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The Resource Page

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NEW PUBLICATIONS


How often do you have the chance to get tips from judges throughout the country who have been recognized for their ability to fairly and efficiently handle civil cases? Even at the AJA’s annual educational conference, which had a program on this topic in 2013, you would hear only from a few judges. But the American College of Trial Lawyers and the Institute for the Advancement of the American Legal System have teamed up on a project that brings you the tips of nearly 30 such judges.

American College of Trial Lawyers members identified judges in seven states, representing population and geographic diversity, who were outstanding civil-case managers. They then interviewed those judges on a series of structured topics about case management, including how to handle discovery generally, discovery disputes, dispositive motions, settlement possibilities, sanctions, trial settings, and other matters. This highly readable, 39-page report summarizes the suggestions.

As the report explains, five general themes emerged:

• Assess a case and its challenges at the outset. Use active and continuing judicial involvement when warranted to keep the parties and the case on track.
• Convene an initial case management conference early in the life of the case. Discuss with the parties anticipated problems and issues, as well as deadlines for major case events.
• Reduce and streamline motions practice to the extent appropriate and possible. Rule quickly on motions.
• Create a culture of collegiality and professionalism by being explicit and up front with the lawyers about the court’s expectations, and then holding the participants to them.
• Explore settlement with the parties at an early stage and periodically throughout the pretrial process, where such conversations might benefit the parties and move the case toward resolution.

The full report provides suggestions related to each of these themes and includes sample provisions from discovery and scheduling orders.

A Community Court Grows in Brooklyn: A Comprehensive Evaluation of the Red Hook Community Justice Center

The first community court in the United States was established in 1993 in a midtown Manhattan neighborhood of New York City. A few years later, in 2000, the Red Hook Community Justice Center in nearby Brooklyn began operation. Today, there are at least 70 in operation around the world.

A new report provides the first comprehensive, independent evaluation of the Red Hook Community Justice Center. The study was conducted by the National Center for State Courts in partnership with the Center for Court Innovation and the John Jay College of Criminal Justice.

The report is comprehensive, evaluating differences between the community-court model and traditional court in areas including sanctions, recidivism, arrest rates, and costs. The report concluded that community courts can reduce crime and strengthen neighborhoods. Of particular interest are findings suggesting that the procedural-fairness principles applied in the Red Hook Community Justice Center have led to a greater perception by the community of the court’s legitimacy, and that this greater legitimacy has led to better outcomes. Study data also suggested that the public’s perception that the court shared community values had helped its effectiveness.

Links provided above will take you either to the full report or an executive summary. In addition for specific comments about the report’s findings on procedural fairness, see a blog posting by one of the study’s authors, David Rottman, at http://goo.gl/uHfyqz.

WEBSITES OF INTEREST

Northwestern Law School, Bluhm Legal Clinic, Center on Wrongful Convictions of Youth http://goo.gl/29MVaP

The authors of our lead article, which analyzes the emerging caselaw on juvenile confessions, are part of Northwestern Law School’s Center on Wrongful Convictions of Youth. That center maintains a website with resources related to this subject.

The website has a number of useful resources, including a list of recent articles related to wrongful convictions and court orders suppressing apparently unreliable confessions. Also included is an interactive map showing key developments by state in several areas, including juvenile Miranda warnings and the presence of attorneys or parents during interrogations.