

Court Review

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EDITOR'S NOTE

As we prepare for the AJA's annual conference in Cleveland, we take stock of the progress we have made in making *Court Review* a premier publication for America's judges. We think that recent events and this issue show that we are fulfilling that mission.

We recently were accepted for inclusion in several of the leading indexes of legal publications: the Legal Resource Index, the Current Law Index, and LegalTrac, all published by the Gale Group. Our request for inclusion was unanimously approved by the committee of the American Association of Law Libraries that handles such requests.

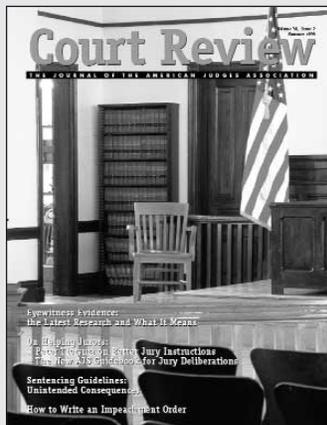
The three non-student articles in this issue are of broad interest and are written by authors whose work we are proud to publish here. The lead article is written by Professor Jack Brigham, the 1997-98 president of the American Psychology-Law Society, and two of his talented graduate students, Adina Wasserman and Christian Meissner. They thoroughly present the accumulated findings of three decades of research on the reliability of eyewitness testimony; they then discuss the extent to which traditional trial safeguards to unreliable eyewitness testimony are successful.

Our second article is by Professor Peter Tiersma, whose recent book, *Legal Language*, provides a thorough review of the sources of legalese and a clarion call for clear and concise language. In this article, he expands upon portions of his book calling for more understandable jury instructions. Professor Tiersma provides troubling examples of instructions that leave jurors in the dark along with appropriate suggestions for improvement.

Our third article is by two researchers at the American Judicature Society, Robert Boatright and Beth Murphy. They are authors of the AJS's new *Guide for Jury Deliberations*. In this article, they present results from initial testing of the guidebook and answer the objections they have encountered to its use.

In addition to these articles, we present two essays. The first, by Alexander Smith and Harriet Pollack, discusses problems encountered with federal sentencing guidelines and some of the responses to these problems that have been noted to date. The authors suggest that, when Congress next visits this issue, they rely most heavily for advice on trial judges, probation supervisors and prison wardens, who have the greatest first-hand experience. The second, by Professor Joseph Kimble, complements Peter Tiersma's call for clear communication by applying plain language concepts to the recent orders issued by the United States Senate in concluding the impeachment trial of President Clinton. Professor Kimble suggests that these plain language concepts should be applied to court orders as well. Last, we present the winning essay from last year's AJA writing competition, which addresses the limits of free speech when publications result in tortious conduct by their readers.

We hope that you find the issue of interest and of value to you. Please feel free to contact us at any time with questions or comments. – SL



Court Review, the quarterly journal of the American Judges Association, invites the submission of unsolicited, original articles, essays and book reviews. *Court Review* seeks to provide practical, useful information to the working judges of the United States. In each issue, we hope to provide information that will be of use to judges in their everyday work, whether in highlighting new procedures or methods of trial, court or case management, providing substantive information regarding an area of law likely to be encountered by many judges, or by providing background information (such as psychology or other social science research) that can be used by judges in their work. Guidelines for the submission of manuscripts for *Court Review* are set forth on page 30 of the Spring 1999 issue. *Court Review* reserves the right to edit, condense or reject material submitted for publication.

Court Review is indexed in the Current Law Index, the Legal Resource Index, and LegalTrac.

Letters to the Editor, intended for publication, are welcome. Please send such letters to *Court Review's* editor: Judge Steve Leben, 100 North Kansas Avenue, Olathe, Kansas 66061, e-mail address: sleben@ix.netcom.com. Comments and suggestions for the publication, not intended for publication, also are welcome.

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