



NCSC
National Center for State Courts

*"To no one
will we sell,
to no one
will we deny,
justice."*

MAGNA CARTA

NULLI
IN
NOBIS
NEGABIMUS

*A nonprofit
organization improving
justice through leadership
and service to courts.*

2005 ANNUAL REPORT

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Law Offices of Charles B. Renfrew
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President
National Center for State Courts
Williamsburg, Virginia

FRONT ROW from left to right:

Judge Eileen A. Kato
Chief Justice Shirley S. Abrahamson
Chief Judge Robert M. Bell
Judge Jonathan Lippman
Chief Justice Randall T. Shepard
James D. Gingerich
Mary C. McQueen

MIDDLE ROW from left to right:

Lee Suskin
Zelda M. DeBoyes
Howard "Skip" Chesshire
Judge Ronald Robie
Robert S. Peck
Dale R. Koch
Judge Elizabeth Keever
Mary McCormick

BACK ROW from left to right:

Judge Gerald T. Elliott
Judge Gary L. Lumpkin
E. Leo Milonas
Curtis H. Barnette
Thomas A. Gottschalk
Judge Brenda S. Loftin
Chief Judge Rufus G. King III
Charles W. Matthews, Jr.
Daniel Becker

Not pictured:

Ruben O. Carrerou
Charles B. Renfrew
Chief Justice Jean Hoefler Toal



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MANAGEMENT ORGANIZATION FOR THE NATIONAL CENTER FOR STATE COURTS

Mary Campbell McQueen PRESIDENT		Robert N. Baldwin EXECUTIVE VICE PRESIDENT AND GENERAL COUNSEL			
Thomas M. Clark VICE PRESIDENT AND CHIEF INFORMATION OFFICER RESEARCH AND TECHNOLOGY	Jan Stromsem VICE PRESIDENT INTERNATIONAL PROGRAM DIVISION	Daniel J. Hall VICE PRESIDENT COURT CONSULTING SERVICES	Charles E. Ericksen VICE PRESIDENT INSTITUTE FOR COURT MANAGEMENT	Gwen W. Williams CHIEF FINANCIAL OFFICER AND VICE PRESIDENT FINANCE AND ADMINISTRATION	
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A B O U T T H E F R O N T C O V E R

The tree featured on this year’s Annual Report is from our seal and symbolizes the tree in the field at Runnymede in England, where King John agreed to “seal” the Magna Carta, which had such a profound effect on rights and freedoms in other countries (including our own Constitution). The Latin inscription is taken from the Magna Carta and on the NCSC seal translates roughly as follows:

“To no one will we sell, to no one will we deny, justice.”

PRESIDENT'S MESSAGE



Mary Campbell McQueen

Public trust and confidence in our country's justice system is a valued and delicate commodity. It isn't awarded by a jury – it's earned day to day by the women and men who work in our country's courthouses. To preserve this trust and confidence it's essential for judges to approach each day, each person, each case, with the highest level of integrity, professional ethics, fairness, and sound judgment.

For more than 18 years Chief Justice William H. Rehnquist set that standard. By embracing each of those qualities, he represented the justice system in a way that helped to preserve the public's trust and confidence in our courts.

The National Center for State Courts lost a true friend, loyal supporter, and an inspired leader when Chief Justice Rehnquist died September 3, 2005.

We will be forever grateful to Chief Justice Rehnquist and his staff for their commitment to the mission and work of the National Center. Chief Justice Rehnquist was a staunch advocate for the state courts, and he worked closely with the National Center over the years.

One of the most visible influences Chief Justice Rehnquist had with the National Center was through his assistance and support in recognizing state court judges who exemplify the qualities that Rehnquist emulated. In 1996, the National Center established the annual William H. Rehnquist Award for Judicial Excellence, one of the highest national honors bestowed on a state court judge. Each year, Chief Justice Rehnquist participated in selecting the honoree and hosted the awards dinner in the Great Hall of the Supreme Court and the NCSC Annual Recognition Luncheon the following day.

*"Each year I look forward to speaking at this luncheon, because it allows me to acknowledge publicly the efforts of the National Center for State Courts to facilitate cooperation between the state and federal judicial systems and to improve the administration of justice."
~ Chief Justice Rehnquist, 2003.*

His amazing legacy lives on.

Chief Justice John G. Roberts Jr. shared these words about his friend, predecessor, and mentor, Chief Justice Rehnquist: "His dedication to duty was an inspiration to me and I know to many others."

Chief Justice Rehnquist inspired us, amazed us, and embraced us. He will be missed.

Mary Campbell McQueen



Chief Justice Randall T. Shepard, Supreme Court of Indiana

As president of the Conference of Chief Justices, and chair of the National Center's Board of Directors, it is my privilege to share a few thoughts on the importance of NCSC to the administration of justice in our nation's courts.

The breadth and variety of our state courts can be both a strength and a weakness—50 different states, 50 different state court systems, plus the District of Columbia and the territories. This vast and multicentered structure for all state courts does make ample room for leadership and innovation at the local level—a definite strength. But how to ensure that successful innovations in one court can benefit other courts in other cities or states? And how can state courts speak with one voice on common issues and concerns, such as judicial accountability, court security, and the treatment of children in domestic cases?

The National Center helps to bring the courts together to develop and share solutions to common problems—and to find that “one” national voice to ensure that our concerns are heard and understood. I'd like to share a few examples of how NCSC accomplished this during 2005:

- We collaborated with the National Sheriffs' Association on two national court security summits, where representatives from all branches of government and all sectors of the justice system came together to develop a plan to ensure that our courthouses are both open and safe
- We helped coordinate and sponsor a national child-protection summit in Minneapolis to improve the handling of cases involving abused and neglected children
- We created an online clearinghouse to help courts in the gulf states relate their needs following the devastation of Hurricane Katrina so that courts in other states could come to their assistance

In this sense, NCSC is the “town square” of the state court community. It's where court leaders at all levels can meet and confer on issues that affect both the courts and the public at large.

NCSC also brings its expertise to the state and local levels through such initiatives as the Center on State Election Law, which is dedicated to giving judges the knowledge they need to cope with cases involving contested elections; through direct technical assistance in areas such as court facilities, performance standards, and jury management; and through national conferences and educational programs, such as the National Court Technology Conferences. You can read about these and other National Center projects and activities in this Annual Report.

As chair of the NCSC Board of Directors and president of the Conference of Chief Justices, I am pleased and proud to present NCSC's *2005 Annual Report*. Like the record of accomplishments NCSC's built in earlier years, the initiatives of 2005 have done much to improve the administration of justice at all levels—and helped us in the courts to find our “one voice.”

Randall T. Shepard



NCSC provides leadership



Contested election results, courthouse security, the “right to marry,” the “right to life” and the “right to die”...

The current environment of primetime courtroom dramas, 24-hour news from multiple sources, daytime “judge” shows, and often conflicting coverage of controversial issues and cases has led to a heightened focus—and often inaccurate perception—of the courts and the work of the justice system. In 2005, the National Center for State Courts (NCSC) adopted an initiative to help courts better educate the public about how the Third Branch of Government really works and the importance of judicial accountability.

Our efforts in this area are part of the NCSC’s goal to improve the public’s understanding of and trust in the courts.

Judicial election campaigns are becoming more hotly contested and more partisan than in years past. NCSC sponsored a workshop on *Establishing Effective Judicial Campaign Oversight Committees*, which included teams from ten states. NCSC continues to monitor the work and the progress of established campaign oversight committees, which have begun to implement recommendations from the 2000 Call To Action issued by the Summit on Improving Judicial Selection: “Non-governmental monitoring groups should be established to encourage fair and ethical judicial campaigns. To secure voluntary compliance with high standards of conduct, exceeding those mandated by law.” The NCSC is providing assistance to these groups, new and established, to help fill the gap left as federal court decisions weaken the force of official codes of judicial conduct.

Courts need to know what the public is thinking if they are to improve services and define the court’s role in our society. Justice At Stake, an independent nonpartisan organization that the NCSC partners

with, conducted one of the broadest national surveys ever carried out to learn the values that drive public opinion of the courts and people’s knowledge of how the courts work. More than 1,200 citizens representing all educational, economic, and racial segments of society participated in the survey. Among the many results, the survey found that the more knowledge people had about the courts, the more favorable their opinion was of the job they are doing. Respondents did believe the courts’ role is to: protect individual rights; guarantee access to justice for all people; provide fair and impartial justice, free from political influence; and maintain accountability.

In another poll on public opinion of the courts, NCSC and San Francisco State University conducted a major opinion survey of 2,400 California residents and 500 practicing attorneys to assist the California Judicial Council’s strategic planning process. The survey, *Trust and Confidence in the California Courts: A Survey of the Public and Attorneys*, highlights the critical role that perceptions of fairness play in building support for the courts. NCSC participated in planning and disseminating findings from another major survey, which was conducted for the Justice at Stake Campaign. The result is *Speak to American Values: A Handbook for Winning the Debate for Fair and Impartial Courts*.



for challenges facing the courts

NCSC ALSO WORKS TO STRENGTHEN COURT LEADERSHIP AT THE STATE AND LOCAL LEVELS. In April 2005, 25 presiding judges and court executives from 11 states and the District of Columbia came together for the NCSC Forum: **Strengthening Court Management by Strengthening the Presiding Judge/Court Executive Team**. This group discussed salient issues in their courts involving cohesive leadership, leading of judicial officers, caseload/performance management, court administration, and other topics. Participants identified the areas of greatest priority to help focus NCSC's efforts in strengthening presiding judge/court executive teams, leading to the development of a guide outlining a presiding judge's duties and responsibilities and a curriculum on the presiding judge's leadership role.



Chief Justice of Ohio Thomas J. Moyer chairs the court security summit in Washington, D.C., April 2005, which brought together more than 125 court and law enforcement leaders from around the country.

In an effort to meet the more specific needs to the nation's state courts, the NCSC created an "Of Counsel Consulting Program," which expands its expertise. The program works by having specialized consultants with a high-level of knowledge and expertise in court operations work more closely with state courts. An example of some "Of Counsel" consultants specialty areas include children and family issues, problem-solving courts, jury reform, and court leadership.

NCSC is working closely with the Conference of Chief Justices (CCJ) to continue to build awareness about how judicial accountability works and the importance of judicial independence. As part of this effort, former NCSC Board Chair Shirley S. Abrahamson, Chief Justice of Wisconsin, wrote an in-depth article that urges judicial candidates to emphasize the need for judicial independence as a campaign platform. The article was published in several states' bar journals.

In response to a series of deadly attacks on judges in 2005, NCSC took the lead to find viable strategies to improve security in the nation's courts. Working with the National Sheriffs' Association, NCSC held a **National Summit on Court Safety and Security** in Washington, D.C., in April and a follow-up meeting in November. The meetings, funded by the U.S. Bureau of Justice Assistance, brought together representatives from local, state, and federal jurisdictions; all branches of government; and a variety of court, legal, and law-enforcement organizations and associations.

A National Strategic Plan for Judicial Branch Security emerged from these summits, which provides eight strategies to improve court security. NCSC continues its work by seeking funding to implement several of the recommendations, including developing a national incident database and establishing a national resource center. NCSC has already provided the courts of Fulton County (Georgia), Washington, and Arizona with specialized projects to improve their security.

EIGHT STRATEGIES TO IMPROVE COURT SECURITY From the National Strategic Plan for Judicial Branch Security

- 1 Fostering leadership on court security
- 2 Creating a national incident-reporting system
- 3 Pursuing funding to help state and local jurisdictions with security efforts
- 4 Providing those who work in judicial branch security an agreed-upon set of guidelines/checklists for court security
- 5 Creating a clearinghouse of information, which will serve as a repository of information but should also be used to push information to registered users
- 6 Addressing training and educational needs to enhance reporting and threat assessment
- 7 Providing support to state and local jurisdictions to implement a security program
- 8 Developing staffing standards

IMPROVING COURT SECURITY IN GEORGIA

In the wake of the shootings in Atlanta, numerous courts around the country contracted NCSC's consultants to conduct security-related studies of their courts. Among the requests was the Fulton County Superior Court in Atlanta — the court where the fatal shootings took place.

The NCSC conducted that review in partnership with the Public Agency Training Council (PATC). As a result of the Fulton County project, the court was presented a three-volume detailed report that outlined several recommendations to strengthen security. Recommendations addressed facility layout and equipment, staff training, communication between the court and the Sheriff's Department, and the need for strengthened policies and procedures. The report provides a recommended structure and approach for needed improvements.

... And strengthens the rule of law around the world

NCSC's work in war-torn and impoverished countries reaches much further than improving their justice systems. In many countries, extreme poverty and other political and societal problems have opened the door for widespread corruption, and the judicial system often reflects the problems found in such governments. In Haiti, Mongolia, Kosovo, and other emerging democracies, NCSC experts are doing much more than helping to improve court administration. They are helping to establish the Rule of Law.

HAITI

In late summer 2004, NCSC began working in Haiti, the poorest country in the Western Hemisphere. Eighty percent of Haitians live in abject poverty, and Haiti occupies the number-two slot on Transparency International's index of most-corrupt countries. The judicial system reflected this corruption, with unclear, unpredictable procedures, easily swayed by influence and money. The challenges are formidable: How do you rebuild a functioning judiciary when the people do not trust the government and there are profound security problems?

Despite these obstacles, there have been significant achievements. Rules of Procedure have been adopted for the justice of the peace (JP) courts, where the vast majority of cases are heard. Judges created follow-up committees of their peers who ensure uniform application of the rules in JP courts. A nationwide judicial fee scale was adopted, which will allow court users to know exactly what they must pay to have a case heard. These measures limit opportunities for corruption and provide for transparency and predictability—important elements for the provision of justice and public trust and confidence.

NCSC is helping to reduce prolonged pretrial detention. Detainees routinely wait months or years to have their cases heard—often longer than the potential sentences they face. NCSC outfitted a prison courtroom to eliminate delays caused by lack of transportation or personnel to bring detainees to court, and provided defense lawyers to detainees who could not afford counsel. NCSC is also working to create new case management, plea-bargaining, and supervised-release procedures. These will relieve Haiti's overcrowded jails, where conditions are far below internationally acceptable standards.

NCSC helped to create a Judicial Council that will govern the judiciary. Until now, the judiciary has been part of the executive branch—a fundamental separation-of-powers problem—with the office of the president exercising power over judicial decisions.

MONGOLIA

The **Mongolia Judicial Reform Program (JRP)**, NCSC's most comprehensive international technical assistance effort so far, has made a major contribution to the transformation of Mongolian society. Since 2000, the JRP has been helping Mongolia to change the application of the law from an instrument of the state's control over the people to an instrument of transparent and democratic governance.

Under a cooperative agreement with USAID, NCSC is supporting Mongolia's strategic planning process and providing targeted technical assistance in areas that catalyze overall reform. One indicator of this approach's effectiveness is the improved public confidence in the courts shown in public-opinion surveys conducted in 2001, 2003, and 2005. JRP has improved the performance of the justice-sector institutions and touched ordinary citizens—most notably through legal awareness, interaction between the courts and the public, and administrative jurisprudence. USAID confirmed its intention to extend the Mongolian JRP through 2008.

Thanks to the JRP all Mongolian courts are now automated. Public-access terminals offer accurate real-time information about cases, and public information officers advise the public on how to use court services—a revolutionary change in Mongolia. The next step in improving court transparency, which will be implemented in collaboration with the World Bank, is creating a Unified Information System (UIS), which will include an electronic database of court decisions for both the public and legal scholars.

Working with the World Bank and Hanns-Siedel-Foundations, NCSC has helped establish the administrative courts, which represent a major breakthrough in strengthening government accountability. The administrative courts allow citizens to contest administrative decisions of the government—and rule in favor of ordinary citizens often enough to earn public respect. Developments like this have a major impact on public perception about the future.



New public-access terminals in Mongolian courts are considered a revolutionary improvement and have contributed greatly to improving the public's trust in the justice system. The terminals provide citizens, for the first time, accurate and real-time information about cases. In addition, public information officers are now available to inform citizens about how to use court services.



GETTING THE WORD OUT IN MONGOLIA

In 2005, in cooperation with the Ministry to Justice and Home Affairs and GTZ (a German donor agency), the Judicial Reform Program produced the legal-awareness TV show *Legal Hour* and the award-winning weekly radio drama *Who Is Guilty?* Both shows are universally popular in the urban areas and in the countryside.

A Mongolian herder asked whether the *Legal Hour* TV show can be aired on the radio, since he cannot carry his TV while looking after his animals.



President of the Kosovo Supreme Court, Rexhep Haxhimusa, center, is presented NCSC's award for International Judicial Innovation for his commitment to establishing a democratic justice system in Kosovo. Shirley Abrahamson, Chief Justice of Wisconsin, and Randall T. Shepard, Chief Justice of Indiana, met with Haxhimusa during his visit to the United States.

KOSOVO

2005 was a turning point for NCSC's work in Kosovo. For the past four years, NCSC has partnered with the U.S. Agency for International Development in justice system reform in Kosovo, which became a United Nations protectorate in the late 1990s. NCSC has been working closely with the president of the Supreme Court of Kosovo, Rexhep Haxhimusa, and the Kosovar courts in the areas of judicial ethics, court administration, case management, judicial councils, and strategic planning.

NCSC's International Programs began implementing Phase II of USAID's Justice System Reform Activity in 2005. Phase II contains the following four components:

- Transitioning from United Nations control to local control to establish an effective and impartial justice system that includes strategic planning for overall justice-sector reform
- Improving the effectiveness of court operations, including court administration, automation of fiscal control and procedures, case management, and space and facilities management
- Strengthening judicial ethics, including the development of an audit section of the Judicial Inspection Unit of the Department of Justice
- Raising public awareness of the need to reform the justice system and to increase public involvement in its development

This project, however, continues to be implemented in an environment dominated by continued ethnic tensions, questions of overall legitimacy, and significant governance issues. President Haxhimusa said he has relied heavily on the work of America's Founding Fathers in creating his country's justice system and establishing the rule of law in Kosovo. He reflects that when Thomas Jefferson took office as the third president of the United States in 1801:

He proclaimed basic principles of government before fellow citizens, amongst which was "the principle of equal and exact justice to all men, of whatever state or persuasion, religious or political." This principle was a fundamental pillar of a democratic society, and is of a crucial importance especially for us experiencing different difficulties due to the lack of this principle during the period of 50 years of a communist regime.

A U.S.-based global law firm, Piper Rudnick Gray Cary (DLA Piper), is working with the NCSC and the USAID to improve Kosovo's justice system by contributing more than 4,000 attorney hours. The firm's attorneys are helping to draft new laws, revise existing legislation, and provide training, primarily in criminal law and procedure.

NCSC provides knowledge

How can courts be sure that they're reducing their backlogs?

Are problem-solving courts effective?

What skills should court staff at all levels develop to improve their service to the public?

NCSC answers these and many other court-related questions every day—not only from courts, but also from the media, academics, and the general public. Acting as an information clearinghouse, and as a source of education in judicial administration, is an important part of NCSC's mission. In fact, NCSC helps local courts to find and interpret data about their own operations and to answer questions about court-related topics in general.

Self-knowledge is crucial if courts are to improve their performance, and in 2005 NCSC launched **CourTools**, a toolkit that offers a balanced perspective on court operations based on ten trial court performance measures. NCSC's Research Division collaborated with judges, court managers, and NCSC's Court Consulting Division and Institute for Court Management over a period of several years to develop **CourTools**, which builds upon NCSC's previous Trial Court Performance Standards by using concepts from successful performance measurement systems in the public and private sectors. **CourTools** can be found online at http://www.ncsconline.org/D_Research/CourTools/tmp_courttools.htm.

The screenshot displays the 'CourTools' website interface, titled 'Trial Court Performance Measures'. It features a header with the NCSC logo and the text 'National Center for State Courts'. The main content area is titled 'The 10 Core Measures' and lists ten performance metrics, each with a definition and purpose. The measures are: 1. Access and Fairness, 2. Clearance Rates, 3. Time to Disposition, 4. Age of Active Pending Caseload, 5. Trial Date Certainty, 6. Reliability and Integrity of Case Files, 7. Collection of Monetary Penalties, 8. Effective Use of Jurors, 9. Court Employee Satisfaction, and 10. Cost Per Case. Each measure is accompanied by a brief definition and a purpose statement. The background of the page features a faint watermark of a tree and the text 'NATIONAL CENTER FOR STATE COURTS'.

CourTools

Trial Court Performance Measures

National Center for State Courts

The 10 Core Measures

- Access and Fairness**

definition: Ratings of court users on the court's accessibility and its treatment of customers in terms of fairness, equality, and respect.

purpose: Many assume that "winning" or "losing" is what matters most to citizens when dealing with the courts. However, research consistently shows that positive perceptions of court experience are shaped more by court users' perceptions of how they are treated in court, and whether the court's process of making decisions seems fair. This measure provides a tool for surveying all court users about their experience in the courthouse. Comparison of results by location, division, type of customer, and across courts can inform court management practices.
- Clearance Rates**

definition: The number of outgoing cases as a percentage of the number of incoming cases.

purpose: Clearance rate measures whether the court is keeping up with its incoming caseload. If cases are not disposed of in a timely manner, a backlog of cases awaiting disposition will grow. This performance measure is a single number that can be compared within the court for any and all case types, on a monthly or yearly basis, or between one court and another. Knowledge of clearance rates by case type can help a court pinpoint emerging problems and indicate where improvements can be made.
- Time to Disposition**

definition: The percentage of cases disposed or otherwise resolved within established time frames.

purpose: This measure, used in conjunction with Clearance Rates (Measure 2) and Age of Active Pending Caseload (Measure 4), is a fundamental management tool that assesses the length of time it takes a court to process cases. It compares a court's performance with local, state, or national guidelines for timely case processing.
- Age of Active Pending Caseload**

definition: The age of the active cases pending before the court, measured as the number of days from filing until the time of measurement.

purpose: Knowing the age of the active cases pending before the court is most useful for addressing three related questions: Does a backlog exist? Which cases are a problem? Given past and present performance, what is expected in the future?
- Trial Date Certainty**

definition: The number of times cases disposed by trial are scheduled for trial.

purpose: A court's ability to hold trials on the first date they are scheduled to be heard (trial date certainty) is closely associated with timely case disposition. This measure provides a tool to evaluate the effectiveness of calendaring and continuance practices. For this measure, "trials" includes jury trials, bench trials (also known as nonjury trials), and adjudicatory hearings in juvenile cases.
- Reliability and Integrity of Case Files**

definition: The percentage of files that can be retrieved within established time standards, and that meet established standards for completeness and accuracy of contents.

purpose: A reliable and accurate case file system is fundamental to the effectiveness of day-to-day court operations and fairness of judicial decisions. The maintenance of case records directly affects the timeliness and integrity of case processing. This measure provides information regarding (a) how long it takes to locate a file, (b) whether the file's contents and case summary information match up, and (c) the organization and completeness of the file.
- Collection of Monetary Penalties**

definition: Payments collected and distributed within established timelines, expressed as a percentage of total monetary penalties ordered in specific cases.

purpose: Integrity and public trust in the dispute resolution process depends in part on how well court orders are observed and enforced in cases of noncompliance. In particular, restitution for crime victims and accountability for enforcement of monetary penalties imposed on criminals are issues of intense public interest and concern. The focus of this measure is on the extent to which a court takes responsibility for the enforcement of orders requiring payment of monetary penalties.
- Effective Use of Jurors**

definition: Juror yield is the number of citizens selected for jury duty who are qualified and report to serve, expressed as a percentage of the total number of prospective jurors available. Juror utilization is the rate at which prospective jurors are used at least once in trial or voir dire.
- Court Employee Satisfaction**

definition: Ratings of court employees assessing the quality of the work environment and relations between staff and management.

purpose: Committed and loyal employees have a direct impact on a court's performance. This measure is a powerful tool for surveying employee opinion on whether staff have the materials, motivation, direction, sense of mission, and commitment to do quality work. Knowing how employees perceive the workplace is essential to facilitate organizational development and change, assess teamwork and management style, enhance job satisfaction, and thus improve service to the public.
- Cost Per Case**

definition: The average cost of processing a single case, by case type.

purpose: Monitoring cost per case, from year to year, provides a practical means to evaluate existing case processing practices and to improve court operations. Cost per case forges a direct connection between how much is spent and what is accomplished. This measure can be used to assess return on investment in new technologies, reengineering of business practices, staff training, or the adoption of "best practices."



and information about judicial administration

THE PROPER USE OF TECHNOLOGY IS AN IMPORTANT KEY TO A COURT'S ABILITY TO IMPROVE SERVICE TO THE PUBLIC. More than 2,500 people attended NCSC's Ninth National Court Technology Conference (CTC9) in Seattle, Washington, in September 2005. CTC9 featured more than 30 educational sessions on topics from e-filing to integrated justice to how to manage a software development process. Other features included an international program sponsored by MAXIMUS that showcased the best technology from five continents and a conference-wide reception; the CTC9 CyberCafé presented by LexisNexis; a portable Courtroom 21, the high-tech courtroom developed by NCSC and the College of William & Mary; and the Justice Integration Net, sponsored by Microsoft, which demonstrated what's possible in justice integration. MAXIMUS and EDS were lead sponsors of CTC9.



*Keynote speaker Stephen Goldsmith, author of *Governing by Network* and a leader in e-government, told CTC9 participants that technology changes are reshaping the workforce in such a way that public managers must grapple with not only technology, but communications, skill-set, and cultural issues as well.*



CTC9 attracted participants from 50 states and 24 countries to learn the latest technology solutions and to see firsthand the latest technology has to offer from more than 100 vendors who participated in CTC9's exhibition show.

A LOOK AHEAD



**OCTOBER 2-4, 2007
Tampa, Florida**

FEASIBILITY REVIEW OF THE ELECTRONIC DOCUMENT MANAGEMENT SYSTEM FOR THE IOWA JUDICIAL BRANCH

Iowa's Judicial Branch was hit hard by financial problems in 1999 just as it was preparing to implement a new electronic document management system (EDMS). The implementation was put on hold. In 2005, with funding in place, the Iowa courts asked NCSC to review and update its six-year-old EDMS feasibility study. NCSC consultants identified advances in technology that have taken place during those years that affect the project's strategy and discovered flaws in the original project that undervalued business-process issues critical to success. As a result of NCSC's study, the Iowa Judicial Branch has started converting from paper to electronic files in all courts, statewide.

As the number of civil cases continues to rise, NCSC is continuing its work to examine the impact these cases have on the courts and society. The Civil Justice Survey of State Courts, supported by the Bureau of Justice Statistics of the U.S. Department of Justice, is examining tort, contract, and real-property cases disposed by trial in 2005 to provide current information on trial rates, sizes of awards, punitive damages awards, plaintiff win rates, and the use of court-annexed alternative dispute resolution. The study pilot-tests the electronic submission of data, previously collected manually, to determine its effectiveness for future Civil Justice Surveys, as well as other large-scale research projects. The 2005 Civil Justice Survey expanded the number and scope of participating counties to 156 to create a truly representative national sample of courts, from large to small, urban to rural. This survey – the fourth in a series conducted by NCSC – is expected to serve as the most widely used and comprehensive source on civil-litigation practices in the state courts, informing policy debates across the nation.



The 2005 edition of Future Trends in State Courts features a new Environmental Scan focused on issues in court administration and a useful index. Readers were enthusiastic about Future Trends, with one judge calling it the "best document I've seen in 21 years on the bench."

Much of the data and information collected in NCSC’s research about court operations becomes part of the **CourTopics** database at www.ncsconline.org. This is the first stop for people seeking general information about the courts, which is provided in over 100 different modules with topics ranging from administrative law judges to workload and resource assessment; jury trial innovation to problem-solving courts; and tort cases to traffic offenses. Modules contain an overview of a topic, frequently asked questions, NCSC documents on the topic, and other useful resources. CourTopics, which is updated regularly by NCSC’s Knowledge and Information Services, is an important reason why NCSC’s Web site was named by Justice Served as one of 2005’s “Top Ten” court-related Web sites.

Courts also need to be aware of what’s going on in the world around them. **Future Trends in State Courts 2005**, part of NCSC’s long-running “Report on Trends in State Courts” series, gives courts an important look around and ahead at global issues. First, an Environmental Scan helps courts go beyond their current way of doing business to see how current events, or events still on the horizon, in four broad subject areas will affect their operations: Population Demographics; Political, Social, and Justice Trends; Economic Conditions; and Technology and Science. Next, Trends articles build on subjects briefly touched on in the Scan, providing a more in-depth look at issues that affect courts nationwide on topics such as “Public Access and the National Landscape of Data Regulation” and “The Future of Court Security and Judicial Safety.” Future Trends is available online at http://www.ncsconline.org/D_KIS/Trends/index.html.

NCSC’s National Program to Increase Citizen Participation in Jury Service Through Jury Innovation continued its groundbreaking research on jury management and trial practices in 2005. The Center for Jury Studies collected information on more than 8,000 jury trials in state and federal courts and on local practices in more than 700 jurisdictions representing more than one-third of the U.S. population. For the first time, we know how often judges permit jurors to take notes during trial (72 percent of all trials), permit jurors to submit questions to witnesses (16 percent of all trials), and provide written copies of instructions to all jurors (38 percent of all trials). Nearly half of all courts surveyed have initiated a jury improvement effort within the past five years. The two biggest priorities of those efforts focused on upgrades to jury technology (35 percent of courts) and addressing nonresponse to jury summonses (33 percent of courts).

The National Jury Program will continue to expand its activities to focus on improving the comprehensibility of jury instructions, developing resource guides for courts on improving citizen response to jury summonses, convening an urban courts workshop to share ideas and encourage innovation, and conducting several demonstration projects to coordinate local efforts by bench, bar, business, and civic organizations to support jury service.

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

Ashcraft & Gerel
 Association of Trial Lawyers of America
 Cohen, Milstein, Hausfeld & Toll, PLLC
 Debevoise & Plimpton LLP
 Defense Research Institute
 DecisionQuest (A Bowne Company)
 William H. Graham
 Gregory P. Joseph Law Offices LLC
 Hunton & Williams
 Hurwitz & Fine
 Kirkland & Ellis

Kirkpatrick & Lockhart Nicholson Graham LLP
 Levin Papantonio Thomas Mitchell
 Echsner & Proctor P.A.
 Donna D. Melby
 Minnesota Chapter – ABOTA
 Mark A. Modlin, Esq.
 Olender Foundation
 Product Liability Advisory Council
 Reed Smith
 Robins, Kaplan, Miller & Ciresi*
 Shearman & Sterling LLP

Shook, Hardy & Bacon
 The Simmons Firm LLC
 Simpson Thatcher & Bartlett
 Sonnenschein Nath & Rosenthal
 Stein, Mitchell & Mezines
 Susman Godfrey LLP
 Weil Gotshal & Manges LLP
 Wilmer Cutler Pickering Hale & Dorr LLP

 *\$100,000 Legacy Donor





NCSC shows courts how to improve their operations by using the latest technology.

Courts and other members of the justice community, such as law enforcement, public safety agencies, prosecutors, and public defenders, also need a way to share information among themselves effectively. NCSC works with the **Joint Technology Committee (JTC)** of the Conference of State Court Administrators (COSCA) and the National Association for Court Management (NACM), as well as the Conference of Chief Justices (CCJ), on key technology initiatives to improve accountability and the daily administration of justice:

- the Global Justice XML Data Model (GJXDM), an extensible markup language (XML) standard designed specifically for criminal justice information exchange
- the Court Information Model, a repository of court business processes and associated services that will create a common understanding and language between court business leaders and technical experts
- the Court Component Library, which provides courts with a method of documentation for developing information exchange packages

NCSC provides information about GJXDM on the Web at http://www.ncsconline.org/d_tech/gjxdm/ and through its **Court Technology Bulletin blog**.

... and training and education to improve court performance

Courts professionals need to keep apprised of the latest data and techniques to improve the administration of justice. NCSC, through the Institute for Court Management (ICM), provides the training programs that courts need—and improves the capacity of court systems to provide training statewide.

Many courts successfully develop their own training programs. Effectively delivering those programs to all necessary court employees can be a tremendous and costly challenge. In 2005 ICM established an **eLearning Production Service** that allows courts to deliver their training effectively and efficiently. Courts send their trainers to the NCSC Education and Technology Studio in Williamsburg, Virginia, to tape the training session. ICM educators and production specialists are on hand to guide the trainers through the process and provide tips on presentation techniques and resources that work well online. Within days the program is ready for posting on the court's Web site or intranet.

From Ft. Myers, Florida, to Seattle, Washington, and from Bismarck, North Dakota, to San Antonio, Texas, the Institute for Court Management brought educational programs to more than 4,000 court professionals throughout the United States in 2005. Some were working toward Court Management Program (CMP) certification and others toward graduation from the prestigious Court Executive Development Program (CEDP). In fact, 64 people were CMP certified in 2005, and eight new CEDP graduates joined the more than 1,000 ICM Fellows. A new course on Assessing Court Performance, which uses NCSC's CourTools, was introduced in 2005, joining ICM staples such as Caseflow Fundamentals and Human Resource Management. Many court professionals also attended ICM programs at the Ninth National Court Technology Conference (CTC9).



NCSC helps courts develop remote training programs through the Education and Technology Studio.

NCSC listens and responds

Ensuring that the needs of children are met, preparing courts for when disaster strikes and responding to emerging needs of the judiciary

Courts need resources to help them with these and many other concerns, both short- and long-term, that are brought about by change and upheaval in our society. NCSC responds to court concerns through a series of initiatives—some the result of current events, others from ongoing NCSC work and projects.

ONE OF THE VITAL ISSUES CONFRONTING THE COURTS IS THE STATUS OF CHILDREN IN CASES INVOLVING FAMILIES. Abused and neglected children are going to spend less time in foster care as the result of the work of more than 400 court leaders and representatives of child welfare agencies across the country. In 2005 NCSC helped coordinate and sponsor **Changing Lives by Changing Systems—The National Judicial Leadership Summit for the Protection of Children**, held in Minneapolis in September. The first-of-its-kind summit provided the springboard to a series of actions designed to reform the way abused and neglected children's cases proceed through the courts. Participants included teams from each state, commonwealth, and territory who have since developed action plans to improve child protection in their states. The action plans have been compiled into a National Call to Action.

"By bringing the leadership of courts and social services to the table, we plan to make meaningful improvements for kids in each and every state," said now-retired Minnesota Chief Justice Kathleen Blatz, who cochaired the summit along with Lee Suskin, Vermont state court administrator. The summit was sponsored with support from The Pew Charitable Trusts and additional support of the Annie E. Casey Foundation.

Chief Judge of New York Judith S. Kaye was also instrumental in coordinating the Summit, serving as a speaker and as a member of the Planning Committee.

COURTS ALSO NEED ASSISTANCE WHEN DISASTER STRIKES. In the wake of Hurricane Katrina, the National Center is providing support to the Gulf Coast's hard-hit court community through the **Hurricane Katrina Resource Clearinghouse** at www.ncsconline.org. The site contains information about relief available to hurricane victims and updates on courts, including moves and reopenings, in affected locales. It also provides a place for affected courts to list their needs in the hope that someone will be able to meet them.

After reading about the hurricane aftermath on the NCSC Web site, Judge William Pate of the San Diego Superior Court, California, was moved to gather needed court supplies and personally drive them to damaged courts in Mississippi.

"Without chairs, tables, desks, copiers, file cabinets, courts cannot do their jobs of hearing and deciding the pressing issues of this region of Mississippi. All criminal matters, probate, marriage dissolution, personal injury and property damage claims, contractual disputes, and claims involving insurance benefits usually require some court rulings or orders,"
Judge Pate said.



TOP:
Kathleen Blatz, Minnesota Chief Justice

BOTTOM:
Lee Suskin, Vermont State Court Administrator



to the concerns of state courts



Michigan Chief Justice Clifford W. Taylor, left, and Missouri Chief Justice Michael A. Wolff, participate in the 2005 Annual Justice Roundtable, one of the programs during the NCSC special events in Washington, D.C. each fall.



State court chief justices and members of NCSC's Lawyers Committee participate in the annual Justice Roundtable. From left, Chief Justice of South Carolina Jean H. Toal, Edward W. Mullins, Jr., and Michael A. Cooper.

NCSC also responds to the emerging needs of the judiciary. In a new judicial education collaborative with the National Judicial College and the National Association of State Judicial Educators, the NCSC is leading research to identify core competencies of judges assigned to complex civil litigation. Jointly funded by the Civil Justice Reform Group and the Roscoe Pound Institute, the project will guide the development of educational curricula to prepare state trial judges to handle increasingly complex civil litigation.

Following an inaugural mass torts forum for state judges in 2005, the NCSC launched an interactive, interconnected judges network as part of its National Mass Torts Clearinghouse (at www.ncsconline.org) to help judges share resources and disseminate best practices. The NCSC also supported the Conference of Chief Justices' pioneering work to formulate guidelines for state judges in electronic discovery.

Few judges have expertise in election law. Yet courts are seeing an increasing number of disputes over elections such as access to ballots and voter challenges. CCJ recognized this as a significant challenge facing state courts, and in response, NCSC and the College of William & Mary Law School established the Center on State Election Law to improve how judges resolve these disputes. NCSC kicked off this program in 2005 with a presentation concerning election law issues at the annual meeting of CCJ and COSCA. NCSC and William & Mary are developing a manual to guide state court judges through election law issues and conducting two judicial conferences to train judges in election law in 2006.

2005 JUSTICE ROUNDTABLE

The Justice Roundtable is convened annually by the National Center for State Courts to discuss a timely issue affecting the administration of justice. In recent years, the Roundtable has established itself as an important forum for emerging issues. Participants include more than 75 state chief justices, members of the NCSC Board of Directors, and members of NCSC's General Counsel Committee and Lawyers Committee.

The topic of the 2005 Justice Roundtable, "Attorney-Client Privilege: Preserving Essential Principles," responded to a suggestion from the Professionalism and Competency of the Bar Committee of the Conference of Chief Justices. NCSC Board Chair Randall T. Shepard, Chief Justice of Indiana, moderated the Roundtable, which illuminated the policy debate to preserve attorney-client privilege and work-product doctrine in today's enforcement and regulatory climate. Associate U.S. Attorney General Robert D. McCallum, Jr., was a featured panelist.

TOP: Justice Roundtable panelist, Charles W. Gerdtz III, general counsel with PricewaterhouseCoopers LLP, discusses attorney/client privilege.

MIDDLE: Participants in the Annual Justice Roundtable include state court chief justices, judges, and business and bar leaders. From left Robert D. McCallum Jr., Associate U.S. Attorney General; Robert M. Peck, President of Center for Constitutional Litigation P.C. and NCSC Board member; and Robert Bell, Chief Judge of Maryland and chair-elect of the NCSC Board.

BOTTOM: Michael D. Fricklas, of Viacom Inc. and a member of the NCSC General Counsel Committee, serves as a panelist.



NCSC serves as a National Voice

Legislative actions that impact state courts, federal grant opportunities for court improvement, leadership for state courts on the national stage ...

Although courts in different states and territories share many mutual concerns, it is difficult for state courts to speak with “one” voice nationally. NCSC helps to bring the state courts’ interests and needs to the national stage by working with court-related associations and supporting their initiatives and bringing together court leaders with representatives of the legislative and executive branches, and state and national bars, and the private sector.

Courts need to build productive working relationships with the other branches of government at the federal, state, and local levels. In 2005 NCSC helped state courts to improve their communications with Congress by sponsoring a reception to give members of the Judicial Branch of the Congressional Caucus the opportunity to discuss current issues facing the courts with NCSC’s Board of Directors, the Conference of Chief Justices (CCJ), and the Conference of State Court Administrators (COSCA).

With leadership of its General Counsel Committee and Lawyers Committee, the NCSC expanded its initiative to build a constituency of support for courts by partnering with leaders of the state courts and state bars. In 2005, a new model emerged in Pennsylvania to promote public understanding and support of the courts and planning got underway for new bench-bar-business collaborations in Florida and Maryland. The NCSC produced a plenary program to build national awareness and support for these efforts at a joint meeting of the National Conference of Bar Presidents and National Conference of Bar Executives in August 2005.



LEFT TOP: George Frozza, partner with Patterson, Belknap, Webb & Tyler LLP, and a member of the NCSC Lawyers Committee.

LEFT BOTTOM: Ronald Olson, partner with Munger, Tolles & Olson LLP, chair of the NCSC's Lawyers Committee and Chief Justice of Wisconsin Shirley Abrahamson.

ABOVE: Each member of NCSC's General Counsel Committee provides important outreach throughout the justice, legal, and business communities. From left, James C. Diggs of PPG Industries, Inc. and co-chairs, Charles W. Matthews, Jr., of ExxonMobil and Thomas A. Gottschalk of General Motors.



for the needs and interests of state courts

NCSC SUPPORTS 13 NATIONAL COURT ASSOCIATIONS

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

... and Welcomes a New Partner

The National Center for State Courts is pleased to welcome the Council of Chief Judges of Courts of Appeal (CCJCA) as the latest in the growing number of court-related organizations served by the NCSC Association Services Division. CCJCA brings a new level of court leadership to the table, and NCSC looks forward to a successful partnership.



LEFT: NACM president Richelle Uecker (California)



RIGHT: Officers of the American Judges Association (l. to r.): Michael Cicconetti, president (Ohio); Eileen A. Olds, vice-president (Virginia); Tam Nomoto Schumann, secretary (California); Steve Leben, president-elect (Kansas); and Gayle Nachtigal, immediate past president (Oregon).

NCSC's Association Services Division works with court leaders every day through such organizations as CCJ and the National Association for Court Management (NACM). NCSC supports the agendas of these organizations by helping to identify issues, getting out information about the issues, and assisting with training and education on those issues. For example, in 2005 NCSC helped the American Judges Association (AJA) focus on public outreach, especially to school-age children; supported CCJ as its members delved into emergency preparedness and issues of public confidence; and worked with NACM on trial court leadership and court security concerns. COSCA celebrated its 50th anniversary year in 2005, and NCSC staff members worked with COSCA to create issue papers on the emergence of "e-everything," safety and accountability, state courts and domestic violence, and state judicial branch budgets in times of fiscal crisis. Association publications also provide an important line of communication within the organizations they serve. In 2005 the National Center continued to partner with AJA and NACM on their journals and newsletters, including a special issue of AJA's *Court Review* on judicial independence.

NCSC recognizes those who support

NCSC Recognition Events

The National Center for State Courts hosts its special event programs in Washington, D.C., each year to honor and to recognize court professionals who have demonstrated outstanding achievements in judicial excellence and to extend its appreciation to those who have supported the National Center in meeting its mission through contributions, volunteer work, and services. The 2005 events included: the William H. Rehnquist Award for Judicial Excellence reception, dinner, and ceremony, with Chief Justice John G. Roberts Jr. hosting the event at the Supreme Court; the National Center's Recognition Luncheon, and the Warren E. Burger Society Induction. The NCSC also holds its Annual Justice Roundtable during these special events.

2005 WILLIAM H. REHNQUIST AWARD FOR JUDICIAL EXCELLENCE



TOP: Chief Justice John Roberts presents Judge Louraine C. Arkfeld of Tempe, Arizona, the Rehnquist Award for Judicial Excellence. She was recognized for turning around a court in trouble and for her commitment to problem-solving courts.

BOTTOM: More than 250 judicial, business, and bar leaders from across the country attended the Rehnquist dinner, including Chief Judge of New York Judith S. Kaye, the 1999 award recipient. Kaye, right, with Chief Justice of the United States John Roberts, center, and Chief Administrative Judge of the New York Unified Courts Jonathan Lippman.



The William H. Rehnquist Award for Judicial Excellence is presented to a judge who exemplifies the highest level of judicial excellence, integrity, fairness, professional ethics, and sound judgment. This year's dinner, attended by more than 250 judicial, business, and bar leaders from across the United States, was held less than two months following Chief Justice Rehnquist's death.

The 2005 recipient was Louraine C. Arkfeld, presiding judge of the Tempe Municipal Court. Chief Justice of the United States John G. Roberts, Jr. presented the award to Judge Arkfeld. Arizona Chief Justice Ruth V. McGregor introduced Arkfeld during the ceremony, saying that in Arkfeld's 11 years on the Tempe, Arizona bench "she has overseen the great metamorphosis of that court and its move from chaos to quality."

Judge Arkfeld was recognized for taking a "dysfunctional court" and making it one of the best limited-jurisdiction courts in the state, Chief Justice McGregor said. Arkfeld is credited with addressing the needs of Tempe's special populations by establishing problem-solving courts and Arizona's first limited-jurisdiction mental-health court. She also was recognized for her work in court interpretation, use of technology to improve court operations, judicial accountability and education, and improvements in the jury system.



the administration of justice

HARRY L. CARRICO AWARD FOR JUDICIAL INNOVATION



Attorney General of the United States Alberto Gonzales, left, presents retired Texas Chief Justice Thomas Phillips the Harry L. Carrico Award for Judicial Innovation. Indiana Chief Justice and Chair of the NCSC Board of Directors, Randall Shepard, right, presided over the event.

Retired Texas Chief Justice Thomas Phillips received NCSC's Harry L. Carrico Award for Judicial Innovation for his tireless work in promoting innovations in Texas's judicial selection system, which left an imprint nationally. "Chief Justice Phillips battled his entire tenure against a perception that money could buy justice, or at least influence it, in those states that elect judges," said Texas Chief Justice Wallace B. Jefferson. To combat the perception, Phillips championed restrictions on judicial campaign fund raising during his first statewide race for chief justice. U.S. Attorney General Alberto Gonzalez presented the award to Phillips, his former colleague on the Texas Supreme Court.

In 2000, Phillips played a leadership role in the first-ever National Summit on Improving Judicial Selection sponsored by NCSC, which brought together state legislators and judicial leaders of the 17 most populated states. Chief Phillips served as chair of the NCSC Board of Directors in 1997-98, at which time he also served as president of the Conference of Chief Justices. Phillips now is a partner with the Texas law firm Baker Botts L.L.P.

This award is named after retired Virginia Chief Justice Harry L. Carrico, who was instrumental in founding the National Center for State Courts in 1971. Chief Justice Carrico served on the National Center's Board of Directors from 1987 to 1990, serving as chair from 1989 to 1990.

ANNUAL RECOGNITION LUNCHEON

Chief Justice of the United States John Roberts joined the NCSC and more than 125 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 October 2005.

During the luncheon, new members were inducted into the Warren E. Burger Society, the first-ever Pickering Award was presented, and the Richmond-based law firm McGuireWoods was recognized for 20 years of support to NCSC.

INAUGURAL JOHN H. PICKERING AWARD

Henry L. King, senior counsel with Davis, Polk and Wardwell in New York, was the recipient of the inaugural John H. Pickering Award, created to honor a Lawyers Committee member who has professionally and personally contributed to NCSC in a significant way.

Pickering was a founding partner of the Washington, D.C. law firm of Wilmer Cutler & Pickering and had a distinguished career as an appellate lawyer. He was also a founding member of NCSC's Lawyers Committee, served on special committees for NCSC capital campaigns, and contributed financially to NCSC.

Like Pickering, King was a founding member of the Lawyers Committee. He has served as committee chair, during which time membership significantly increased. King was inducted into the Burger Society in 1997 and received the NCSC's Crystal Award in 2003. His firm was also one of the first to be recognized for achieving 20 years of support to NCSC.



Henry L. King, center, senior counsel with Davis, Polk and Wardwell in New York, is presented the first-ever John H. Pickering Award by NCSC President Mary C. McQueen and NCSC Board member Curtis Barnette.

TWENTY-YEAR SUPPORTER 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 H. Barnette, former chairman of Bethlehem Steele and member of NCSC's Board of Directors, presented a Resolution of Appreciation to the law firm of McGuireWoods for its 20 years of support to the NCSC.

Deborah Russell, partner with McGuireWoods, LLP accepts the 20-year resolution on behalf of her firm from Curtis Barnette, NCSC Board member.

2005 PRESIDENT'S AWARD ENDOWMENT

The Dale Sipes Memorial President's Award was created in 2005 by family and friends of Dale Sipes, a former NCSC staff member who passed away in October after an extended illness. Sipes served as an NCSC staff attorney and consultant and was recognized for her groundbreaking book *On Trial: The Length of Civil and Criminal Trials*. She was also instrumental in helping to establish NCSC's International Program. This award recognizes an individual or a team who is responsible for an extraordinary project or activity, which improved service to the state courts and enhanced the reputation of the National Center for State Courts.

The award is presented this year to the *Court Security Team*:

Chantal G. Bromage COURT RESEARCH ANALYST	Pamela M. Casey PRINCIPAL COURT RESEARCH CONSULTANT	José F. Dimas GOVERNMENT RELATIONS ASSOCIATE	Valerie F. Hansford CONFERENCE & MEETING PLANNER	Lorri W. Montgomery DIRECTOR OF COMMUNICATIONS & PUBLIC RELATIONS	Amy E. Smith SENIOR ADMINISTRATIVE SPECIALIST
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Contributors to the President's Award

Edmund & Diane Bennett Michael Bergeisen Susan Blackaby Sheila Calabro James K. Carroll Ellen Caulfield Tim & Linda Caviness Judith Cingcade Edgar & Beverly Cortright DPK Consulting Ellen Cunningham	Howard & Marianne Dawson Dominion Foundation Leslie R. Duncan Harold Ehlerd Theodore C. & Barbara S. Frederick Jacquelyn R. Harbert John & Marjorie Howard Barbara Kelly Adele Leff Deborah Leff	Mark & Carol Leff Mary Low Douglas Maloney Samuel Matthews Edward B. McConnell Barry & Sarah McDonell Dorothy G. Nahme Chip & Arlene Nielsen Diane Nunn Frederick Karl Ohlrich Ronald & Patricia Overholt	Randi Patten John B. Power John & Sally Prince Dee Rasmussen Anthony Roumell Darlane Sipes Larry Sipes Sandy Sipes Timothy & Lucy Smallsreed Arthur H. Snowden Al & Careen Talavera	Marcia Taylor James & Mildred Thomas Bob & Sandy Villareal Cara Vonk Anthony & Kathleen Wernert Phillip & Constance Winberry Herb & Harriet Wolfson Louise Wyatt
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2005 STAFF AWARDS

Each year awards are given in recognition of employee excellence. These awards are one of the primary ways in which we honor outstanding employees in a very tangible and public way.

STAFF EXCELLENCE

David B. Rottman, Principal Court Research Consultant

JEANNE A. ITO AWARD

Judith A. Amidon, Senior Administrative Specialist

FLORENCE LEONARD MCCONNELL AWARD

Peggy W. Rogers, KIS Specialist

KATHERINE T. WILKE MEMORIAL SCHOLARSHIP

Brenda M. Taylor, MIS Specialist

ROBERT W. TOBIN ACHIEVEMENT AWARD

Upon Robert "Bob" Tobin's retirement, the National Center created this award to recognize excellence and achievement by NCSC staff. This award recognizes the best product that NCSC has produced over the past year and is offered to an individual or a team who developed a product that represents the excellence of the NCSC.

The Robert Tobin Achievement Award is presented this year to the CourtTools Toolbox Team. CourtTools is a set of ten trial court performance measures that offer court managers a balanced perspective on court operations. The CourtTools Toolbox Team is comprised of:

William E. Hewitt, Principal Court Research Consultant
Matthew Kleiman, Court Research Associate
Robert C. LaFountain, Court Management Consultant
Brian J. Ostrom, Principal Court Research Consultant
Mary T. Sammon, Senior Court Management Consultant
Nicole L. Waters, Court Research Associate

2005 DISTINGUISHED SERVICE AWARDS

State Appellate Court Judge

Justice Linda Trout
Idaho Supreme Court

State Trial Judge

Judge Michael McAdam
Kansas City Municipal Court, Missouri

State-Level Court Administrator

Kathy L. Mays Coleman
Director of Judicial Planning (ret.), Virginia
Court Consultant, Richmond

Trial-Level Court Administrator

Suzanne James
Court Administrator, Prince George's County, Maryland

Lawyer or Lay Person

Robert Peck
President, Center for Constitutional Litigation, Washington, D.C.

Gregory Mize

Of Counsel, National Center for State Courts

Cathlin Donnell (*deceased*)
Attorney, Denver, Colorado

2005 Warren E. Burger Award Winner

Dr. Carol Weaver
Professor, Seattle University, Washington



RESTRICTED PROJECT FUNDING LIST FOR 2005

Administrative Office of the U.S. Courts	Chemonics Chicago-Kent College of Law	National Highway Traffic Safety Administration, Department of Transportation	Robert Wood Johnson Foundation
American Bar Association	Civil Justice Reform Group	National Institute of Justice, U.S. Department of Justice	Roscoe Pound Institute
American Probation & Parole Association	Financial Markets International	Office of Justice Programs, U.S. Department of Justice	State Justice Institute
Annie E. Casey Foundation	Florida International University	Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice	Third Sector New England, Inc.
Archstone Foundation, Inc.	Greacen Associates, LLC	Office of Violence Against Women, U.S. Department of Justice	U.S. Agency for International Development
British Council	JEHT Foundation	Open Society Institute	University of Southern Maine
Bureau of Justice Assistance, U.S. Department of Justice	The Joyce Foundation	PAE-HSC Joint Venture	Vanderbilt University Law School
Bureau of Justice Statistics, U.S. Department of Justice	Justice Concepts, Inc.	The Pew Charitable Trusts	Virginia Department of Motor Vehicles
Caliber Associates	Justice Solutions		West Group
	LexisNexis		
	Management Systems International		

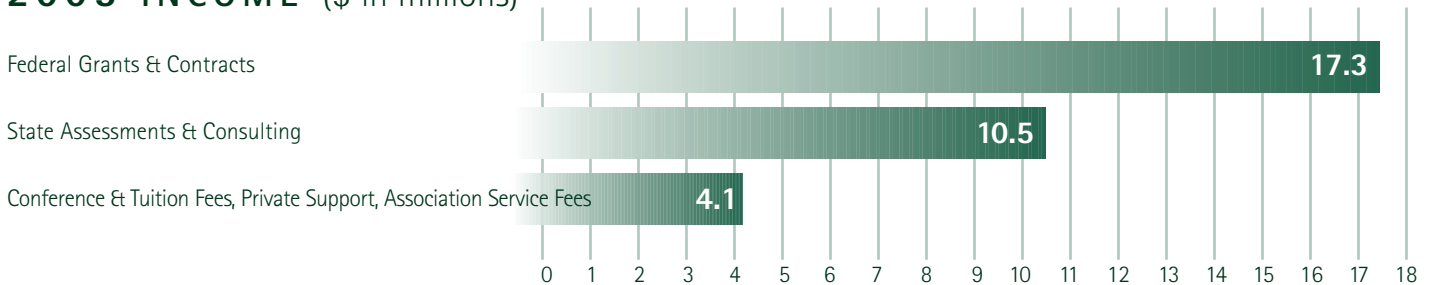
SUMMARY OF INCOME & EXPENSE

The National Center for State Courts received 54 percent of its support in 2005 from federal grants and contracts. Funds from state assessments and consulting services provided another 33 percent. Remaining funds came from conference and tuition fees, private support, and association service fees. Total income from operations in 2005 was \$31,924,123.

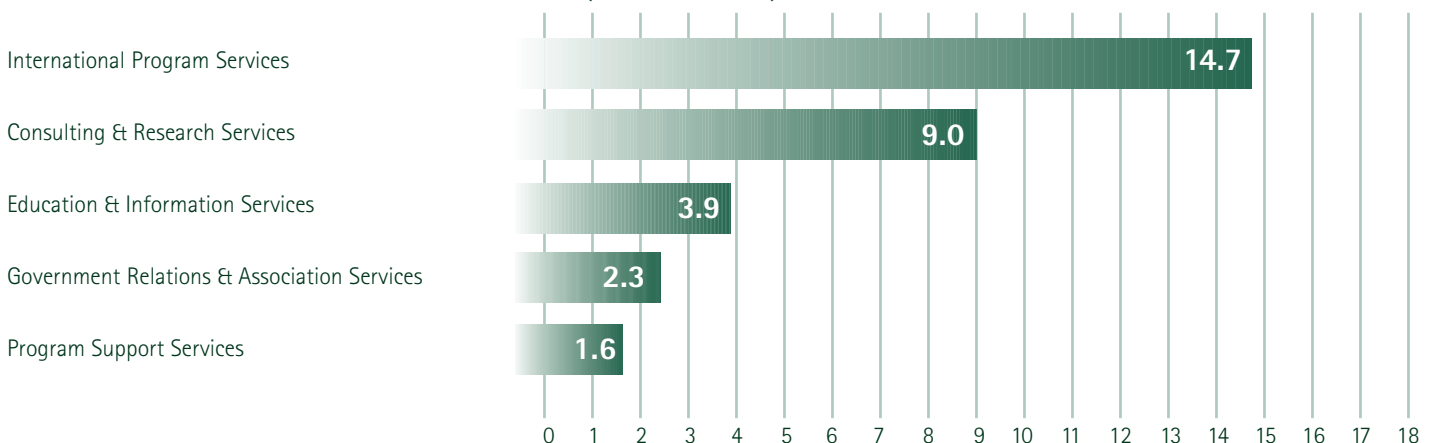
Program expenses include the cost of providing services to the state courts through consulting, research, education, information sharing, government relations, association services, and international programs.

The accounting firm of Deloitte & Touche LLP audits NCSC's financial statements. A copy of the 2005 audited financial statements and auditors' reports may be obtained from NCSC's chief financial officer.

2005 INCOME (\$ in millions)



2005 PROGRAM EXPENSES (\$ in millions)



YEAR IN REVIEW

Consortium for State Court Interpreter Certification

The Consortium for State Court Interpreter Certification brings together the expertise of interpreter programs in thirty-four states to help courts nationwide improve their service to linguistic minorities. NCSC provides a clearinghouse for resources about court interpretation and helps to develop and administer tests in more than fifteen different languages.

In 2005 Iowa and South Carolina joined thirty-two other states in the consortium, which also added Portuguese and Somali to its series of language tests. The 2005 consortium annual meeting also gave interpreters an opportunity to improve their skills in team interpretation and in their use of terminology in DNA-related evidence and drug analysis.

Court Information Technology Officers Consortium

Efforts to lay the groundwork for the newly chartered Court Information Technology Officers Consortium (CITOC) began in 2005. The group was formed in late 2004 by the Conference of State Court Administrators (COSCA) and the National Association for Court Management to support their efforts to use technology to improve the management and administration of courts. Membership is for those serving in the position of court chief information technology officer. State court administrators may nominate their state's court chief information or technology officer for membership. Members from local, non-state-funded courts must be nominated by their respective court manager.

At their initial meeting, the executive committee identified four major business problems confronting the courts that members hoped to focus on: disaster/business recovery; public access and privacy; accountability, metrics, and auditability; and sharing of information/data within court organizations and between the courts and other governmental entities.

Examining the Work of State Courts

NCSC's Court Statistics Project (CSP) provides a detailed look at court operations nationwide—data that courts at all levels can use to assess and improve their operations. The latest edition of CSP's *Examining the Work of State Courts* is the first entry in this long-running series to use the

new caseload summary standards of the recent *State Court Guide to Statistical Reporting*, which was endorsed by the Conference of Chief Justices, Conference of State Court Administrators, and the National Association for Court Management. Here is a sample of the findings in the latest *Examining the Work of State Courts*:

- State courts reported over 100 million incoming cases in 2003 (17 million of those were civil cases)
- States average one general-jurisdiction judge for every 25,000 residents
- Tort cases are on the rise after a five-year decline
- Divorce is the most common domestic-relations case type

Georgia AOC

The National Center for State Courts helped the Georgia Administrative Office of the Courts establish a volunteer visitor program that enhances the courts' capacity to monitor the care, condition, and assets of incapacitated adults, and helps guardians fulfill their reporting responsibilities, through the use of volunteers. The volunteers help to:

- Ensure the accuracy and completeness of the annual reports submitted by guardians
- Reconnect the court with incapacitated adults subject to guardianship orders with whom the court has lost contact
- Assist and support guardians in meeting their duties to incapacitated adults and their reporting responsibilities to the court
- Keep court guardianship records accurate and complete
- Ensure proper care and protection for incapacitated adults

Justice System Journal

NCSC publishes this refereed, scholarly journal, which is devoted to judicial administration, three times each year. *JSJ* published two important special issues in 2005:

"Making Dispute Resolution Work" (vol. 26, no. 3), which featured articles from a well-rounded group of contributors, including academics, administrators with responsibility for dispute resolution programs, and a federal magistrate judge.

A "Mini-Symposium on Court Administration Education" (vol. 26, no. 2), which examined the current state of this academic field and described programs ranging from those dedicated to training a new generation of court administrators to those that hone the skills of working court managers.

KIS: Answering the Courts' Questions Directly

In 2005 the information analysts of NCSC's Knowledge and Information Service (KIS) responded to more than 2,000 requests for information, primarily from those who work in the state courts. Among the most requested topics were judicial compensation, trial alternatives, court facilities and security, and disaster preparedness. KIS also produces the biannual *Survey of Judicial Salaries*, which in 2005 featured a comparison of judges' salaries to those in other professions, and is the home of NCSC's Library, which holds the largest collection of court-administration-related items in the world, with more than 1,000 items now available online.

New Jersey Court Improvement Program Reassessment

In 2005 New Jersey courts wanted to improve the timeliness and success of placing abused and neglected children who are under court supervision into permanent homes. NCSC was asked to assess New Jersey's efforts to comply with federal child welfare laws and other national standards and guidelines; achieve positive court outcomes for children; increase the effectiveness and efficiency of proceedings in child welfare cases; and ensure continued federal funding. NCSC's consultants found two areas that required immediate attention for compliance with federal mandates, but for the most part, the mechanisms that New Jersey had in place were consistent with federal guidelines. Opportunities for improvement, however, existed at all levels and with associated agencies. NCSC's more than 50 recommendations concerning child-welfare case processing are expected to reduce delays in placing children in permanent homes and improve their court outcomes.



Additional NCSC highlights from 2005

NCSC's E-Newsletters

The *Jur-E Bulletin* is a free weekly newsletter that provides the absolute latest news on what courts can do, and are doing, to improve jury service. NCSC has long been a leader in improving how courts use jurors, working to evaluate many jury trial innovations (such as using the one-day/one-trial system and improving jury instructions) through its Center for Jury Studies and Jury Community of Practice.

The *Family Violence Forum* is published by the Family Violence Community of Practice and is dedicated to improving the justice system's response to violence within the family. In 2005 the *Forum* discussed violence in the gay, lesbian, bisexual, and transgender communities and the international aspects of family violence.

The *Problem-Solving Reporter* is published by the Problem-Solving Courts Community of Practice and is dedicated to sharing information and techniques used by courts nationwide to confront major social problems, such as drug and alcohol abuse and mental-health issues.

In 2005 the *Reporter* discussed trends in drug court evaluations, a collaborative justice curriculum in California, and the changing role of the court manager in problem-solving courts, among other topics.

North Dakota Juvenile Court Staffing Study

NCSC consultants established staff workload standards for the North Dakota Juvenile Courts, establishing a staff workload model that can differentiate case-processing time standards for each of the major juvenile case types handled by the juvenile court officers and administrative staff. This study allows the juvenile court staff to predict future staff needs, which is necessary as the court shifts from allocating resources based on court districts to a model based on administrative units.

The North Dakota Juvenile Court Staffing Standards Study generated a juvenile court staff workload model that differentiates case-processing time standards for each of the major case types handled by the juvenile court officers and administrative staff.

Operational Review of the Office of Judicial Support in Delaware County, Pennsylvania

Anticipating the implementation of an automated criminal case management system, the NCSC reviewed the operations of the Office of Judicial Support (OJS) in Delaware County, Pennsylvania. The study reviewed the office's overall workload. As a result of the study, OJS was more prepared to introduce the AOPC system and is in a position to work with court and county officials to address future resource and operational needs.

Public Access to Court Records Final Report Released

The final report of Public Access to Court Records: Implementing the CCJ/COSCA Guidelines was released in the fall of 2005 and is available online at www.courtaccess.org/modelpolicy/. This NCSC and the Justice Management Institute conducted this project, which was funded by the State Justice Institute.

These Guidelines serve as a blueprint for state courts to use as they develop their policies governing access to court records. This report follows an initial set of Guidelines, which were endorsed by the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) in August 2002, and released in October 2002.

The current report tracks the work that has since taken place, and provides additional language and discussion that addresses three distinct areas addressed in the 2002 *Guidelines*:

- Materials for educating litigants and the public
- Expanded considerations of the challenges of access to family court records
- Considerations of internal court policies and procedures

Race and Ethnic Fairness Initiative

In 2005 the Race and Ethnic Fairness Initiative of the National Center delivered two important products. *Achieving Fairness Through Bias-Free Behavior: A Pocket Guide for the Courts* was published after extensive vetting and an endorsement from the Conference of Chief Justices and the Conference of State Court Administrators. The guide is available for download on the Web and has been widely distributed to courts across the country, as well as many state AOCs and chief judges. Mediation Services of the World Bank Group in Washington, D.C., links to the pocket guide on their Web site, and several organizations are now using the guide in their judicial training programs.

The official Race and Ethnic Fairness Initiative Web site was also launched during the year, providing visitors with important information on current work related to race and ethnic fairness, as well as helpful links to other relevant sites. The site is located at http://www.ncsconline.org/Projects_Initiatives/RaceEthnicFairness/index.htm.

Self-Help Support.org

One of the fastest-growing trends that the courts face is the increasing number of self-represented litigants. In response, NCSC established—in partnership with the American Judicature Society, Chicago-Kent College of Law, the Justice Management Institute, Legal Services Corporation, Pro Bono Net, the State Justice Institute, and Zorza Associates—Self-Help Support.org (www.selfhelpsupport.org), an online resource for not only the courts, but also attorneys, self-help practitioners, and the general public. This Web site provides a network for nearly 1,500 practitioners, with free membership and access to a library of over 1,200 items relating to self-represented litigants, list serves, and other valuable resources.

Self-Help Support.org received the State Justice Institute's 2005 Howell Heflin Award, which is presented annually to an SJI-supported project that has the potential to significantly improve the administration of justice in state courts nationwide.

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In Memoriam—Winslow Christian

Winslow Christian, the first executive director of the National Center for State Courts and former state appeals court justice in California, died in November. In 1971, Justice Christian took an unprecedented two-year leave from the California Court of Appeal to be the full-time acting director of the NCSC. Justice Christian got the NCSC off the ground by locating an office site, securing a federal grant, and hiring its first chief administrator. He was a longtime contributor to the NCSC and was inducted into the NCSC's Warren E. Burger Society in 2002.

Justice Christian was a former Sierra County judge and district attorney who also worked as legal counsel for Bank of America. He also served as a judge for the 4th Division of the California's 1st District Court of Appeal in San Francisco. He was the son of missionaries and spent much of his youth in Burma. He graduated from Stanford Law School and served as a deputy attorney general and worked in private practice before being elected a judge in 1958.



Chief Justice of the United States John G. Roberts, Jr. addresses the guests at the NCSC's 2005 Annual Recognition Luncheon and presents the Burger Society inductees with a special print of former Chief Justice Warren E. Burger.



WARREN E. BURGER SOCIETY

The Burger Society was formed in 1996 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 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, Virginia.

New Burger Society members were inducted during the 2005 Annual Recognition Luncheon. Chief Justice of the United States John Roberts and NCSC Board Chair Randall T. Shepard, Chief Justice of Indiana, presented the members with limited edition portraits of Burger. From left, Chief Justice Shepard, Charles R. Schader, Edward W. Madeira, Jr., Michael L. Buenger, Chief Justice of the United States John Roberts, and Charles Noteboom, chair of the Burger Society who commissioned the original portrait of Burger.

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