

President's Column

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If public trust and confidence is a fundamental issue for the courts as an institution, the Trial Court Performance Standards can be the fundamental response.

We, as judges, understand that trust and confidence is a foundation essential of our justice system. Justice Sandra Day O'Connor, at the National Conference on Public Trust and Confidence in the Justice System in May 1999, expressed it clearly and simply: "As judges, court administrators and attorneys, we all rely on public confidence and trust to give the courts' decisions their force. We don't having standing armies to enforce opinions, we rely on the confidence of the public in the correctness of those decisions. That's why we have to be aware of public opinions and of attitudes toward our system of justice, and it is why we must try to keep and build that trust."

Justice O'Connor's statement serves to remind that the relationship of the public with the courts has always been a fundamental issue, and always will be. Maintaining trust and confidence is and ought to be an ongoing effort for all of us involved with the courts.

The American Judges Association, the National Association of Court Management (NACM), and the National Association of State Judicial Educators (NASJE) believe that to be so, and are committed to leading an ongoing initiative to disseminate the Trial Court Performance Standards to courts and judges to support that important effort.

The Trial Court Performance Standards are a statement of the values and goals for our courts that, as judges, we all share. They are aspirational, describing what optimal performance by the courts as an entire system involves.

The standards comprehensively set out the fundamental purposes and responsibilities of courts in terms of the outcomes that both judges, and the public, expect. They consist of 22 guiding principles, or performance values, distributed in five broad areas: access to justice, expedition and timeliness, equality, fairness and integrity, independence and accountability, and public trust and confidence. *Court Review*, in its Winter 1998 issue, published an article describing the standards and their use in greater detail to which you may wish to refer.

The usefulness of the standards for us as judges lies not in the fact that they introduce new ideas or values—they don't. Their usefulness lies in the fact that they provide us in one place with the values and goals we as judges and court managers try to achieve. They set out these values in a logical, useful way that courts, both judges and managers, can use to administer, assess, prioritize, and plan their use of the court's judicial space, personnel, and funding assets to best serve the public.

Attendees of the National Conference on Public Trust and Confidence (to which *Court Review* devoted its entire Fall 1999 issue), after being informed by public surveys, identified six issues impacting public trust and confidence that were deserving of priority attention: unequal treatment, high costs, lack of public understanding, inconsistent judicial process, selection of judges, and poor customer relations. The six priority issues selected at the conference are provided for in the standards, as are the other nine issues that were identified.

AJA, NACM, and NASJE leadership all participated in the conference, which placed emphasis and attention on action national organizations such as ours could take that would support strategies to address public trust and confidence.

Conference attendees also considered and ranked the roles and actions such national organizations could carry out. The top action was to develop and disseminate "best" models and practices that courts and judges could use. While there are many models and practices, the Trial Court Performance Standards are a good place to begin.

The standards are already fully developed and, in fact, are beginning to be utilized by courts throughout the states. The growing interest, universal usefulness, and ability to focus on the

issues of trust and confidence identify the standards as the first model or practice for these three national organizations to disseminate institutionally.

For all of these reasons, the American Judges Association on behalf of judges, NACM on behalf of court management, and NASJE on behalf of state judicial educators, have come together to develop the Trial Court Performance Standards Initiative. The initiative expects to work with the National Center for State Courts to develop a curriculum presenting the Trial Court Performance Standards to the state courts, their judges, and managers in a practical, useful way. We hope that most presenters will be judges and managers with actual involvement in using the standards and that judicial educators will lend their considerable experience and expertise in program planning and distribution to all interested states and courts. The program is an ambitious one and will require, of course, the support of the Conference of Chief Justices as well as the Conference of State Court Administrators.

Public trust and confidence is a fundamental issue for the courts as an institution; the standards can be a fundamental institutional response and can contribute significantly to keeping and building the trust of which Justice O'Connor spoke. We hope that this initiative will become an important part of the national and state efforts to build and maintain public trust that follows the national conference.

