

Court Review

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EDITOR'S NOTE

In this issue, we present the latest American Judges Association white paper. Written by last year's AJA president, Brian MacKenzie, the paper explores the role of the judge in a drug-treatment court. Based on his own experience as a drug-court judge and data from other studies, he argues that the judge is the key to drug-court success and that the successful drug-court judge must practice the principles of procedural fairness. MacKenzie's paper thus builds on the AJA's first white paper—a 2007 paper on procedural fairness. We hope you'll take a look at MacKenzie's paper as well as the past AJA white papers (listed, with links to each paper, at page 35, immediately following the latest white paper).

Two related articles are included in the issue. First, Nebraska judge Roger Heideman and several researchers provide an in-depth look at a Nebraska family court that has initiated a drug-treatment track for parents in cases in which parental rights might be terminated. Drug treatment is one important way some parents may be able to reunite with their children, and the Nebraska court has set up a mandatory drug-treatment track for some parents—those in cases in which parental substance abuse is identified in the affidavit supporting removal of a child from the parent's home. Judge Heideman and his coauthors present data on the first 42 families to participate in this program and comment on the lessons that other courts might learn from their experience.

Second, we have an article from judges Jamey Hueston and Kevin Burke; both have served as drug-court judges. Together, they contend that many drug-court concepts can be transferred to traditional court dockets. That's potentially a very important point—most cases are processed in general court dockets, not in specialized dockets like a drug court or a mental-health court. Both Judge Hueston and Judge Burke have many years of experience with drug courts, and each has also worked more broadly on problem-solving courts. We think you'll be interested in their suggestions for how to use drug-court concepts more broadly.

This issue also includes our new features—a law-related crossword puzzle from Arkansas judge Vic Fleming and a column on Canadian law from Canadian judge Wayne Gorman. In this issue, Gorman discusses both Canadian and U.S. views on when a judge can go outside the record to do fact-related research. You'll find a useful review of American law on this topic in a past *Court Review* article: John Monahan & Laurens Walker, *A Judges' Guide to Using Social Science*, 43 CT. REV. 156 (2007), available at <http://goo.gl/wRI2VU>.—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 and Canada. 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 7 of this issue. *Court Review* reserves the right to edit, condense, or reject material submitted for publication.

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Cover photo, Mary S. Watkins (maryswatkins@mac.com). The cover photo is from the interior of the historic Riverside (California) Courthouse, built in 1904. The exterior of this courthouse was featured on our cover in Volume 45, Issue 3.

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