

SJI NEWSLETTER

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SJI Announces Priority Investment Areas for FY 2017 Grant Funding

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The SJI Board of Directors has established [Priority Investment Areas](#) for FY 2017 grant funding. SJI will allocate significant financial resources through grant-making for these Priority Investment Areas (in no ranking order):

- **Self-Represented Litigation** – Promoting court-based self-help centers, online services, and increasing use of court-based volunteer attorney programs.
- **Language Access** – Improving language access in the state courts through remote interpretation (outside the courtroom), interpreter certification, courtroom services (plain language forms, websites, etc.).
- **Reengineering to Improve Court Services and Performance** – Assisting courts with the process of reengineering, regionalization or centralization of services, structural changes, improving performance, and reducing cost to taxpayers while providing access to justice.
- **Remote Technology** – Supporting the innovative use of technology to improve the business operations of courts and enhanced services outside the courtroom. This includes videoconferencing, online access, educational services, and remote court proceedings.
- **Human Trafficking and the State Courts** – Through the [Human Trafficking and the State Courts Collaborative](#), addressing the impact of federal and state human trafficking laws on the state courts, and the challenges faced by state courts in dealing with cases involving trafficking victims and their families.
- **Guardianship, Conservatorship, and Elder Issues** – Assisting courts in improving oversight of guardians/conservators to prevent fraud of the elderly and the incapacitated, to include establishing court visitor programs, electronic reporting and monitoring, and guardian training.



- **Juvenile Justice** – Innovative projects that have no other existing or potential funding sources (federal, state, or private) that will advance best practices in handling dependency and delinquency cases; promote effective court oversight of juveniles in the justice system; address the impact of trauma on juvenile behavior; assist the courts in identification of appropriate provision of services for juveniles; and address juvenile re-entry.
- **Fines, Fees, and Bail Practices** – Assisting courts in taking a leadership role in reviewing fines, fees, and bail practices to ensure processes are fair and access to justice is assured; implementing alternative forms of sanction; developing processes for indigency review; and transparency, governance, and structural reforms that promote access to justice, accountability, and oversight. Projects that address this Priority Investment Area will inform the work of the Conference of Chief Justices/Conference of State Court Administrators (CCJ/COSCA) [National Task Force on Fines, Fees, and Bail Practices](#).

SJI Releases FY 2017 Grant Guideline

SJI recently released the [Grant Guideline](#) for FY 2017. The Grant Guideline appears as part of the National Archives and Records Administration's Federal Register, and sets forth the administrative, programmatic, and



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financial requirements for applying for and administering SJI grants.

FY 2017 Deadlines for Project, Technical Assistance, and Curriculum Adaptation Grants are as follows: 1st Quarter - November 1, 2016; 2nd Quarter - February 1, 2017; 3rd Quarter - May 1, 2017; and, 4th Quarter - August 1, 2017.

COSCA Paper Highlights Effective Court Policies for Compliance with Legal Financial Obligations

The [Conference of State Court Administrators \(COSCA\)](#), released its [2015-2016 policy paper](#) recommending specific policies and practices that courts can adopt to minimize the negative impact of legal financial obligations (LFOs) and end so-called "debtors' prisons," while ensuring accountability for individuals violating the law.

This paper examines the growth of debt imposed by legislative bodies through courts and the incarceration that results from failure to pay, as well as significant collateral consequences incarceration brings to those unable to pay. The paper discusses the issues created by reliance on funding courts through fine and fee revenue and the impact of using private for-profit entities to collect court-related LFOs.

"COSCA has long advocated against the practice of funding courts and other government activities through fees. In this paper COSCA advocates for lawful, effective, and just policies toward those who are ordered to pay fines and fees," said Arthur Pepin, the President of COSCA and Director of the New Mexico Administrative Office of the Courts. "The objective is compliance, whether through payment in money, performing community service, or creating alternative ways to satisfy the public policy behind the imposition of fines and fees. Incarceration must remain as the ultimate sanction for those who are able to pay but willfully refuse to do so."

Recommendations included in the paper focus on:

- strengthening the capacity of courts to assess the ability to pay through the use of automated tools or other existing means tests;
- adopting practices that reduce failures to appear, such as using phone call and text message reminders of pending court dates;
- expanding and improving access to alternatives to incarceration, such as community service;
- ensuring judges have the authority to impose alternatives for those unable to pay; and,

2015-2016 Policy Paper

The End of Debtors' Prisons: Effective Court Policies for Successful Compliance with Legal Financial Obligations



Conference of State Court Administrators

➤ ultimately, imposing jail time for an offender's willful refusal to pay.

The press release for this paper notes that this is not the first time COSCA has addressed similar issues. In 2012, COSCA issued a policy paper with the position that courts should not be treated as revenue centers. In that paper, COSCA outlined a series of principles, including:

1. Courts should be substantially funded from general governmental revenue sources, enabling them to fulfill their constitutional mandates.
2. Neither courts nor specific court functions should be expected to operate exclusively from proceeds produced by fees and miscellaneous charges.
3. Optional local fees or miscellaneous charges should not be established.

This new [policy paper](#), and other COSCA papers are available [online](#).

Second *Courting Justice* Town Hall Continues Discussion On Improving Public Trust and Confidence in the Courts

Courting Justice is an unprecedented multi-city town hall series that invites state supreme, appellate, and trial court judges to step down from the bench and listen to new perspectives on how the United States court system can better deliver justice for all. With support from SJI, these town halls have enabled the public to voice their concerns and share solutions on how to rebuild public trust in the judiciary. The second town hall was held in Little Rock, Arkansas, on September 23, 2016.

Videos from each of the Town Hall meetings are available on the National Center for State Court's *Courting Justice* [website](#).



NCSC Launches Appellate Innovations E-Catalog

With a grant provided by SJI, the National Center for State Courts (NCSC) led a collaborative including the Conference of Chief Justices (CCJ), the Council of Chief Judges of the State Courts of Appeal (CCJSCA), the Conference of State Court Administrators

(COSCA), and the National Conference of Appellate Court Clerks (NCACC), to develop an electronic catalog of innovative practices and technological applications used by state appellate courts. It is available exclusively [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.

