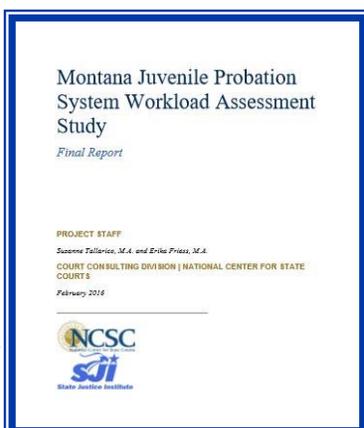
The Initiative will be informed by the CCJ and COSCA [National Task Force on Fines, Fees, and Bail Practices](#), the action plans developed by states participating in the regional Pretrial Justice Reform Summits, and efforts by state courts working with the NCSC and PJI.

As a result of this Initiative, state courts will have access to resources to facilitate implementation of their specific pretrial system improvements, as well as enhance the success of their reform efforts. NCSC and PJI will highlight individual jurisdictions' achievements electronically and in presentations to encourage knowledge-sharing and peer-to-peer learning across the state court community. By supporting court systems implementing legal and evidence-based pretrial practices, the Initiative ultimately will help reduce unnecessary confinement of defendants based solely on their inability to pay, and ensure that dangerous defendants are appropriately detained. The Initiative also will assist state and local courts in their efforts to ensure equal justice and due process for all.

## MT Completes Probation Workload Assessment

Through an SJI grant, the [Montana Office of Court Administration](#) has successfully completed a juvenile probation workload assessment study. The final report documents the challenges associated with providing quality supervision to Montana youth, while balancing caseloads, pretrial assessments, and essential probation department functions.

This report is the culmination of a collaborative effort between staff at the [National Center for State Courts \(NCSC\)](#) and the Workload Guidance Committee, which was comprised of 14 leaders from 12 judicial districts and the Office of Court Administration. Guidance Committee members focused their efforts on ensuring the quality of this assessment by assisting juvenile

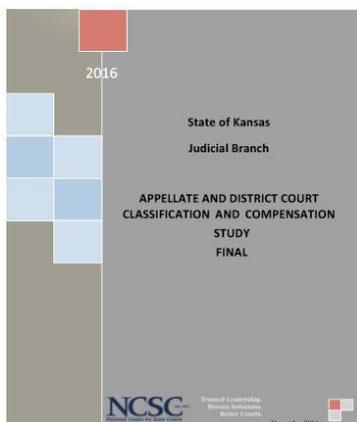


probation staff with tracking time, and arranging for stakeholders to share their views, experiences, and insights at the focus groups.

States are encouraged to determine local workloads based on carefully conducted time studies. The final report notes, "Juveniles usually enter the juvenile justice system through contact with law enforcement, although they may be referred to juvenile probation by other agencies and parents. The juvenile justice system is designed to keep youth out of the deep end of the criminal justice system. It also is effective in helping the District/Youth Courts from becoming over-burdened with relatively minor offenses that can be handled more swiftly by juvenile probation through the informal process."

Included in the [final report](#) are workload essentials and measurements, as well as findings and next steps.

# Kansas Judicial Branch Examines Compensation



Completed late last year with SJI support, the Kansas judicial branch has made its final report, titled, [Appellate and District Court Classification and Compensation Study](#), available through the [NCSC Digital Library's eCollection](#).

With TA provided by the NCSC, the appellate and district court study report and its companion report focusing on magistrates,

show that pay for every single job classification within the Judicial Branch is below market levels by at least 4.6 percent and as much as 22.2 percent.

"It's well documented by the National Center for State Courts that pay for Kansas district judges ranks a dismal 50th in the nation and 45th when adjusted for cost of living," said Lawton Nuss, Chief Justice of the Supreme Court. "What had not been studied was the pay earned by court employees and district magistrate judges."

The *Appellate and District Court Classification and Compensation Study*, found that:

- More than a one-quarter of judicial branch employee positions have starting salaries below the federal poverty level for a family of four.
- Nearly one-third of judicial branch employees work more than one job, a rate 24 percent higher than the Kansas state average reported in a 2014 USA TODAY article, [States Where the Most People Work Two Jobs](#).
- Trial Court Clerk II and Court Services Officer I classifications, entry-level jobs representing approximately 700 current employees, are paid 17.8 percent under the market rate.

"It's been about eight years since court employees received a pay increase, with the exception of a 2 percent cost of living adjustment a couple of years ago that was quickly eaten up by increased employee contributions to benefits," Chief Justice Nuss said. "Because pay is not keeping pace with the market, Kansas courts are experiencing higher rates of employee turnover and are finding it more difficult to recruit new employees."

Both studies, fact sheets about judicial branch salaries, its budget, and operations are available [online](#).

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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.

