

# PUBLIC EDUCATION AND THE COURTS

GUIDE FOR INDIVIDUAL JUDGES



## Dear colleagues:

I write to encourage you, my colleagues on the bench, to use the American Bar Association Division for Public Education’s “Public Education and the Courts: Guide for Individual Judges.” As Chair of the ABA Standing Committee on Public Education, I am proud to introduce you to such a useful and timely resource.

We all know that these times make it essential that we in the judiciary help the public understand our role in this great democracy. This year, the ABA Commission on the 21st Century Judiciary released its final report on “Justice in Jeopardy.” Among the threats to the judiciary highlighted in the report is diminishing public trust and confidence in the justice system.

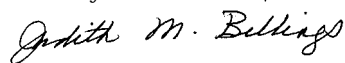
To restore public confidence in the judiciary, “Justice in Jeopardy” identifies improved court-community relations as a key recommendation: speaking at schools and community events, hosting courthouse visits, in short, educating the public about the central role the courts play in our democratic institutions and community life. The ABA House of Delegates, in a February 2000 resolution, has also urged the legal profession—judges included—to consider public education a fundamental part of our professional responsibility.

This guidebook will help us become ambassadors for the justice system. It will help us put the courthouse back in the center of public life.

The guidebook includes descriptions of successful outreach programs from all over the country. These programs demonstrate that judges do more than simply process cases. The programs described give multiple ideas and approaches to making the work of the justice system accessible to our citizens. The guidebook outlines approaches to restorative justice and problem-solving courts. It describes programs that engage judges in civic dialogue as teachers and as learners. The guidebook is a roadmap to getting the judiciary out of the courthouse and into the schools and libraries in our communities.

The guidebook is practical and yet creative. I hope it will help you engage your community.

Sincerely,



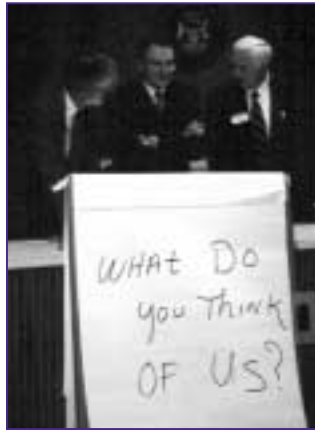
Judge Judith Billings, Chair

*Standing Committee on Public Education*

## Why Should Courts Be Concerned with Public Education?

It's simple, said J. Robin Hunt, a Washington State appellate court judge. "The more people know about the system, the more confidence they have in the system." And there's something even more fundamental.

"Democracy is not a spectator sport," said Brian MacKenzie, whose district court in Novi, Michigan, is one of the more innovative in the country. "People have to participate. We're elected here in Michigan, but even if we weren't, this is still the people's government. If they don't understand what we do, how can they make judgments? The courts should be educating people about what they do."



At a time when government can seem more and more remote from the daily concerns of citizens, it really is the court system that is the closest to the average citizen. Yet, despite the popularity of Judge Judy, Court TV, and legal dramas on television, this is the least understood branch. Karen Salaz, a court administrator in Denver, found while working on her court's Web site that people were even unaware that there are three branches of government. "People see the executive and legislative branches as the state government." The American Bar Association's 1999 survey on public perceptions of the U.S. justice system showed that 61 percent of the people surveyed wanted to learn more about the justice system and that those surveyed were twice as likely to trust judges as they were to trust lawyers. The opportunity to educate the public is there for the courts, and the rewards are great.

In Novi, Michigan, after three Town Hall meetings and a survey published in local newspapers, "we found that people didn't know what we did," MacKenzie said. "They wanted the court to solve the community's problems; they didn't care about jurisdictional issues. But we found that the better they knew us, the better they thought of us." The public came to know Novi's court better through the meetings and through a commitment by the court to become more visible in the community, inviting groups and individuals to monitor the courts, creating an information center at the courthouse, and holding court in local high schools.

There are practically no limits on what courts can do to educate the public. You can bring the public to the courthouse with group tours and virtual tours on a court Web site and you can bring the courthouse to the public by holding court in high schools. You can bring high school students into court as lawyers, clerks, and jurors in youth courts and you can go to

schools to teach classes on the law. On your Web site you can provide downloadable forms for pro se litigants, or you can load up an RV with forms and manuals and volunteer lawyers and clerks and drive to a low-income community. You can write newspaper columns and do radio call-in shows.

In Washington State, appellate courts hear arguments in high school auditoriums. In the Detroit suburb of Novi, Michigan, MacKenzie's district court created citizen advisory committees of concerned members of the community to confront the problems of teenage tobacco and alcohol use, chronic drunk drivers, and domestic violence. In rural Kentucky, a judge writes weekly newspaper columns explaining legal issues that range from the constitutionality of police roadblocks to the definition of wanton endangerment.

Maryland's court system created a Web site that makes transparent the entire workings of the court system, from same-day posting of appellate opinions to directions to the county courthouse. Following the September 11 tragedies, U.S. Supreme Court Justice Anthony Kennedy created "Dialogue on Freedom," a program for lawyers and judges to engage high school students in a conversation about the principles of American democracy.

"It's important to have communication," said Hunt, chief judge of Division II, Washington State Court of Appeals, whose court often hears arguments in high schools. "It helps to fill the education gap. It helps to get rid of some of the mystery. When people watch arguments before our court, they begin to develop confidence in the courts. They get a better understanding of the complexity of the issues."



## Working With Youth Audiences

School classrooms are a natural setting for judicial public education efforts. But as all teachers know, a productive conversation doesn't always come naturally in the classroom. If you're going to lead a discussion in school, here are several strategies that can be used to get students engaged and on track.

- **Opinion continuum**—Present students with ideas related to the topics to be discussed, and ask them to vote on the ideas on a continuum from “Strongly Oppose” to “Strongly Favor.” After the discussion, have the students vote again to see how opinions have changed.
- **Rank order**—Students rank a set of values according to their importance in a democratic society. At the end of the discussion, have them revise their lists.
- **Point/Counterpoint**—Break the students into groups and pair the groups. Assign one group the task of supporting an opinion with three to five arguments. Ask the other group to support a contrary idea with three to five arguments. Have each group report to the class, and have the reports serve as the basis for discussion.



**Control the classroom.** Don't expect a teacher to control the classroom for you. If a student misbehaves, do something—don't ignore the situation. Don't wait for the teacher to act, because the teacher may not.

- **Role playing**—Ask each student to play the role of a person fitting a certain profile, and have them role-play their responses to ideas generated in the discussion. Then shuffle the roles and go through the exercise again. At the end, ask how the differing roles changed their opinions.
- **What rights would you give up?**—This requires students to think hard about their rights. The scenario is as follows: Since the country is under attack, the authorities have determined that we will have to forgo a certain number of rights—say three—in light of the crisis. Ask students to identify the rights Americans have and then come up with three that they are willing to forgo. Probably during the discussion, they will come to see that it is difficult to “sever” rights. For example, when you give up the right to assemble, does the right to free speech have meaning?

- **Brainstorming**—Ask students to brainstorm about an issue related to the discussion you will be holding. For example, have them brainstorm on the topic “What is an American?”
- **Committee hearing**—Have students play the roles of policy makers and those who seek to influence policy. Divide the class into two groups. One group might play a congressional committee considering proposals for a new domestic security bill. The other group might play persons invited to testify before the committee, from civil libertarians to law enforcement officials.



**Talk with the students, not at them.** Most students are interested in the law. They will engage in meaningful discussions if given the opportunity. While you may want to spend the entire period lecturing, you shouldn't.

- **Student forum**—Organize students into groups of five to seven, with one student to moderate a forum designed to explore an issue. Each of the other students will take on the role of a person with a distinct point of view on the issue, based on character sketches developed by the teacher or the students. The sketches should include the character's name, a specific viewpoint, and background information about the character that supports the viewpoint. Testimony and the give-and-take of discussion will be based on these characters.
- **Closing the conversation**—Bring each conversation to a close within the time announced, but give a 15-minute warning to allow time to summarize. Small groups may be asked to provide three or four major points raised in the conversation. Individuals may be asked to share beliefs or attitudes that were reinforced or changed as a result of the conversation.



**Remember your audience.** At the very least, remember that you are not addressing lawyers, but a group of students. Talk with them in words they can understand and take the time to explain words or concepts that might not be known by the students.

## program profile

### Taking Your Court to School

When the Washington State Supreme Court was forced to vacate its building for renovation five years ago, it set up shop in a local high school, hearing cases in the school auditorium. Of such oddities traditions are built.

Today, the Washington State Court of Appeals, which doesn't have to leave its building, does so anyway, hearing cases in high school auditoriums when the court calendar clerk finds a cluster of cases from one area. J. Robin Hunt, the chief judge of Division II, which is based in Tacoma, tries to make a point of hearing the arguments in a high school in that community. "Washington is a populist state," Judge Hunt says, "so it's a state where people want to know what their government's doing." And, very importantly, when the court is dealing with high-profile, controversial cases, "if people understand what the law is, if they feel all sides are heard by the court, they are more apt to accept adverse decisions."

The community thinks of the trial court as a model, so bringing an appellate court to a community, and taking questions, passes on the knowledge of the court system to the people.

When the clerk alerts Judge Hunt to a cluster of cases, she contacts the local high school principal and a reporter for the local newspaper. Press releases are routinely tossed out by reporters, so "it's extremely important to work closely with the press in order to let the public know. Getting contact with an interested reporter, that can make all the difference."



**Develop a strategic plan.** Meticulous planning is key to the success of any program. Even going to a school for a hearing requires attention to detail: Does the sound system work? Has the principal chosen the right classes to participate? Is there water for the attorneys? Where will the judges have lunch?

The court posts summaries of the cases to be heard on its Web site, and the judge goes to the school ahead of time to explain to the students what a court of appeals does.

The court sits up on the stage of the school auditorium. Judge Hunt sets the rules for the hearing: it's run as a courtroom, not a classroom, no hats, no feet on chairs, no talking. The students are told by the principal to comply or leave. For their conferences, the judges often sit in the backstage dressing room. They have lunch in the school cafeteria, often with a class selected by the principal.

For the court, drawbacks such as conferencing in a backstage dressing room filled with costumes and props are more than balanced by the intangible benefits. "The system persists only as long as the people have confidence in it. People respond to the openness of the process."



## program profile

### Judges in the Classroom

Natalie Tyrell, newly elected to the justice court in North Las Vegas, Nevada, had an idea. “When I took the bench,” she said, “I was struck with the realization that nothing in the community was translated into Spanish. I wanted to do outreach, I wanted to deal with the Hispanic community. I had two concerns. The major concern was the Hispanic dropout rate, which was the highest in the state. My other concern was that it didn’t seem like girls have aspirations.” By chance, she met the principal of an “at-risk” school, 86 percent Hispanic. The principal was worried about the same things.

“We have a responsibility to reach out to the community. I wasn’t elected just to sit on the bench, dispensing justice. All of us have a personal philosophy. I wanted to reach out, to expose kids.”

Tyrell set out to go back to school. “I met with my staff and said, ‘The judge is going to school to talk about the court system.’”

She and Jose Troncoso, until recently the United States marshal for Nevada, go to fifth grade in the local schools. “He’s a Hispanic role model,” she said. “He talks about his life and his dreams and their dreams. He was born in Mexico, he came here with no money, he became a police officer, and eventually he became the U.S. marshal for the state of Nevada. He’s met two presidents.”



**Be aware of any special needs of your audience.** When Natalie Tyrell brings the fifth-grade students into her court, she has her staff explain their jobs to the students in three-minute segments, uses shoplifting and trespassing as the “crimes” for her mock trials, and uses middle-school students for the witnesses and defendants, all to make things easy for 10-year-olds to follow. When Sally Rankin works on public forums in Maryland, she makes sure to have translators for all the ethnic groups who are likely to attend.

Tyrell and Troncoso speak for an hour and a half during the afternoon. Later, within the same month, the class takes a field trip to Tyrell’s courtroom, where they tour the facility and speak with her staff members, who talk for three minutes about their positions in the court and what education was required for their position. The idea is to focus on staying in school, to provide the children, especially the girls, with opportunities to think about.

The class then sees a mock trial, which Tyrell schedules for Friday afternoons, when her calendar is free and attorneys are able to break away. Twelve class members sit as a jury, and a district attorney and defense attorney handle a “case” of trespassing or shoplifting. After a two-hour presentation of evidence and arguments, the jurors deliberate and come back with a verdict. “You want something the kids can relate to,” Tyrell said. “The kids get a lot out of it. They have a general idea about the process, mostly from watching Judge Judy. We want to hold their interest, hit the high points. They can grasp the difference between civil and criminal.”



## program profile

### The Classroom as Jury

*State v. Andy Adams and Beth Baker* is a video of a fictionalized trial for fourth to seventh graders that uses a realistic storyline to educate students about criminal trials and jury service. Produced under the leadership of U.S. Magistrate Judge Leo Papas, Southern District, California, in 2001, the video and supporting materials are about a criminal trial of two middle-school students arrested for drug possession with the intent to sell. On the tape, each student blames the other for the crime. It is up to the jury watching the video to decide who is guilty.

The video is used by both the federal and state bench and bar in San Diego. It also has been adopted in legal communities across the nation. The outreach package, which includes two versions of the video, as well as facilitator training and in-class materials, won the ABA's 2002 Lexis Nexis National Community Service Award.

One version is 25 minutes long with breaks for a legal professional to facilitate a debriefing with the aid of a written discussion guide. The other is a self-contained 50-minute video that is narrated by Papas. The longer version of the video provides more information and does not rely as much on the facilitator. Presenters say that both versions are well received by young audiences.

"This turn-key program is an opportunity for judges and attorneys to get involved in the creative aspects of the law outside the courtroom without having to generate a presentation from scratch," said Papas. "The program requires very little preparation time, even for those who have little involvement with criminal law."

Papas, who has partnered with dozens of judges and attorneys, reports that the presenters say they get as much from the experience as the students. "It is very common for fifth- and sixth-grade students who were part of a mock jury a year or more ago to recognize me and say: 'Remember me? I'm going to be a judge, just like you, when I grow up.' The opportunity to influence, in a positive way, the direction of a young person's life is what it's all about," Papas said.



The *State v. Andy Adams and Beth Baker* video was a collaborative volunteer effort among members of the San Diego County Bar Association's Children at Risk Committee; lawyers in the community; and a San Diego-based production company, AJL Litigation Media, Inc., which donated the materials, staff, and professional time. The San Diego Bar Foundation underwrote \$5,000 of the production expense.

## program profile

### A Court of Their Own

Youth courts have witnessed explosive growth over the past ten years. In Kentucky, they're called "teen courts," where children between the ages of thirteen and seventeen serve as prosecutors, defense attorneys, bailiff, clerk, and jurors for the sentencing of their peers who have been found guilty of low-level crimes, such as truancy, theft, drug and alcohol possession, and harassment, which in Kentucky encompasses physical and emotional intimidation.

Having teens participate in what is a real court with real consequences for the defendants is an education from the inside. There's the obvious education about the justice system, from training and working as a part of the system, but there are also the benefits that accrue from taking responsibility as a member of the community and passing judgment on the actions of a peer. But there's a practical benefit to the court system also, said Deborah Williamson, the general manager of Kentucky's Department of Youth, Families, and Community Services.

When then-Chief Justice Robert Stephens started the teen court program in 1992, he was looking for good, consistent monitoring of juvenile cases, which he wasn't getting from the traditional probation system. As part of the teen court system, Stephens had volunteer attorneys act as coordinators to monitor compliance with the teen courts' sentences, meeting with the defendant and the defendant's parents before, during, and after the teen court hearing. The pilot program proved so successful that now twenty-nine courts in Kentucky have teen courts.



#### Involve members of your key audience in planning and evaluation.

The district court in Novi, Michigan, has citizen advisory committees to create and monitor outreach programs. Deborah Williamson in Kentucky has the state's teen courts evaluated annually by faculty at local universities.

"We want to have children participate," Williamson said. "We go to schools and recruit on the basis of commitment; we're not seeking students who consistently excel in academics." The children commit to a six-week training program and participation for one school year. In fact, most serve for several years. At the end of their training, which includes two weeks on the structure of the system and four weeks on how to ask questions, complete with mock trials, the students are sworn in to the service of the district court, and take a confidentiality oath.

Once court sessions start, the students rotate through the positions of prosecuting and defense attorneys, bailiff, and clerk. A retired judge serves as judge in the Kentucky model, but many youth courts use students as judges.

After a juvenile court judge refers the defendant to teen court, the coordinator meets with the defendant and parent to explain the teen court process. Teen attorneys work with adult attorney mentors in preparing their cases.

The jury is supposed to issue a constructive sentence, which the judge can reverse or revise. "Initially," Williamson said, "there was concern that the jurors would be too lenient, but the reverse is true; they tend to be harsh." The typical sentences are counseling, community service, and, oddly enough, to return to



the court for jury service. It's not unusual, Williamson said, for defendants to become court members in the coming year.

"There is no one best way to set up a teen court," she said. She worked with the ABA Division for Public Education and the ABA and state Young Lawyers Divisions for coordinators and recruiters to start Kentucky's pilot program.

Why do students sign up? "Some see it as preparation for law school," Williamson said, "but most just say that it's a great way to serve the community."

## program profile

### The Judge as Constitutional Ambassador

Federal and state judges are showing the powerful impact they can have on civic education when they join forces as constitutional ambassadors in the classroom. In 2002 they came together in Sacramento, California, with lawyers, teachers, and the media to create *Operation Protect & Defend— The Constitutional Project: A Commitment to Civic Education by Lawyers and the Judiciary*.



Inspired by Justice Anthony Kennedy's Dialogue on Freedom and concerns about the alarming statistics that high school and college students lack fundamental knowledge about the Constitution and American history, a core group developed a civic education program to engage high school seniors. That group has grown rapidly and continues to increase in numbers.

The initiative draws on aspects of American government, history, and the U.S. Constitution that are addressed in the award-winning, nonfiction book *Contempt of Court: The Turn of the Century Lynching that Launched 100 Years of Federalism*, co-authored by Mark Curriden and LeRoy Phillips, Jr. The program has six components: (1) training for judges, lawyers, and teachers; (2) an interactive lecture by Curriden; (3) a complete classroom package including lesson plans and discussion questions based on the book; (4) classroom visits by two-person teams of a judge (federal or state) and a lawyer; (5) a student writing contest; and (6) a Law Day ceremony honoring students, parents, teachers, and program participants.

The program package includes a flyer, essay packet, lesson plans, glossary of terms, reading guide and case summary, *Contempt of Court* case study, newspaper coverage, a speech and reading guide that supports it, a case study model and case study format sheet, and a related case.

"Federal and state judges working together with lawyers can make the Constitution come alive for young people," said U.S. District Judge Frank C. Damrell, who is a prime mover on the project from the federal bench. "We can reach so many more students and have a profound, personal impact on their thinking when we put a human face on the judiciary and the issues we deal with every day."



**ABA**  
**DIALOGUE ON  
FREEDOM**

### Join the Dialogue on Freedom

Judges from across the nation have joined U.S. Supreme Court Justice Anthony Kennedy in the Dialogue on Freedom. Conceived by Justice Kennedy in the wake of the September 11, 2001, terrorist attacks, the Dialogue on Freedom brings judges and lawyers into high school classrooms to discuss American society and democratic values.

The Dialogue on Freedom was introduced to the legal profession at the 2002 ABA Midyear Meeting in Philadelphia. Since that time, judges and lawyers have gone into thousands of classrooms, engaging tens of thousands students in conversation and debate. In Utah alone, judges paired with lawyers and legislators from around the state during the week of September 9–13, 2002, to conduct Dialogue discussions in some 1,300 high school classrooms, reaching more than 38,000 students. Utah governor Michael O. Leavitt even declared the week “Dialogue on Freedom Week.”

You need not, of course, mobilize an entire state to conduct a successful Dialogue on Freedom. The program was designed with individual judges and lawyers in mind. Everything you need to do a Dialogue on Freedom is available online, in an easily downloadable format, at [www.dialogueonfreedom.org](http://www.dialogueonfreedom.org). The centerpiece of the online materials is a set of hypotheticals asking students to identify and defend American culture, traditions, and democratic principles.

Sample letters to teachers, tips on talking with students, program evaluation forms, and a host of other resources ensure that you will be able to plan and conduct your Dialogue almost effortlessly.

A Dialogue on Freedom can be conducted any time during the school year, but you may want to time your Dialogue to coincide with a

particular date. For example, a Dialogue on Freedom is an excellent way to commemorate Constitution Day, observed each year on September 17.

If you haven't conducted a Dialogue on Freedom in your community, please consider doing so. If you have already led a Dialogue, we hope your experience has convinced you to lead another.

For more information, go to [www.dialogueonfreedom.org](http://www.dialogueonfreedom.org).



## Working with Adult Audiences

As the following program profiles demonstrate, public education efforts for adults embrace a wide range of possibilities, from newspaper columns to community forums. If you organize or are called upon to lead a public discussion, here are some challenges you may face.

**If the discussion falters, encourage all participants to express their ideas.** When people are from different backgrounds, it's especially important that all feel free to say what they think.

**If a few people dominate, try to involve others** in the discussion by asking for responses to the points being made or for opinions from a different perspective.

**If the discussion wanders, try to get back on track** by asking participants to relate the discussion to the main focus.

Sometimes a participant might offer something as fact that you know is in error. As a leader, **you should avoid directly contradicting the participant.** That doesn't mean the error should go unchallenged. Ask participants to comment on the fact in question. If there are more sessions scheduled, suggest that participants do some research on the subject before the next session.

In the event of a dispute or heated discussion, you should respectfully remind participants that all points of view are to be accepted. **Under no circumstance should you take sides.**



## program profile

### Connecting with the Community

When Charles Campbell, a superior court judge in Ventura County, California, was elected as presiding judge in 1998, he told his fellow judges that he had an agenda.

Driven by his concern that the public perceived the justice system as a closed system that favors the rich, Campbell has focused on expanding access to the courts through public education. "We were concerned about the results in surveys we were seeing, that the public felt there were two levels of justice, that the lower your income, the less justice there is for you," he said. "We needed to expand access to the courts. One way to fix this perception was to get people into the system." Working with a forward-thinking court administrator, Sheila Gonzalez, and Tina Rasnow, a former legal aid lawyer, Campbell established a legal self-help center, modeled after the court's existing family law self-help center, as a way to deal with the trend toward pro se litigation.

The family law center, which is staffed by two lawyers, one of whom is bilingual, walks pro se litigants through the steps of litigation, helping them with forms and letting them know about the availability of mediation and attorney referral services.

“I thought, maybe we ought to set up a clinic,” said Campbell. “The bar was not going to be able to handle this; they wouldn’t be able to run it every day during business hours. I knew Tina could run the program. She had the connections with the community. It was important not to be seen as an establishment court; it had to be neutral.”

So Rasnow went to work. As a former legal aid lawyer, she knew the needs of her client base in the low-income, predominantly Hispanic community. “I networked with a lot of people,” she said. “We had to have a strong relationship with the bar and with legal services, we needed their involvement. But we had to take a holistic approach and look at other options because a lot of legal issues come from economic development issues, and that meant developing dialogues with different community groups.”



**Talk with relevant organizations and individuals.** Tina Rasnow, given the job of building the legal self-help program in Ventura County, tapped into her network of local advocacy groups and bar associations to find the needs of the community and the volunteers to make the program work.

The center is open four days a week at the county courthouse in Ventura and then once a week at a multipurpose building near a gateway center for immigrants. And the county purchased a 35-foot mobile home to reach people in outlying communities in the county. The mobile self-help center is rigged with computer and video stations and racks filled with self-help materials and is staffed by a lawyer and a clerk. The mobile unit makes appearances at community fairs and has even been part of local parades.

One aspect of the program that should not be overlooked is its effect on the court staff. The idea for the mobile self-help center, which is modeled after public libraries’ bookmobiles, came from a court administrator who is a former librarian. When Rasnow was stuck for ideas on promoting the center, a court clerk volunteered to do promotional spots on the local Spanish radio station, which has turned into a standard spot, offering information on the courts.

One important issue Campbell had to face, as do all innovators, was how to bring the other judges along on this new venture. “The main issue is whether the law has a greater obligation than processing cases,” he said. “It’s not difficult to make that argument. After that, the questions become whether this program can accomplish what it’s supposed to and whether the program hurts day-to-day processes. The fear some judges had,” said Campbell, “was that community outreach programs would take money from the budget and affect the day-to-day operations in the court. And that hasn’t happened. What we’ve found with these programs is that people have a more realistic expectation of what the court does, and that gives the court a better opportunity to do its job. It’s win-win.”



**Build internal support for your program.** In gathering support for programs, it is important to emphasize, as Charles Campbell did with the Ventura County legal self-help programs, that the program would not reduce the court’s ability to handle its day-to-day needs.

## program profile

### Teaching the Teachers

In Florida, the state Supreme Court has magnified the impact of its public education efforts by training teachers to educate their students and peers about the justice system.

Education is a top priority in the Supreme Court of Florida. Supreme Court justices participate regularly in classroom visits and special programs for students in kindergarten through twelfth grade. Students participate in simulated appellate hearings and even write briefs to present before the Court. A court visitation program introduces thousands of students annually to the legal process and the judicial branch. And among the most innovative of the Court's public education offerings is its Justice Teaching Institute for secondary-school teachers.



With the support of the Florida Bar and the Florida Law-Related Association, Inc., the Supreme Court of Florida sponsors a Justice Teaching Institute each year for twenty-five teachers. Participants are chosen from numerous applicants by a selection committee to attend the five-day institute at the Supreme Court Building in Tallahassee.

Florida Supreme Court justices serve as faculty at the institute, which features a wide range of interactive activities, tours of the Supreme Court Building, and opportunities to network with educators from around the state who are interested in the justice system.

A highlight is the institute's "trail of justice" program, in which teachers are given a real case to trace through the Florida courts. Teachers serve as attorneys and justices in a simulation of the appellate process, and the Supreme Court of Florida schedules the actual case to be argued during the institute.

Upon completion of the institute, participating teachers are honored with certificates recognizing them as Justice Teaching Institute Fellows, signed by the Chief Justice of the Florida Supreme Court and a representative of the Florida Department of Education. The newly trained fellows are encouraged to expand the impact of the program by teaching other educators in their local districts about the Florida justice system. Circuit court judges participate as mentors to the fellows and help plan for the local institutes.



**Customize your program to match needs with resources.** Many public education programs can be accomplished with little or no additional funds. In some cases, however, you may need funding to attract the audience you desire. Teachers who participate in the Justice Teaching Institute have their travel expenses to Tallahassee reimbursed; their school districts also receive funds to cover the costs of substitute teachers.

"My work with students and teachers is a natural extension of my judicial responsibility," remarks Florida Supreme Court Justice R. Fred Lewis. For Justice Lewis, whose commitment to public education brings him to Florida classrooms three or more times monthly, "the preservation and strength of this democracy will be found not simply within our great constitutional institutions, but within the people who have knowledge and understanding of the fundamental truths upon which these institutions have been built."

## program profile

### Reclaiming the Court's Role in Public Life

After seeing the results of a public survey, and hearing from citizens in three town hall meetings, the 52-1 District Court in Novi, Michigan, set out to work with the community. "People didn't care about our jurisdiction," said Judge Brian MacKenzie. "They didn't know what we did, or what restrictions we have on us. They wanted the court to solve community problems, they wanted us to be more pro-active."

So the court made a public commitment, published in the local newspapers and distributed to libraries and elected officials, to approach community problems in a new way. It created advisory committees made up of judges, police officers, prosecutors, defense attorneys, and representatives of advocacy groups to investigate community problems and figure out ways to solve the problems.



**Schedule the date, time, and place of your event for audience convenience.** Just by asking, you can find out when people in the community would be able to come and find a location that makes them feel comfortable.

Some of the programs resulting from the advisory committees' efforts include a sobriety court, based on the problem-solving "drug court" model, and a domestic violence court that, through a fast-track response system, has dramatically reduced spousal felony assault cases. The court has also established a Tobacco/Alcohol Prevention Project designed to intervene with at-risk teens before they experiment with other drugs.

The court is committed to openness; as part of that commitment, the court makes a point of educating the public about its efforts and the successes of its programs. Each year it creates an annual report, reviewing the accomplishments of the year, complete with statistics on civil and criminal filings, projects and goals for the coming year, and information about the court and each of the departments. The report is posted on the court Web site and sent to all public officials, all the high schools, and the local newspapers. The court also keeps in contact with the media, so there is regular coverage of judicial issues.

"The court, literally, the courthouse, used to be the center of public life," MacKenzie said. "It's where people held meetings, the public used the building. Over time, the court has stepped away from that role. In a way, what is called community outreach is really a return to the more central role courts used to have in community life."



## program profile

### Putting Courts in the News

Bill Mains writes a weekly newspaper column for four newspapers and provides radio commentary twice a month. He is also a judge in rural Kentucky, based in Morehead, and riding the circuit through four counties, and this is his personal community outreach.



**Research the needs in your community.** A good way to start is to simply go out to the public and ask. Judge Brian MacKenzie in Novi, Michigan, started from scratch with town hall meetings, asking one question: “What do you think of us?” Bill Mains found the need for better information on the justice system in rural Kentucky in his own frustration with the news media’s treatment of legal issues.

“I talk about what the courts say,” Judge Mains said. “I try to avoid opinion; I talk about what the courts are saying and why they’re saying it.” So, in recent columns, he discussed the constitutionality of police roadblocks, the definition of wanton endangerment, and the de-funding of alternative sentencing programs in his circuit.

He decided to write in response to what he saw as a lack of substance in the county papers. He wrote four sample columns and submitted them to the editors of the newspapers in his circuit, and, for the last three and a half years, his columns have become a regular feature.

“The ideas keep coming,” he said. “Every time I read the paper I find something I could write on. I try not to stake out a position, and I won’t write about pending issues,” he said. “I just try to explain the law, report on what the law is. You have to walk a narrow line, you can’t take a stance on issues that may come in front of you, and you can’t give legal advice.”

But within those parameters, he can, and does, write about controversial issues. After presiding over a death penalty case, he wrote an anatomy of a death case, walking through the procedural issues and explaining why the cases take so long. He has written on the Sixth Circuit’s decision on posting the Ten Commandments in a county courthouse, *Roe v. Wade*, the Ninth Circuit Pledge of Allegiance case, grandparent visitation, and the state of the law on gun control. “People took exception to the gun control column,” he said. “They took exception that the cases were going the other way.”

Aside from that, though, the response to his writings has been overwhelmingly positive. “The overall effect has been that it’s educational, and it’s fun,” he said. “People stop me in the store to talk about columns. I get suggestions from readers, and lawyers have told me they’ve learned something from my columns.”



## Taking Your Court Online

Want to build a Web site for your court? If you haven't done so already, the benefits to the court and the public make it almost imperative that you bring the court into the Internet community. A good court Web site can streamline court proceedings by providing forms to download and information handed out dozens of times a day by overworked clerks. But as a public education tool it's priceless. A court Web site is an



unparalleled opportunity to tell the public what the court is doing as a part of the community and, even more fundamentally, just what it is that courts do. And the more people know about the place that the justice system occupies in the public sphere, the more they will respect it. Here are some ideas from courts that have successfully used their sites to educate the public.

- In sprawling, traffic-clogged Maricopa County, Arizona, webmaster Andy Cicchillo and his team of six programmers and developers have this underlying principle: to make everything that involves coming to court available on the web. Citizens who receive jury summons can go to the court Web site and confirm or reschedule their jury service. They also receive a brief education on jury service, including a short discussion of the reasons for delays in jury selection and trials, FAQs that explain the duties of jurors, and an online newsletter that explains some of Arizona's recent jury reforms. Pro se litigants can access forms on the site and soon will be able to fill out the forms online through a series of questions and answers created by a panel of judges.  
[www.superiorcourt.maricopa.gov](http://www.superiorcourt.maricopa.gov)
- If you need to deal with the press in a high-profile case, consider how Maryland handled the case of *Maryland v. Linda Tripp*, when the court clerk's office realized it could not respond to the media onslaught. The judge, Diane O. Leasure, offered postings of her rulings on a special page created on the Maryland site, simultaneous with her reading of the rulings in court. This allowed the media and the public to check the web page, rather than coming to court or waiting for tomorrow's newspaper. Reporters, says Sally Rankin, "were thrilled to death" to be able to access the rulings in real time, without having to go to the courthouse, which gave the

reporters more time to absorb the rulings and, thus, more time to write thorough stories, which, in turn, leads to a better-informed public.

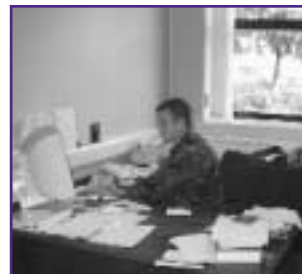
[www.courts.state.md.us](http://www.courts.state.md.us)



Sally Rankin, who runs the Maryland court Web site, emphasizes the importance of creating a style guide to ensure consistency in formats when you are dealing with submissions from multiple authors. The guide was created by a committee of judges and court personnel; the committee also created a set of policies for web operations.

- Karen Salaz, of the Office of State Court Administrator, put together a site whose entire purpose is education. “Every time we assumed that people would know something, say, that there are three branches of government or what a court proceeding is, we addressed it on the Web site,” she said. So, on the home page, the introductory sentence says, “The Colorado judicial branch joins the legislative and executive branches to form the government for the state of Colorado.” The site also has educational resources for high school teachers, right now fifteen lesson plans, from the Rule of Law to Courtroom Etiquette, using essays she found in university and law school archives and on the ABA’s Web site, [www.abanet.org](http://www.abanet.org). “We provide materials so the teachers won’t have to do a lot of research,” she said. “We are looking for a diverse view of what people think high school kids would understand.”

[www.courts.state.co.us](http://www.courts.state.co.us)



## Resources You Can Use

### American Bar Association Division for Public Education

The Division for Public Education has a comprehensive Web site on law-related education; its resources cover print publications, online research, and links to public education programs across the country. Access [www.abanet.org/publiced](http://www.abanet.org/publiced) for a wide range of information on working with school children and the adult public.

Specific offerings of the Division include

#### Online

- Specialized public education resources for lawyers and judges, including tips on volunteering and new materials on educating the public about the courts, at [www.abanet.org/publiced/ljhome.html](http://www.abanet.org/publiced/ljhome.html)
- Law Day program material at [www.lawday.org](http://www.lawday.org)
- A “How Courts Work” feature at [www.abanet.org/publiced/courts/home.html](http://www.abanet.org/publiced/courts/home.html)

#### In Print

For more information on the Division’s print publications, or to receive a full catalogue of the Division’s offerings, call (312) 988-5735 or send an e-mail to [abapubed@abanet.org](mailto:abapubed@abanet.org). The publications listed below can be ordered by calling 1-800-285-2221 and specifying the Product Code number (PC#).

- A three-volume series on “Law & the Courts,” including
  - Volume I: The Role of the Courts (PC# 235-002798ED).
  - Volume II: Court Procedures (PC# 235-0041).
  - Volume III: Juries (PC# 235-0202).
- A newly revised edition of “Putting on Mock Trials” (PC# 235-0206).
- “Life in the Law,” a booklet especially recommended for secondary school or college students researching a career in law (PC# 235-0036), and the “Legal Careers Brochure,” a perfect leave-behind for judges speaking in schools on career day (PC# 235-0035; packages of 30).

#### Youth Court Materials

The Division has published a set of Youth Court materials to help train youth court volunteers and enhance youth understanding of the American justice system. The complete training package (PC# 497-0104P) includes

- Instructor’s Guide, with lessons for all youth court models on topics such as the American justice system, balanced and restorative justice, conducting a hearing, and deliberating on a disposition.
- Youth Volunteer Handbooks for adult judge, youth judge, youth tribunal, and peer jury youth court models.
- *Changing Lives: America’s Youth Courts*, a short video introducing the concept of youth courts.

Resources in the package can also be purchased separately.

Also available online in .pdf format is the Division's Technical Assistance Bulletin—"Youth Courts: A National Movement"  
[www.abanet.org/publiced/tab17.pdf](http://www.abanet.org/publiced/tab17.pdf)

#### [American Bar Association Judicial Division](#)

The ABA Judicial Division has created The Judges Network, a judicial outreach initiative. It is a great one-stop source of information on what courts around the country are doing and for sharing information and ideas with other judges. The Judges Network is also hosting a new list serve, which you can join for regular updates on outreach activities and upcoming programs. To find out more about The Judges Network or subscribe to the list serve, visit [www.abanet.org/jd/judgesnetwork.html](http://www.abanet.org/jd/judgesnetwork.html).

*Judicial Outreach on a Shoestring: A Working Manual* highlights several low or no-cost judicial outreach programs from around the nation (PC# 5230048-sm-6).

#### [American Bar Association Coalition for Justice](#)

The ABA Coalition for Justice partnered with the ABA Standing Committee on Judicial Independence and the Kettering Foundation to create "' . . . And Justice for All': Ensuring Public Trust and Confidence in the Justice System," a program designed to help courts and bars foster public trust and confidence. The program uses the National Issues Forum format to engage groups in discussions of how to make the justice system more fair. The program materials—an issue book, video, and moderator's guide—are free and available on the Web at [www.abanet.org/justice/nif/home.html](http://www.abanet.org/justice/nif/home.html).

#### [Additional American Bar Association Resources](#)

The ABA's Dialogue on Freedom program, created by U.S. Supreme Court Justice Anthony Kennedy, brings judges and lawyers into the classroom to discuss fundamental issues of the Constitution and the law. Everything you need to host a Dialogue is available online at [www.dialogueonfreedom.org](http://www.dialogueonfreedom.org).

The ABA's 1999 survey on perceptions of the United States justice system provides useful information on the need and demand for public education efforts. [www.abanet.org/media/perception/perception.html](http://www.abanet.org/media/perception/perception.html)

#### [Other Organizations and Resources](#)

The Administrative Office of the U.S. Courts sponsors a national educational outreach initiative. For more information, visit [www.uscourts.gov/outreach/index.html](http://www.uscourts.gov/outreach/index.html).

The National Youth Court Center provides information on the youth court movement across the country at [www.youthcourt.net](http://www.youthcourt.net).

The Center for Court Innovation at [www.courtinnovation.org](http://www.courtinnovation.org) is a useful resource for new trends in the justice system, including the "problem-solving" court movement.

Several courts and state bar associations and foundations sponsor Web sites just for students. Examples include the Iowa Supreme Court's site at [www.judicial.state.ia.us/students](http://www.judicial.state.ia.us/students) and the Arizona Foundation for Legal Services and Education's site at [www.lawforkids.org](http://www.lawforkids.org).

To find out more about the Florida Supreme Court's Justice Teaching Institute described in this guide, visit [www.flcourts.org/sct/education/jti.html](http://www.flcourts.org/sct/education/jti.html).

The California Courts have published "Dialogue: Courts Reaching Out to Their Communities," a handbook for creating and enhancing court and community collaboration. The handbook includes a substantial section on model public education programs, including youth and school programs, juror education and appreciation, speakers bureaus, and courthouse tours. It's available online at [www.courtinfo.ca.gov/programs/community/handbook.htm](http://www.courtinfo.ca.gov/programs/community/handbook.htm).



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