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"Editor's Note" (2009). *Court Review: The Journal of the American Judges Association.* Paper 292.
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Court Review

THE JOURNAL OF THE AMERICAN JUDGES ASSOCIATION

Volume 45, Issue 3 2008-2009

EDITOR'S NOTE

The lead article for this issue is Professor Charles Weisselberg's annual review of the criminal-law opinions issued by the United States Supreme Court during its past Term. Since Professor Weisselberg took over this survey after the death of our long-time contributor, Professor Charles Whitebread, the survey has changed somewhat in its format. We have greatly appreciated Professor Weisselberg's addition of an overview not only of the Court's opinions from the prior Term but also his note of key issues pending during its current Term as well. In addition, in key areas, he has provided us with a review of the initial struggle faced by lower courts in applying a new decision. This year, he has done that for us with respect to the Court's new ruling on the exclusionary rule, *Herring v. United States*. That review of new cases during the first 10 months after the *Herring* decision was issued helps all of us to better gauge the impact of the ruling—a key goal of this annual review, which helps all of us to stay abreast of changes in the law and to begin to assess the significance of the changes.

I want to thank Professor Weisselberg for another great contribution in this year's article, and I also want to note one item that was out of his control—the timing of its publication. He turned in his review in a timely manner, but we had other factors that led to delays in this issue. Professor Weisselberg even updated the article significantly once after submission to reflect some of the early opinions from the present Term. Since the issue is now going to press during the rush to publish opinions near the end of the present Term, the article will necessarily omit reference to those more recent opinions. Please accept our apology for the delay, and realize that it was not Professor Weisselberg's fault. We will work to make sure that the review of the 2009–2010 Term gets to you much more quickly. Even with this year's timing, however, you will find his article of great help in keeping up to date and in assessing the importance of these cases.

Our second article will develop themes familiar to every judge related to stress and safety in the courtroom. The article reviews the research of several lawyers and social scientists regarding stress felt by judges and jurors. As always, we invite the responsive comments of our readers, either in the form of an essay or a letter to the editor. Our third article is an adaption by Professor Jennifer Robbennolt of a more extensive article she published in 2008 in the *Harvard Negotiation Law Review*. Professor Robbennolt agreed to update her article and to adapt it for a judicial audience because she believed that giving judges a better understanding of the effects that apologies may have on the decision making of both parties and their attorneys could help us to more effectively help parties resolve their disputes. We agree, and we think you'll find her article of great interest.—SL