



The Resource Page



VIDEO

Inside the Law, *Judicial Independence: The Freedom to Be Fair* (2005). \$29.95 (DVD).

AJA's National Forum on Judicial Independence formed the basis for this *Inside the Law* program shown on PBS stations throughout the United States. Producers took material from the final AJA panel discussion (found at pages 54-64 of this issue) and interviews of some of the speakers from other panels. Court TV's Jack Ford moderated the one-hour program, which was supported by a grant from the Joyce Foundation.

The DVD can be ordered from Recorded Books, (800) 638-1304, for \$29.95. A limited number of free copies are available to AJA members. They can be ordered while supplies last from the Association Management Division at the National Center for State Courts, (757) 259-1841.



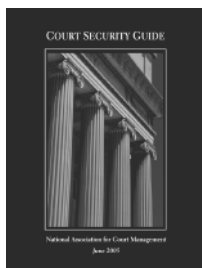
PUBLICATIONS

NATIONAL ASSOCIATION FOR COURT MANAGEMENT, *COURT SECURITY GUIDE* (2d ed. 2005). \$10.

The National Association for Court Management (NACM) has put out a new edition of its *Court Security Guide*.

The booklet contains a variety of checklists to help local courts assess their own security situation. Areas of concern addressed include

the courthouse perimeter, public and staff areas, and courtrooms. In addition, several other topics, including handling high-profile cases and workplace violence, are covered. And there are materials concerning the basics of security plan development, audit, and review.



There will no doubt be additional materials and publications concerning court security, given recent events. The National Center for State Courts convened a "security summit" following the Atlanta courthouse shooting earlier this year and has a follow-up session planned for November 2005. For those wanting a good starting point, the *Court Security Guide*, revised from its initial publication 10 years ago, may be helpful.

Copies may be ordered from the Association Management Division at the National Center for State Courts at (757) 259-1841.



USEFUL INTERNET SITES

Public Trust and Confidence: California

http://www.courtinfo.ca.gov/reference/4_37pubtrust.htm

An extensive survey of 2,400 California households and 500 practicing California attorneys released in September 2005 showed higher public trust and confidence in the courts than in the 1990s. Sixty-seven percent of the public had a positive attitude about the courts, compared to less than 50% in 1992. The survey also showed that the key predictor of public trust and confidence is that court procedures be perceived to be fair ones. "[T]he survey . . . shows that the public's perception of procedural fairness—being treated with respect, being listened to, and having one's case individually considered—has the greatest impact on their trust and confidence in the justice system," said William C. Vickrey, administrative director of the California courts.

The public listed protecting constitutional rights, ensuring public safety, and concluding cases in a timely manner as among the most important areas on which to spend judicial resources. The survey showed that 56% of respondents had been

involved in a case that brought them to the courthouse, mainly through response to a jury summons or actual service on a jury. Service as a juror was found to increase confidence in the courts, while defendants in traffic cases and both litigants and attorneys in family or juvenile cases were less approving of the California courts than other respondents.

The survey was carried out by the Public Research Institute at San Francisco State University, with the assistance of the National Center for State Courts. A thorough report written by National Center researcher David Rottman is found at the website noted above.



FOCUS ON JUDICIAL CAMPAIGN-CONDUCT RULES

In *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002), the United States Supreme Court held the provision of Minnesota's Code of Judicial Conduct precluding judicial candidates from "announc[ing] his or her views on disputed legal or political issues" unconstitutional under the First Amendment. On remand in August 2005, the United States Court of Appeals for the Eighth Circuit has held the Code's "partisan-activities" and "solicitation" clauses unconstitutional under the First Amendment. The Eighth Circuit held that the state interests advanced—maintaining the independence and impartiality of the judiciary—did not provide sufficient support for the restrictions on speech and association under strict-scrutiny analysis. Three members of the 15-member court dissented, urging an evidentiary hearing; a fourth dissented in part.

Although a request for review by the U.S. Supreme Court is expected, the decision has immediate importance within the seven states of the Eighth Circuit and may well have nationwide importance. We reprint excerpts from the decision beginning at page 66.