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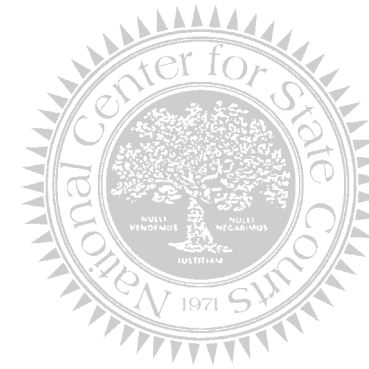
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Founded by court leaders at the urging of Chief Justice Warren E. Burger of the United States Supreme Court, the National Center for State Courts is governed by a diverse board of directors elected by state chief justices and state court administrators.

Support for the NCSC is generated through voluntary assessments from the states; seminar and conference fees; state, federal, and international grants and contracts; and private support.

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Courting the Future

*A Nonprofit
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Improving Justice
Through Leadership
and Service
to Courts*

NCSC
National Center for State Courts

04 Annual Report

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Front row, from left, Judge Brenda Loftin, E. Leo Milonas, Judge Gayle Nachtigal, Judge Gerald Elliott, Chief Justice Shirley S. Abrahamson, Daniel Becker, Mary C. McQueen, Lawrence G. Myers, Patricia Tobias, Curtis Barnette, Mary McCormick. **Back row**, from left, Thomas A. Gottschalk, Charles B. Renfrew, Ruben O. Carrerou, Zelda M. DeBoyes, Judge Jonathan Lippman, Chief Justice Randall T. Shepard, Judge Charles R. Cloud, Judge Elizabeth Keever, Judge Gary L. Lumpkin, James D. Gingerich. **Not pictured**: Chief Judge Robert M. Bell, Michael Buenger, Judge Hilda R. Gage, Chief Justice Ronald M. George, Chief Judge Judith S. Kaye, Jack Middleton, Judge Michael Spearman.

Chairpersons of NCSC's Board of Directors

National Center for State Courts Senior Management



Four NCSC presidents attended the annual Recognition Luncheon in Washington, D.C. in November 2004. From left, Mary Campbell McQueen, current president; Roger K. Warren, president 1996-2004; Supreme Court Justice Anthony Kennedy; Larry L. Sipes, president 1990-1995; and Ed McConnell, president 1973-1990.

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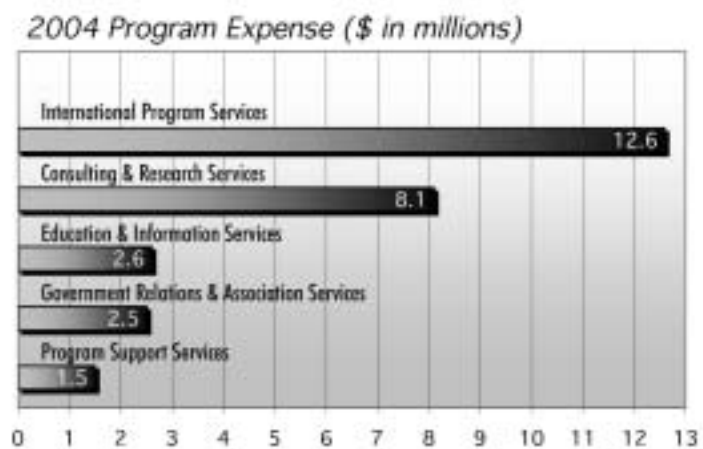
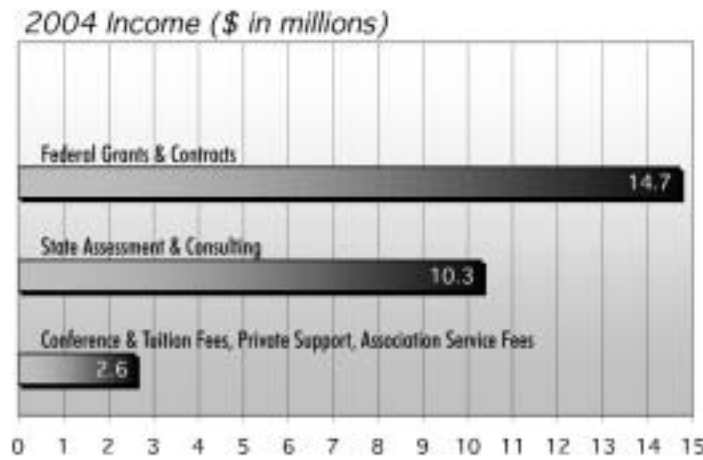
Summary of Income and Expense

The National Center for State Courts expanded its services last year to better meet the needs of the nation's state courts.

The National Center for State Courts received 53 percent of its support in 2004 from federal grants and contracts. Funds from state assessments and consulting services provided another 37 percent. Remaining funds came from conference and tuition fees, private support, and association service fees. Total income from operations in 2004 was \$27,610,148.

Program expenses include the cost of providing services to the state courts through consulting, research, education, information sharing, government relations, association management, and international programs.

The accounting firm of Deloitte & Touche LLP audits NCSC's financial statements. A copy of the 2004 audited financial statements and auditors' reports may be obtained from NCSC's chief financial officer.



Restricted Project Funding in 2004

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Introduction

When it comes to our nation's justice system, the work of the National Center for State Courts affects everyone inside and outside the court system — from the judges to the court clerks, from the youngest victims of abuse and neglect to the world's largest corporations.

The NCSC has accomplished this work for more than three decades because of the knowledge and expertise of our staff and because of the commitment and generosity of our volunteers and contributors. The dedication of NCSC's public and private supporters allows us to tackle projects that make a difference in people's lives. Projects like making jury duty attractive to the public; keeping politics out of judicial elections; ensuring court interpreters are qualified; broadening the reach of protection orders; and protecting privacy while providing public records.

None of these challenges could be met without the skill of our staff of researchers, analysts, educators, technology specialists, social scientists, and attorneys. Throughout the year, NCSC experts serve as speakers, presenters, committee members, and panelists at national and international conferences. We are fortunate to have assembled such a team of specialists whose mission, individually and collectively, is to improve the administration of justice through leadership and service to the courts.

We are also fortunate to have such loyal supporters. The work of our leaders, our staff and our contributors is highlighted in the pages that follow. We hope you find the NCSC's 2004 *Annual Report* useful in reviewing our accomplishments and looking to our future.



NCSC headquarters in Williamsburg, Virginia.

President's Message

Mary Campbell McQueen

In 2004, the National Center for State Courts expanded its services and its reach to better meet the increasing needs of the nation's justice system. As the new NCSC president, I am proud of our 2004 achievements and excited about our future.

While I reflect on some of our numerous accomplishments, I would also like to outline for you my vision for going forward. But for you to understand my vision for the National Center's future, I want you to first know something about my roots and influences.

I'm personally committed to improving justice having seen the court system up close as a state chief executive, judicial planning officer and attorney. I bring to this new challenge everything I've learned in these roles, plus the core values that have guided me in all of them: a passion for justice and judicial reform, equal justice under the law, and the critical importance of three equally independent branches of government.

It's significant too that I am truly "of" the NCSC, serving as vice chair of its Board of Directors in 1996 and President of the Conference of State Court Administrators (COSCA), the executive counterpart to the Conference of Chief Justices, plus chairing and serving on numerous NCSC committees and projects.

This background and experience will guide me as I refine the goals, objectives, strategic priorities, and direction of the NCSC with the Board of Directors in the months and years ahead. In this annual report, I'd like to discuss what will change — and what won't.

What won't change:

▲ NCSC's leadership and service mission to improve the administration of justice.

▲ Our responsiveness to the priority needs and challenges of the state courts.

▲ NCSC's position as the nation's preeminent court reform organization and voice of the state courts on key issues from judicial independence and improving judicial selection, to increasing citizen participation in jury service and protecting abused and neglected children.

▲ NCSC's impact on the nation's court community as the premier provider of quality services through our technical assistance and consulting services, education and training, and original research and technology programs.



2004 Friends of The Court *continued*

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In Memoriam: John H. Rockwell

John H. Rockwell, NCSC's oldest and longest temporary employee, and one of its most dedicated financial supporters, died in April at his Williamsburg, Virginia, home at the age of 92.

After practicing law for 38 years, Rockwell retired in 1979 and moved to Williamsburg. But retirement to Rockwell didn't mean slowing down. He went to work in the NCSC's Information Service and Research Division, becoming the NCSC's resident expert on court

security. Rockwell not only gave his time, but for 20 years he participated in NCSC's Employee Giving Program, becoming one of the National Center's long-time staff contributors.

In November 2003, Rockwell was recognized for his dedication to NCSC when he was inducted into the Warren E. Burger Society by Chief Justice of the United States William H. Rehnquist in a presentation ceremony at NCSC's Annual Recognition Luncheon.

You're invited to become a Friend of the Court at www.ncsconline.org



We have made every effort to ensure the accuracy of the names listed. Please bring any errors or omissions to our attention by calling the NCSC Development Office at 800.616.6110 or email us at development@ncsc.dni.us

2004 Friends of The Court

The "Friends of the Court" annual giving program gives individuals who care about the quality of justice a personal way to support the NCSC. From innovative educational programs, to national leadership initiatives, to onsite technical assistance at state and local courthouses, your personal gift as a Friend of the Court touches every aspect of our operations. Thank you!

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What will change:

▲ NCSC is establishing a new, stronger relationship with Congress and congressional leaders, with state legislatures and executive associations, with federal courts and the U.S. Supreme Court. We will grow with our newfound seat at the table with the other branches of government.

▲ NCSC is leading a new, national effort to build a constituency of support for the state courts and for the administration of justice through creating a network state-by-state with bench/bar/business leaders and at the national level through our leadership committees, the General Counsel Committee and the Lawyers Committee, and national bar and business organizations. We are working together with the chief justices and state bar leadership to promote public understanding and support of the courts and advocating for a strong, independent judiciary.

▲ NCSC is directing more focus on the trial courts, concentrating on the educational and support needs of trial court judges and executives.

We can assume there always will be new demands on us and new tools to assist our work – but I can say with confidence that the need for administering justice in a fair, timely, and accessible manner will never change, and that with your help and support, the NCSC will continue to make a difference in the quality and delivery of justice.

I can't look to the future without first acknowledging my predecessor, Roger K. Warren, who guided the NCSC so successfully for eight years. Under Roger's leadership, the NCSC broadened its services and its position within the court community. I am excited about continuing Roger's work, and taking the NCSC in some new directions.

Mary Campbell McQueen

I'd like to close by emphasizing that where we have been, and where we are going, would not be possible without the continuing and generous support of our friends and partners in the state courts, our client associations, our private contributors, our dedicated volunteers who serve on numerous advisory committees, all of you who value and honor the American system of justice. Thank you, to each of you, for making 2004 a rewarding year, and for making the NCSC's future so promising.

Sincerely,



Mary Campbell McQueen
President



Roger K. Warren stepped down as NCSC president in August 2004, at which time Mary Campbell McQueen became president. Warren served as NCSC president since 1996.

Chair's Remarks

Shirley S. Abrahamson

Chief Justice of Wisconsin

While reflecting on 2004 as President of the Conference of Chief Justices (CCJ) and Chair of the Board of the National Center for State Courts, it is my pleasure to recount the progress the National Center has made in fulfilling its mission to improve the administration of justice through leadership and service to courts.

It is my honor to serve this year as President of the Conference of Chief Justices (CCJ) and Chair of the Board of Directors of the National Center for State Courts (NCSC) and to report on the progress the NCSC has made in fulfilling its mission to improve the administration of justice through leadership and service to courts.

Through its national perspective on court issues and collaborative work with the Conference of Chief Justices and other state court associations and leaders, the NCSC plays a crucial and unique role in advancing best practices in judicial management, leading major reform and improvement initiatives, and building public trust and confidence in the courts. No other national institution does more to ensure the fair and effective administration of justice or has a greater impact on the nation's state courts, where 98 percent of our nation's litigation is conducted.

We're working to keep the NCSC a flexible, dynamic resource for the state courts, from our award-winning Web site which covers more than 130 CourTopics, to our education and training programs, hands-on assistance and technology services, and research and statistical analyses to identify trends, shape future developments, and foster adaptation to change.

The NCSC's programs are successful. The Center for Jury Studies helps judges and court staff improve jury management to enhance the public's confidence and satisfaction with jury duty and provides weekly updates on jury issues through the popular *Jur-E Bulletin*. At the close of the year, NCSC's Family Violence Forum launched the Center for Family Violence and the Courts Web site with the mission to improve the justice system's response to family violence. In addition, in 2004 the NCSC hosted the E-Courts conference, which focused on electronic filing and privacy and public access, and currently is planning the Ninth National Court Technology Conference, which will be held in Seattle, September 13 - 15, 2005.

The collegiality inspired and promoted by the NCSC will continue to strengthen the three pillars on which our judicial system rests:

- ▲ the fair and efficient adjudication of disputes and administration of justice, which are the primary functions of the judicial system;

- ▲ partnership with the public whose confidence is essential to the work of the courts; and

- ▲ collaboration as an independent branch of government with our partners — the executive and legislative branches of the state, county, and federal governments, which also have a duty to serve the people.

I was privileged to chair the Selection Committee that proposed Mary McQueen to the NCSC Board to be President of the National Center. The Committee and the Board selected well. Mary has served wisely and successfully in the short time she has been with us.

We look forward to many years of her energetic and creative leadership.

On behalf of the Board of Directors and all of my colleagues in the state courts, I thank the staff of the NCSC for their fine work, and thank all of you for your continued support of the National Center for State Courts.



Sincerely,

Shirley S. Abrahamson
Chief Justice of Wisconsin

The NCSC relies on the financial support of public-spirited businesses, law firms, foundations, and individuals to assist the state courts and to continue its work in state court reform. The NCSC is extremely grateful for their continued support.

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Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
Barrett Gilman & Ziker
Bingham McCutchen LLP
Bryan Cave LLP
Carlton Fields
Center for Constitutional Litigation PC
Chadbourne & Parke LLP
Chandler Franklin & O'Bryan
Christian & Barton, L.L.P.
Connell Foley LLP
Covington & Burling*
Crowe & Dunlevy
Dickie, McCamey & Chilcote

Fennemore Craig
Fitzpatrick, Cella, Harper & Scinto*
Goins, Underkofler, Crawford & Langdon, L.L.P.
Goodwin Procter LLP
Hill, Ward & Henderson, P.A.
Holland & Knight LLP
Hunton & Williams LLP
Kelley Drye & Warren LLP
Kramer Levin Naftalis & Frankel LLP
Maher Guiley and Maher, P.A.
Mary Alexander & Associates, Inc.
Mayer, Brown, Rowe & Maw
McGuireWoods LLP
Melvin & Melvin
Milbank, Tweed, Hadley & McCloy LLP

Morvillo, Abramowitz, Grand, Iason & Silberberg, P.C.
Nelson Mullins Riley & Scarborough, L.L.P.
Palmer & Dodge LLP
Pepper Hamilton LLP
Perkins Coie Brown & Bain
Pierce Atwood LLP
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Stillman & Friedman, P.C.
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Vinson & Elkins L.L.P.
Weil, Gotshal & Manges Foundation Inc.
Winston & Strawn LLP

*20-year Contributor

Recognizing Leaders and Contributors *continued*

2004 Distinguished Service Awards

STATE APPELLATE COURT JUDGE
Retired Justice Charles Z. Smith
Washington State Supreme Court

Mercedes M. Bauermeister
Former Administrative Director
Supreme Court of Puerto Rico

STATE TRIAL JUDGE
Judge Leonard Edwards
Juvenile Judge
Santa Clara County Superior Court

Heidi Green
Court Research Consultant and Former Research
Analyst Specialist with the Minnesota Supreme
Court

STATE-LEVEL COURT ADMINISTRATOR
David K. Byers
Director of the Administrative Office
Arizona Supreme Courts

TRIAL-LEVEL COURT ADMINISTRATOR
Richelle Uekert
Assistant Chief Executive Officer
Superior Court of California, Orange County

LAWYER OR LAY PERSON
Dwight D. Opperman
Chairman Emeritus of West Publishing Company
Chairman of Key Investment Inc.

Pat Brady
League of Women Voters

John K. Hudzik, Ph.D.
Professor of Criminal Justice
Dean of International Studies
and Programs
Michigan State University



NCSC president Mary Campbell McQueen presents Distinguished Service Award to Dwight D. Opperman.

Georgia Chief Justice Receives First-Ever Carrico Award

Georgia Chief Justice Norman S. Fletcher (**right**) became the first recipient of the Harry L. Carrico Award for Judicial Innovation in 2004, established in recognition of retired Chief Justice of Virginia Harry L. Carrico. California Chief Justice Ronald M. George, (**left**) then-chair of the NCSC Board, presented Chief Justice Fletcher the award in January 2004 during the mid-year meeting of the Conference of Chief Justices. Chief Justice Fletcher was honored for his significant and lasting impact to improve Georgia's indigent defense system. NCSC established the award to honor a sitting state court chief justice or justice who has inspired, sponsored, promoted, or led an innovation of national significance in the field of judicial administration.



Supporting Judicial Leadership and Independence

The most effective way to ensure an independent judiciary is to develop the public's understanding of, and respect for, the concept of judicial independence. In recent years, the NCSC expanded its efforts to aggressively help the courts preserve an independent judiciary. In 2004 and beyond:

▲ NCSC and the American Judges Association conducted a National Forum on Judicial Independence as part of AJA's 2004 conference in San Francisco. Supported by the Joyce Foundation, forum panelists discussed state and local control over court budgets and operations and the challenges of introducing the principles of problem-solving courts throughout the traditional justice system.

A Look To The Future: A panel discussion from this forum is being featured on a new PBS series *Inside the Law*, which airs throughout 2005. The program, "*Judicial Independence ... The Freedom to Be Fair*," is hosted by Emmy-winning journalist Jack Ford. Several state court leaders participated in the program, including NCSC President Mary McQueen; Chief Justice of California Ronald M. George; Judge Gayle Nachtigal of Washington County, Oregon, and AJA president; and Judge Michael McAdam of the Kansas City, Missouri Municipal Court.



Emmy - winning journalist Jack Ford with former AJA president and Judge Michael McAdam of the Kansas City, Missouri Municipal Court.

▲ To build awareness about the importance of judicial independence, NCSC Board Chair Shirley S. Abrahamson, Chief Justice of Wisconsin, wrote a comprehensive article that urges judicial candidates to emphasize the need for judicial independence as a campaign platform, which is being published in several states' bar journals.

"Judicial independence is one of the touchstones of our constitutional system of government. I like to think that the belief in the wisdom of an independent judiciary is not confined to judges alone, but is shared by other members of the legal profession and by the public at large."

Chief Justice of the United States
William H. Rehnquist



▲ NCSC responded to the states' fiscal crisis with a national action plan to respond to the impact of funding shortfalls.

▲ NCSC established two national committees to provide pro bono advice to state chief justices, state attorneys general, and other state officials to improve the judicial selection process. In 2004, the National Advisory Committee on Judicial Election Law drafted a memorandum about how judicial candidates might respond to election questionnaires. The National Advisory Committee on Judicial Campaign Conduct held a national workshop and published a how-to guide on establishing effective judicial campaign conduct committees.



California Chief Justice Ronald M. George discusses the significance of judicial independence at the AJA Forum and in the PBS special.



Indiana Chief Justice Randall Shepard has played a leadership role in helping to improve the judicial selection process both nationally and in his home state.

Improving Court Performance

For more than three decades, the NCSC has delivered innovative and effective programs to help courts provide quality services and advance the fair and efficient administration of justice. NCSC researchers, educators, consultants, and information analysts work tirelessly to understand the courts' operations and trends, and to help them stay in step with technological and societal changes. In 2004 and beyond:

▲ NCSC developed *CourTools*, a practical set of trial court performance measures, to help courts improve their operations in ten well-defined areas based on the Trial Court Performance Standards.

▲ NCSC is examining the practical, economic, and legal impact of electronic discovery in state trial courts, including preparing an educational module for state trial judges. The Conference of Chief Justices established a new committee in 2004 to develop e-discovery guidelines.

▲ Through the creation of a National Mass Torts Clearinghouse, NCSC is developing model rules and standards of practice to advance cooperation between state and federal courts.

▲ NCSC launched the *National Program to Increase Citizen Participation In Jury Service Through Jury Innovations* to promote public understanding and to improve the conditions of jury service both inside and outside the courtroom. The program aims to increase citizen participation in juries in two ways: Introducing a series of jury innovations — from allowing jurors to take notes to protecting jurors' employment and pay — and providing judges, attorneys, and court administrators the tools to implement them; and promoting public awareness and understanding about the importance of jury service. NCSC Board member, Chief Judge of New York Judith S. Kaye, introduced the program at a May 2004 luncheon hosted by Davis Polk & Wardwell in New York City.

Contributors to the National Program to Increase Citizen Participation in Jury Service Through Jury Innovations

Robins, Kaplan, Miller & Ciresi L.L.P.*
 Shook, Hardy and Bacon Foundation
 Product Liability Advisory Council Foundation
 Kirkland & Ellis LLP Foundation
 Reed Smith LLP
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 Wilmer Cutler Pickering Hale and Dorr LLP
 Cohen, Milstein, Hausfeld & Toll, PLLC
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*\$100,000 Legacy Donor



Judith S. Kaye, Chief Judge of New York and NCSC Board member, introduces the NCSC's *National Program to Increase Citizen Participation in Jury Service*. From left, panelists include, Robert Grey, president of the American Bar Association, Mark Zauderer, chair of New York's Commission on the Jury, and Tom Munsterman, director of NCSC's Center for Jury Studies.

Burger Society Inductees

Justice Anthony Kennedy and Chief Justice of Wisconsin Shirley S. Abrahamson honored individuals who have made extraordinary contributions of service and support to the NCSC by inducting them into the Warren E. Burger Society at the Annual Recognition Luncheon Nov. 19, 2004. The Burger Society was formed in 1996 – the year of the NCSC's 25th anniversary – to honor individuals who have volunteered their time, talent, and support to the NCSC in an exceptional manner. Membership into the society is commemorated by a presentation of a limited edition print of the final portrait of the late Chief Justice Warren E. Burger, who helped found the NCSC in 1971. Each print is signed and numbered by the artist, Fran Di Giacomo. The portraits are a gift from Texas attorney Charles M. Noteboom, who commissioned the original portrait, which hangs in the NCSC's headquarters in Williamsburg, VA.

New Burger Society members were inducted during the 2004 Annual Recognition Luncheon. Justice Anthony Kennedy and NCSC Board Chair Shirley S. Abrahamson, Chief Justice of Wisconsin, presented the members with limited edition portraits of Burger. From left, Chief Justice of Wisconsin Shirley Abrahamson; Robert N. Baldwin; Michael V. Ciresi; William H. Neukom; Justice Anthony Kennedy; Larry Sipes; Dale Sipes; E. Norman Veasey; and Charles Noteboom, chair of the Burger Society who commissioned the original portrait of Burger, which hangs in the NCSC's headquarters.

This year's inductees:

- Robert N. Baldwin**
State court executive of Virginia.
- Michael V. Ciresi**
Legacy Donor to the National Program to Increase Citizen Participation in Jury Service Through Jury Innovations.
- William H. Neukom**
Former general counsel of Microsoft Corporation and partner and chair of the Seattle firm Preston Gates & Ellis LLP.
- Louise M. Parent**
Executive vice president and general counsel of American Express.
- Larry and Dale Sipes**
Former president of NCSC, and former NCSC staff/consultant.
- E. Norman Veasey**
Past chair of the NCSC Board and former Chief Justice of Delaware.



MEMBERS OF THE WARREN E. BURGER SOCIETY

- | | | |
|-----------------------|--------------------------|--|
| R. Byron Attridge | Howell T. Heflin | Louise M. Parent |
| Robert N. Baldwin | Jane A. Hess | William G. Paul |
| Curtis H. Barnette | Verne A. Hodge | Charles H. Pelton and Dorothy A. O'Brien |
| Dorothy T. Beasley | Linwood Holton | Ellen Ash Peters |
| Murray H. Bring | R. William Ide III | Thomas R. Phillips |
| Thomas C. Brown, Jr. | James R. James | John H. Pickering |
| Harry L. Carrico | Nicholas deB. Katzenbach | Lyle Reid |
| Winslow Christian | John F. Kay, Jr. | William S. Richardson |
| Michael V. Ciresi | Susan and Ingo Keilitz | William L. Roberts, Jr. |
| Hugh M. Collins | Henry L. King | John H. Rockwell* |
| Theodore H. Curry II | Augustus B. Kinsolving | Kaliste J. Saloom, Jr. |
| John J. Curtin, Jr. | Harry O. Lawson | John G. Scriven |
| Kenneth T. Derr | Edward B. McConnell | Larry and Dale Sipes |
| Richard W. Duesenberg | Arthur A. McGiverin | Chesterfield Smith* |
| Haliburton Fales II | Vincent L. McKusick | Arthur H. Snowden II |
| Timothy Flanigan | Mary Campbell McQueen | Robert F. Stephens* |
| Edith Foster | Daniel J. Meador | George A. Stinson* |
| George S. Frazza | William Blair Mitchell* | Ronald J. Stupak |
| William H. Gates | Thomas J. Moyer | Gerald W. VandeWalle |
| Vernon M. Geddy, Jr. | William H. Neukom | E. Norman Veasey |
| Sheila Gonzalez | Charles M. Noteboom | W. Wayne Withers |
| John M. Greacen | Dwight D. Opperman | Guy A. Zoghby* |
| Maurice R. Greenberg | Betty W. Osborne | |
| Joe R. Greenhill | Richard de J. Osborne | |

*deceased

Recognizing Leaders and Contributors *continued*

Annual Recognition Luncheon

Justice Anthony Kennedy joined the NCSC and other members of the court and legal community to honor the work of the NCSC's supporters at the Annual Recognition Luncheon held at the Willard Inter-Continental Hotel in Washington, D.C. in November 2004.



Honorees and participants listen to Justice Anthony Kennedy address the audience at the Annual Recognition Luncheon. **From left**, William Neukom, former general counsel of Microsoft and chair of the Preston Gates and Ellis firm, and NCSC Board member Charles B. Renfrew.



"The law makes a promise — neutrality. If the promise gets broken, the law as we know it ceases to exist."

*Supreme Court Justice
Anthony M. Kennedy*

Twenty-Year Supporters Recognized

The NCSC publicly recognizes the outstanding corporate citizens and law firms that have supported the work of the National Center for State Courts for twenty or more years. Curtis Barnette, former chairman of Bethlehem Steel and member of NCSC's Board of Directors, presented Resolutions of Appreciation to Wyeth and the law firm of Troutman Sanders LLP for their 20 years of support of the NCSC.



Charles A. Zdebski, partner with Troutman Sanders LLP, accepts the 20-year resolution on behalf of his firm from Curtis Barnette, NCSC Board member.



Curtis Barnette, former chairman of Bethlehem Steel and NCSC Board member, presents a resolution honoring Wyeth's 20 years of support to Lawrence V. Stein, senior vice president and general counsel of Wyeth.

▲ Despite substantial increases in dispositions, the number of trials in state courts is declining, mirroring a phenomenon in the federal courts. Using its new State Court Disposition Trends database, the NCSC is examining this puzzling trend. In November 2004, NCSC's annual Justice Roundtable explored "The Vanishing Trial: Implications for the Bench and Bar," in which panelists discussed the findings and possible causes and consequences. More than 75 state chief justices, judges, and business and bar leaders participated.

▲ **A Look To The Future:** As part of its Civil Justice Reform Initiative (CJRI), the NCSC is collaborating with the National Judicial College and the National Association of State Judicial Educators on a judicial education initiative, "Preparing State Trial Judges to Handle Complex Litigation." The CJRI is a multi-year effort to examine best practices in civil case management, including review of discovery, case settlement, and trial practices.



Panelists at the annual Justice Roundtable on Vanishing Trials included state and federal judges, law professors, attorneys, and legal researchers. **From left**, Mary Campbell McQueen, NCSC president; Judge William J. Manfredi of the Philadelphia Court of Common Pleas; Judge Richard B. Lowe III of the New York Supreme Court; and Judge William G. Young of the U.S. District Court in Massachusetts.



State court chief justices participate in the Justice Roundtable. **From left**, Chief Justice of Utah Christine M. Durham and Chief Justice of Indiana Randall T. Shepard.



Members of the NCSC's General Counsel Committee participate in the annual Justice Roundtable in Washington, D.C. **From left**, Thomas J. Sabatino, Jr. of Schering-Plough Corporation, and James F. Kelley of Georgia-Pacific Corporation.



Roundtable panelist and Lawyers Committee member Benjamin R. Civiletti of Venable LLP, discusses the implications of vanishing trials.

Building Support For State Courts

In recent years, the state courts have become the final arbiters of state constitutional law, attracting the attention of scholars, the general public, and the legislative and executive branches of government. The NCSC has created the resources and an environment to build a strong constituency of support for the state courts. In 2004 and beyond:

▲ The NCSC's two leadership committees, the General Counsel Committee and the Lawyers Committee, made significant strides in 2004 in building a constituency of support for state courts and the administration of justice by partnering with leaders of the state courts and state bars. Through a national framework, business/bench/bar leaders are using state-by-state action to protect judicial independence and to promote public understanding and support of the state courts.

▲ Reaching out to the national media to become a more effective voice for the courts, NCSC President Mary McQueen held an issues briefing for journalists in conjunction with The College of William and Mary Law School's annual Supreme Court Preview. Journalists from *ABC Nightly News*,

USA Today, the *ABA Journal*, and several other media outlets attended.

▲ The NCSC is developing stronger working relationships with members of Congress, the U.S. Supreme Court, the National Council of State Legislatures, the National Governors Association, the Federal Judicial Center, and the Council of State Governments to provide meaningful judicial impact statements, issue papers, and forums for discussion on issues of mutual interest, such as sentencing policies.

General Counsel Committee



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Charles W. Matthews, Jr.

Thomas A. Gottschalk
General Motors Corporation
Co-Chair

Charles W. Matthews, Jr.
ExxonMobil Corporation
Co-Chair

William P. Barr
Verizon Communications Inc.

Joseph W. Bauer
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Insurance Company

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Insurance Company

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Henry Z. Horbaczewski
Reed Elsevier Inc.

R. William Ide III
Monsanto Company (Retired)

Charles A. James
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William B. Lytton
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Siri S. Marshall
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Kimberly-Clark Corporation

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Company

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Gary P. Van Graafeiland
Eastman Kodak Company

Charles R. Wall
Altria Group, Inc.

W. Wayne Withers
Emerson Electric Co.

William H. Rehnquist Award for Judicial Excellence

Juvenile Judge Leonard P. Edwards II of Santa Clara County, California Superior Court was the 2004 recipient of the NCSC's William H. Rehnquist Award for Judicial Excellence. The award is presented to a judge who exemplifies the highest level of judicial excellence, integrity, fairness, professional ethics, and sound judgment. Every year since the award's inception in 1996, Chief Justice Rehnquist has attended the dinner and presented the award. This year, due to illness, Chief Justice Rehnquist was unable to attend the November 18 ceremony, and Justice Anthony Kennedy graciously participated in Rehnquist's absence.



Supreme Court Justice Anthony Kennedy, (right) presents Judge Leonard Edwards, (center), with the William H. Rehnquist Award. William C. Vickrey, administrative director of the California courts, (left).

PREVIOUS RECIPIENTS OF THE WILLIAM H. REHNQUIST AWARD FOR JUDICIAL EXCELLENCE

2003
Judge Kevin S. Burke, Minnesota

2002
Chief Justice Ronald M. George, California

2001
Judge Thelma Wyatt Cummings Moore, Georgia

2000
Judge Thomas W. Ross, North Carolina

1999
Chief Judge Judith S. Kaye, New York

1998
Judge Veronica McBeth, California

1997
Judge B. Michael Dann, Arizona

1996
Judge Vincent Poppitti, Delaware

"I have worked with the National Center on a number of projects and know the high quality of service and assistance that you provide to our nation's courts. By coming to my courtroom on more than one occasion, you have helped me improve the quality of justice in my court and in our court system. I know that you provide similar assistance to judges and court systems throughout the country."

Juvenile Court Judge
Leonard Edwards



Recognizing Leaders and Contributors

It's impossible to discuss NCSC's achievements and future without mentioning and recognizing the individuals, companies, law firms, and foundations that help make it all happen. Each plays a vital role in strengthening and broadening the NCSC's reach. Through their support and commitment, the NCSC and the justice system continually improve. In the following pages, we recognize those who have made a difference in the NCSC's past and future through leadership, service, and financial support.

NCSC Recognizes Excellence

The NCSC hosts a series of special events and programs in Washington, D.C. to honor those who have made extraordinary contributions to improving the administration of justice.

The series of events begins with a dinner in the Great Hall of the U.S. Supreme Court, sponsored by the NCSC and hosted by the Supreme Court. The dinner honors the recipient of the NCSC's William H. Rehnquist Award for

Judicial Excellence. More than 250 judicial, business and bar leaders from across the United States attended the November 2004 dinner.

The events that follow include the annual Justice Roundtable (please see page 7), and NCSC's Annual Recognition Luncheon, which includes inductions into the Warren E. Burger Society.



William C. Vickrey of the California Courts introduces Judge Leonard Edwards, the 2004 recipient of the William H. Rehnquist Award during a dinner in the Great Hall of the U.S. Supreme Court.



Members of NCSC's Board of Directors, Maryland Chief Judge Robert M. Bell (left), and James D. Gingerich (right), director of the Arkansas Administrative Office of the Courts, participate in committee meetings in Washington, D.C.

South Carolina Chief Justice Jean Toal talks about how the decline in jury trials will impact the state courts.

GENERAL COUNSEL COMMITTEE AND LAWYERS COMMITTEE

The NCSC works in partnership with two committees of volunteer leaders, the General Counsel Committee and the Lawyers Committee, to heighten visibility and support of the NCSC's court improvement mission. Each member provides important outreach throughout the justice, legal, and business communities.



General Counsel Committee members meet in New York City in May 2004. From left, Dan Hall, NCSC vice president of Court Consulting Services; Logan G. Robinson; Donald G. Kempf, Jr.; Thomas A. Gottschalk (co-chair); and Thomas J. Sabatino Jr.

Lawyers Committee



Ronald L. Olson
Munger, Tolles & Olson LLP
Chair

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Mary Alexander & Associates, Inc.

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Barrett Gilman & Ziker

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Charles M. Noteboom
Noteboom the Law Firm

D. Dudley Oldham
Fulbright & Jaworski L.L.P.

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Crowe & Dunlevy

Robert S. Peck
Center for Constitutional Litigation, PC

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Davis Wright Tremaine LLP

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Goins, Underkoffler, Crawford & Langdon, L.L.P.

C.C. Torbert, Jr.
Maynard, Cooper & Gale, P.C.

E. Norman Veasey
Weil, Gotshal & Manges LLP

Sylvia H. Walbolt
Carlton Fields

Daniel E. Wathen
Pierce Atwood LLP

Promoting Best Practices

NCSC offers state and local courts fresh ideas and emerging practices to improve their services and the quality of justice. NCSC serves as a national voice to identify and champion best practices from across the country as part of a broad strategy to improve court performance and service to the public. In 2004 and beyond:

▲ To improve public trust and confidence in the courts, NCSC's Best Practices Institute in 2004 focused on media and legislative relations. The institute prepared and distributed to the courts "best practices" for working more effectively with the media and legislature. The Institute also conducted an online Webinar about emergency management best practices.

▲ NCSC's annual *Future Trends in State Courts 2004* looked at the courts' present and future through an Environmental Scan and a series of articles on court facilities and security, therapeutic jurisprudence, court technology, and other subjects. Many judges and court managers also enjoyed the benefit of a free consultation at conferences across the country thanks to NCSC's "Doctor Is In" program.



▲ NCSC's Institute for Court Management provides education and training to court professionals around the country. In 2004, more than 1,200 court professionals at all levels enrolled in ICM courses held throughout the United States and over the Internet. Meanwhile, ICM continued to reach out to a broader audience through more diverse means of information delivery. Over the past year, ICM significantly expanded its partnerships with courts that provide judicial officers and stakeholders with programs designed specifically for them on caseload management, court performance standards, and substance abuse.



Kent Wagner of NCSC's ICM staff conducts Webinars for court professionals around the country.

▲ NCSC established a Courts Network that provides low-cost technical assistance and consulting services to state and local courts.

▲ In conjunction with the National Highway Traffic Safety Administration, the NCSC is working to reduce traffic accidents through its Impaired Driving Program. This program increases judicial awareness of the problems created by impaired driving and describes "best practices" on how to reduce the accidents caused by it.

▲ The Consortium for State Court Interpreter Certification program, which is administered by the NCSC, increases the number and reliability of qualified court interpreters around the country. Nearly 100 interpreters passed the certification exam of the Consortium for State Court Interpreter Certification, which now has 31 member states.



The Consortium, created in 1995 by four states, was established to develop tests and administer standards for court interpreters. The Consortium provides testing materials to ensure states and jurisdictions have the necessary tools and guidance to implement certification programs. The Consortium is administered by the NCSC.

Improving the Rule of Law Around the World

More than 10 years ago, the NCSC began expanding services internationally to help developing countries establish strong and independent judiciaries. Today, the NCSC has offices in seven countries and provides consulting services in several more. In 2004 and beyond:

▲ NCSC's International Programs was awarded four sole-source contracts by the U.S. Agency for International Development (USAID) to help developing countries reform and improve their justice systems.

The contracts included:

- Developing special courts in Serbia to handle war crimes and other high-profile trials. The project included training judges and prosecutors and building three courtrooms designed specifically to handle trials for war criminals (such as bullet-proofing the courtrooms). In all, three courtrooms and a media center were built, and the largest can accommodate up to 100 defendants and their attorneys.
- Assessing Haiti's justice system and making recommendations for a future USAID justice reform project for Haiti.
- Implementing the highest priority recommendations contained in the Haiti assessment report.
- Drafting a manual for USAID on developing Rule of Law Programs in Post-Conflict Environments, such as in Kosovo and Afghanistan.

▲ To better meet developing countries' needs, the NCSC expanded the expertise of its International staff, such as hiring prosecutors experienced in foreign countries and corruption experts. International's staff represents seven nations and speaks some 15 different languages.

▲ International Programs was the only such group to receive three consecutive Indefinite Quantity Rule of Law contracts.

▲ NCSC was awarded a contract to help Azerbaijan courts codify their laws and make the information available to judges, attorneys, and others through CDs and the Internet.

▲ NCSC conducted a series of court performance seminars for Chinese judges and administrators at the invitation of China's National Judges College.

▲ NCSC managed 16 in-country projects in Eastern Europe, Asia, and Latin America through offices in seven countries.



NCSC hosts an average of 300 international judicial officials annually who meet with NCSC experts.

A More Just Court System

Making the justice system more accessible, understandable, and equitable for the public is at the heart of the NCSC's work. Often our work is behind-the-scenes, improving the administration of justice, and sometimes it produces a more visible and direct effect on society. In 2004 and beyond:

▲ NCSC was part of a collaborative effort to create Selfhelpsupport.org (www.selfhelpsupport.org), an online meeting place for people who assist those who represent themselves in court. The site includes news, upcoming events, a Web board for interactive discussions, and an online library with resources on a variety of subjects. Web site members share information, create listservs, perform mass mailings, and network with other professionals in the field to ensure that developments in pro se assistance programs will benefit other programs. Selfhelpsupport.org was named a "Top 10 Court Web Site" (out of 2,400 considered sites) by Justice Served in 2004. Other participating organizations: the American Judicature Society, Chicago-Kent College of Law, Justice Management Institute, Legal Services Corporation, Pro Bono Net, State Justice Institute, and Zorza Associates.

▲ NCSC's Family Violence Forum links researchers, educators, and information specialists who share the common goal of improving the justice system's response to family violence through research, education, and technical assistance. In early 2005, the Family Violence Forum established the online Center for Family Violence and the Courts — a clearinghouse for the resources courts need to confront this serious societal problem — at www.ncsconline.org.



▲ NCSC's Race and Ethnic Fairness Initiative commemorated the 50th anniversary of the U.S. Supreme Court's decision in *Brown v. Board of Education* by developing and launching a curriculum for judges. The Judges in the Classroom

curriculum on *Brown v. the Board of Education* was written for grades 9-12 and was introduced at the annual meeting of the National Consortium on Racial and Ethnic Fairness in the Courts held in Washington, D.C., in April. "Members of the Initiative felt it was important that judges be directly involved in explaining the continuing significance of the landmark civil rights decision to younger generations," said David Rottman, the Initiative's chairman and NCSC principal court research consultant. "A curriculum that engages high school students and draws them into a dialogue on the subject of racial fairness and the role of the courts seems like an excellent way to accomplish that."

"Injustice anywhere is a threat to justice everywhere."
Martin Luther King, Jr.
 April 16, 1963

- ASSOCIATIONS SERVICED BY THE NCSC**
- CCJ - Conference of Chief Justices
 - COSCA - Conference of State Court Administrators
 - NACM - National Association for Court Management
 - AJA - American Judges Association
 - NCPJ - National College of Probate Judges
 - NCACC - National Conference of Appellate Court Clerks
 - NAWJ - National Association of Women Judges
 - NASJE - National Association of State Judicial Educators
 - CCPIO - Conference of Court Public Information Officers
 - NCMC - National Conference of Metropolitan Courts
 - JFI - Judicial Family Institute
 - NCREFC - National Consortium on Racial and Ethnic Fairness in the Courts

Responding to Significant Issues Impacting the Courts

NCSC researchers and information analysts consistently examine trends, societal changes, and U.S. Supreme Court decisions to learn what impact they have on state courts. Our staff goes to any length to get the information to our constituents in a timely, comprehensive, and effective manner. In 2004 and beyond:

▲ Supporting the principles and methods of problem-solving courts continues to be a priority for the Conference of Chief Justices and Conference of State Court Administrators. Chief Judge of New York Judith S. Kaye moderated an educational program on the topic at the CCJ/COSCA annual meeting in July 2004, which examined why the problem-solving approach makes sense and its benefits. The 2004 session was a further move toward developing and implementing a national agenda to document and disseminate best practices and to update judicial and legal training. Following the educational program, CCJ/COSCA unanimously adopted a resolution reaffirming their commitment, calling for the broad integration of the principles and methods used in problem-solving courts throughout the justice system. The Robert Wood Johnson Foundation is providing valuable funding to support these efforts.



Chief Judge of New York
Judith S. Kaye



COSCA members, such as Chief Administrative Judge Jonathan Lippman of New York (right), and Utah State Court Administrator Daniel Becker (left), work closely with CCJ in supporting the principles and methods of problem-solving courts.

▲ NCSC analysts and researchers immediately stepped into action to assess how two 2004 U.S. Supreme Court decisions affected state courts. When the high court struck down Washington State's sentencing method in *Blakely v. Washington*, NCSC analyzed state-by-state how *Blakely* will affect sentencing in state courts. And in a separate high court decision — *Tennessee v. Lane*, in which the court determined that citizens

can sue states over court access under the Americans with Disabilities Act — the NCSC made available an ADA self-evaluation document that allows courts to identify where they meet ADA compliance and where they need improvement.



Following the U.S. Supreme Court decision on federal sentencing guidelines, NCSC Senior Analyst Anne Skove researched and prepared a White Paper on how state courts will be affected by *Blakely v. Washington*.

▲ With international trade increasing, NCSC research shows that state court litigation will involve greater numbers of commercial and individual litigants from other nations. As a result, state courts could find themselves exercising jurisdiction over disputes based on international treaties, conventions, and trade agreements. NCSC's Government Relations Office analyzes international agreements such as the General Agreement on Trade in Services and NAFTA that may affect states' rules regarding at least limited practice by lawyers from other nations and the finality of state court decisions.

▲ **A Look To The Future** – In September 2005, the NCSC will present a National Judicial Leadership Summit on the Protection of Children in Minneapolis, Minnesota to bring a national focus to the need for systemwide reform to improve outcomes for abused and neglected children. The Summit, which was made possible by a generous grant from The Pew Charitable Trusts, will mobilize leaders of the courts and child welfare agencies to join together to implement the critical changes needed to place these vulnerable children in safe, permanent homes.

Advancing Technology and Statistics

The NCSC helps state courts improve technology, migrate to new systems, and analyze statistics to improve their operations. State courts depend on reliable data, not only about their own operations, but about other courts' operations, in order to improve their service to the public. As an information clearinghouse, NCSC provides the only comprehensive statistical "picture" of state courts nationwide. In 2004 and beyond:

▲ Courts can use extensible markup language (XML) to "translate" data on electronic forms between states. The NCSC and the Conference of State Court Administrators/ National Association for Court Management's Joint Technology Committee are working to apply the Global Justice XML Data Model to court processes, including traffic citations, warrants, and sentencing and protection orders. Project Passport uses XML technology to strengthen the safety net for battered women and children by offering a common language and data for protection orders that all courts can use.



NACM, currently headed by President Collins Ijoma, is an active partner with the NCSC in efforts like the Joint Technology Committee's work to more universally apply XML within the court system.

▲ More than 550 court and legal professionals attended NCSC's E-Courts Conference in Las Vegas in December 2004. The conference featured sessions on topics ranging from the Open XML Court Interface project to privacy and security concerns to the use of imaging and PDF documents for e-filing. For the first time, the American Bar Association held its E-Lawyering Conference in conjunction with E-Courts. "This created a rich educational environment for all the attendees," said Jim McMillan, NCSC's principal court management consultant.



Jim McMillan, NCSC principal court management consultant

▲ NCSC redesigned and published, in print and online, *Examining the Work of State Courts*, which provides a comprehensive analysis of the business of state trial and appellate courts. Without baseline data from each state, many of the most important questions facing the state courts would go unanswered.



▲ **A Look To The Future:** The NCSC will hold its Ninth National Court Technology Conference (CTC9), September 13 to 15, 2005, in Seattle. CTC is the world's largest conference dedicated to court technology. More than 2,500 judges, court administrators, and information technologists, and over 100 exhibiting companies will attend.



An Online Community For the Courts

The resources available at www.ncsconline.org provide the initial point of contact between NCSC and state courts. Our Web site is a doorway that allows an online community of court practitioners, consultants, and researchers to work together. They participate in listservs, databases, and Communities of Practice dedicated to topics such as family violence, problem-solving courts, and juries. In 2004 and beyond:

▲ NCSC launched the Center for Court Solutions (www.solutions.ncsconline.org), a joint initiative with the State Justice Institute and the Center for Effective Public Policy, to help courts find expert assistance and support for their own efforts to solve key problems in five areas: Diversity, Emergency Management and Security, Family and Juvenile Justice, Pro Se/Pro Bono Services, and Sentencing Alternatives.

▲ NCSC's Web site at www.ncsconline.org received more than 200,000 hits per month during 2004.

▲ NCSC's Knowledge and Information Services fielded more than 2,000 requests for information and enhanced the online *CourTopics* database by completing 120 different topics and improving its user interface.

▲ NCSC's Communities of Practice served different communities within the courts through publishing e-newsletters: *JurE-Bulletin*, *Problem-Solving Reporter*, *Family Violence Forum*, and *Public Trust News*.



www.ncsconline.org

