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President & Chair Message

The courts' enduring mission is to provide all those who appear before them a fair, impartial, and accessible justice system. But a traditional courthouse, with its marble columns and elaborate entry ways, can present an imposing edifice. Similarly, literature, movies, and television often provide an indelible image of how courts conduct trials: a somber courtroom, a stern judge, combative attorneys, and attentive jurors and spectators. While these features can symbolize stability and inspire reverence, courts must always ensure that they are fulfilling their mission for all individuals, which, in turn, increases public trust in both the rule of law and the judiciary.

And, as we have all seen in recent years, events have a way of forcing necessary change. For example, COVID-19 shutdowns made courts adapt and innovate to keep cases moving forward. One such innovation was to conduct hearings, jury selection, and even trials remotely. Though these remote proceedings may have started as a "temporary" solution to challenges posed by the pandemic, for many lawyers and court customers, they have become preferable to traditional, face-to-face court proceedings.

Change also extended beyond the "nuts and bolts" of court operations. Many organizations have worked fervently to highlight, for example, ways in which the justice system provides unequal treatment to people of color and to increase protection for the rights of the LGBTQ(+) community. Importantly, these movements, and many others, have forced courts to examine the presence of explicit and implicit bias not only in their processes and the law, but also in their judges and court staff.

As a result, courts across the country responded by making necessary changes to improve how they fulfill their mission for all individuals. And the National Center for State Courts (NCSC) has been a tremendous resource, providing courts with support, research, and technical assistance to tackle these challenges and others. NCSC works closely with the state courts on several initiatives, including the Blueprint for Racial Justice, the National Judicial Task Force to Examine State Courts' Response to Mental Illness, the Justice for All Initiative, and the National Task Force on Fines, Fees, and Bail Practices. The goal in each of these endeavors is improving court operations to better serve the public.

In turbulent times, nothing is more important than the public's trust in both the rule of law and the judiciary. This Annual Report provides a look at what NCSC and the courts are doing, both here and abroad, to reimagine themselves and improve — perhaps restore — that trust.



Mary Campbell McQueen
President
National Center for State Courts



Loretta H. Rush Chief Justice Indiana Supreme Court



Encouraging systemic change to promote DEI

since George Floyd's murder in 2020, NCSC has worked to understand and address racial inequities in the justice system and enhance diversity, equity, and inclusion in state courts.

Much of this work has emanated from the **Blueprint for Racial Justice**, a coalition of more than 150 court leaders, staff and partners dedicated to improving racial equality by intensifying efforts to ensure all court users, litigants, and community members are heard and respected by the nation's justice system.

The Blueprint for Racial Justice has produced tools

designed to help judges, court staff and partners promote equity in areas such as education, community engagement, data and analysis, leadership and governance, and court services. A growing number of online resources including webinars, toolkits, reports, and guides are now easily accessible to court staff and the public.

Additionally, the Blueprint for Racial Justice organized an inaugural in-person convening of DEI professionals in 2022. Staff representing more than 40 court organizations gathered in Atlanta to connect, learn, and share during a two-day meeting.

Improving diversity in the Delaware bench and bar

In 2021, the Delaware Supreme Court issued an administrative order to address diversity issues in the state's legal community. More than a year later, the court is well on its way to implementing a strategic plan and recommendations developed by NCSC and AccessLex.

Through data analysis, workgroup facilitation and feedback from stakeholder interviews, NCSC and AccessLex identified barriers to diversity such as an inadequate pipeline, the state bar exam and admission, the practice of law, and the judiciary.

"The report and recommendations have been helpful in a number of ways. First, the report gave us concrete proposals to consider and discuss with members of the Delaware bench and bar. Second, those discussions resulted in a lot of detailed feedback, which is helping to shape how we approach implementing changes," said Delaware State Court Administrator Gayle Lafferty.

Accomplishments in 2022 included:

- Hiring judicial branch DEI officer Kaelea Shaner in October 2022.
 Some of her initial duties include piloting conscious-inclusion training with judges, establishing a management mentorship program for employees from diverse backgrounds, and establishing a paid summer internship program.
- Updating the Delaware Law-Related Education Center governance, which included adding more diverse members. Additionally, the Delaware Supreme Court committed \$1 million over the next five years to increase the number of paid staff supporting the center. Expanded funding will allow for more robust civics and law-related educational programs to help build interest in legal careers with younger students.
- Initiating the collection of race/ ethnicity/gender identity information from lawyers to help

- establish a baseline for increasing the diversity of bench and bar.
- Adopting changes to the Delaware Bar Exam and admissions process that include an additional exam date each year; reductions in the overall passing score and number of essays and topics tested on; and reductions in the duration of clerkships, checklist activities, and late application fee.
- Participating in the Blueprint for Racial Justice CORA (Court Opportunity Recruitment for All) project to encourage students from across the country to apply for clerkships, internships, and externships in the Delaware Judicial Branch.

For a deeper dive into Delaware's diversity efforts, watch the project video, or read the Improving Diversity in the Delaware Bench and Bar Strategic Plan Report and Recommendations at ncsc.org/racialjustice.

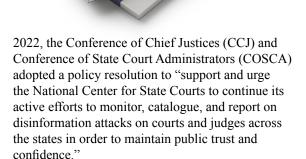
Disarming disinformation by building public trust and confidence

id you know that the United States justice system has been systematically targeted on social media by Russian propaganda efforts? One study by the Center for Strategic and International Studies (CSIS) suggests that over 4,000 Russian-controlled social media accounts (and the bots that are used to amplify those messages) sent nearly 10 million tweets criticizing courts and other justice system actors in the United States. Those tweets often look and sound like authentic communications from U.S. citizens—making the challenge to unmask them even more daunting.

For nearly five years, NCSC has been at the epicenter of a partnership to build awareness of — and resilience to — this serious threat to public trust and confidence in the state courts. This project has included hosting in-person and virtual workshops, researching public attitudes toward such threats and developing messaging, and convening court leaders to help states proactively build action plans.

Over the course of the last year, the campaign stepped up even further. Working with colleagues at CSIS and the Brunswick Group, a global critical issues consulting firm, NCSC developed a "Disinformation Playbook" to help ready courts for incoming threats. The National Center for State Courts also hosted two webinars and worked with the Conference of Court Public Information Officers (CCPIO) to elevate the issue nationally.

The work doesn't end there. In the summer of



In the fall, COSCA published a policy paper entitled "Courting Public Trust and Confidence: Effective Communication in the Digital Age," with tips for courts to establish themselves as a trusted source for information through timely, accurate and understandable communication. In particular, the paper suggests that courts need to break away from traditional responses such as silence, allowing orders/opinions to speak for themselves, an indirect response through a proxy, and limiting public information officers to "no comment" replies.

Elevating civics education with youth

For nearly a decade, **NCSC's Civics Education Essay Contest** has given elementary, middle, and high school students a chance to express their thoughts about the importance of our system of government and the framework on which it was founded. The annual contest started small but has scaled-up significantly in recent years. In 2022, over 2,700 students from 49 states, the District of Columbia, and 19 countries submitted entries to answer this question: "Which Amendment to the U.S. Constitution has made the biggest difference in people's lives?" In case you are wondering which amendments students deemed most important: of the nine winners, several selected the 14th or 15th amendments. Read about the winners and their stories at ncsc.org/contest.



G. Thomas Munsterman Award for Jury Innovation

District Court Judge Thomas Kelly Ryan of Johnson County, Kansas, was honored with the G. Thomas Munsterman Award for Jury Innovation for his efforts to engage with the public to develop a jury process that would address public health concerns while also protecting constitutional rights and resolving pending cases.

Named for the founder and former director of NCSC's Center for Jury Studies, G. Thomas Munsterman, the award recognizes states, local courts, organizations, and individuals that have made significant improvements or innovations in jury procedures, operations, and practices.

During the height of the pandemic, Judge Ryan connected with the local PBS station to invite randomly identified individuals to share their pandemic-related reservations about jury service. The participants viewed a video of the judge explaining the process and safety precautions in place. He also answered questions from the participants to better understand their concerns.



(From left) Retired Judge Gregory E. Mize presents District Court Judge Thomas Kelly Ryan with the 2022 G. Thomas Munsterman Award for Jury Innovation.



Sandra Day O'Connor Award for the Advancement of Civics Education

Each year, NCSC awards the Sandra Day O'Connor Award for the Advancement of Civics Education. This award recognizes an organization, court, program, or individual who has promoted, inspired, improved, or led an innovation or accomplishment in the field of civics education related to the justice system. The 2022 recipient was the iEngage Summer Civics Institute at Baylor University. Founded in 2013, the Baylor iEngage Summer Civics Institute is a free, five-day civics camp designed to help middle school students learn how to make a difference in their schools, neighborhoods, and communities.

Pictured: Karon LeCompte, Ph.D., of the iEngage Summer Civics Institute at Baylor University, receives the 2022 Sandra Day O'Connor Award for the Advancement of Civics Education from Rhode Island Supreme Court Chief Justice Paul A. Suttell (left) and Texas Supreme Court Chief Justice Nathan Hecht (right).

New approaches for supporting the "Bills" in our communities

By Circuit Judge Nan G. Waller Multnomah County, Oregon

have a probationer, Bill, who came to court one day in the cold of winter even though he had no hearing. He begged to be taken into jail because he was, in his words, "in every kind of crisis." He was exhausted, dehydrated, cold and hungry. He had lost his medication that helped calm his mind. He broke down in tears, begging to go to jail, when I gently explained that I had no basis to take him into custody. There were no doors open to him to address his mental illness, his substance abuse, his lack of housing and his hunger. That day we did our best — we gave Bill food and water and made calls to find him help.

While Bill's visit didn't fit into the typical use of a courtroom and a judge, there are lessons to learn from his story. We have invested significant (although not nearly sufficient) resources into the behavioral health system. Too often, however, those in the criminal justice system with behavioral health issues are literally left out in the cold when programs and housing reject them because of the acuity of their symptoms or the stigma of having criminal charges. The Bills in our communities, in the eyes of many, are simply a problem, a nuisance who need to be off the streets. Bill continues to show up for court regularly not because we are armed with solutions but because we recognize Bill's humanity and in doing so provide Bill with the dignity and hope that he needs to keep going. This is the power of procedural justice.

There are days when it has felt like I am presiding over dockets of despair given the lack of options for



the individuals appearing before me. I have had the privilege, however, of working on the National Task Force to Examine State Courts' Response to Mental Illness over the past two years. The Task Force has just released its final report to help judges lead change at the complicated intersection of the courts and mental illness.

My hope for the future is that we will fully implement the recommendations of the Task Force and in doing so a chorus of voices across the country will lead to true change by developing a comprehensive system of care with appropriate off ramps from the criminal justice system, by improving access to treatment and by allowing all of us to see individuals driven into the justice system by their mental illness for their humanity and not through the veil of stigma. That is my lesson of hope from Bill and from the work of the Task Force.

Adapted from Judge Waller's remarks at the William H. Rehnquist Award dinner at the Supreme Court of the United States on November 17, 2022.





William H. Rehnquist Award for Judicial Excellence

Multnomah County Circuit Judge Nan G. Waller is the recipient of the 27th Annual William H. Rehnquist Award for Judicial Excellence. One of the highest judicial recognitions in the country, the Rehnquist award honors a state court judge who demonstrates the outstanding qualities of judicial excellence, including integrity, fairness, open-mindedness, knowledge of the law, professional ethics, creativity, sound judgment, intellectual courage, and decisiveness.

Judge Waller — who has a rich history of judicial and legal service at the local, state, and national levels — was recognized for numerous contributions that include developing innovative approaches to family law, mental health, and equity and racial disparity; and adopting new ways of thinking about statewide electronic filing and case management and courthouse planning.

RESPONDING TO MENTAL ILLNESS

Task force issues recommendations for courts

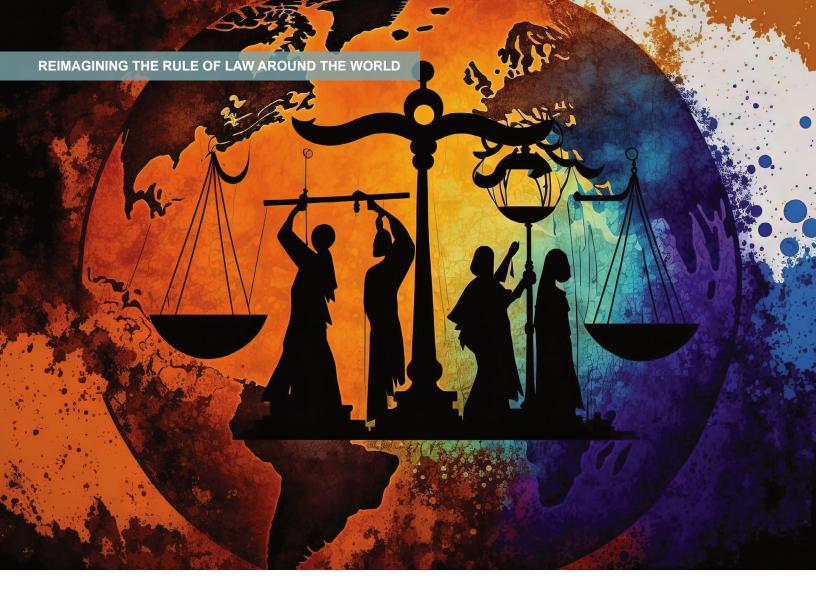
Understanding the critical need to identify new ways to address the needs of court involved individuals with severe mental illness, NCSC facilitated a multi-year study by the National Judicial Task Force to Examine State Courts' Response to Mental Illness that concluded in 2022.

The task force of more than 40 judges, court leaders, and behavioral health experts released findings and recommendations that encouraged state courts to:

- Convene justice and behavioral health system partners to identify opportunities to collaboratively improve responses to individuals with behavioral health disorders.
- Promote processes to identify and divert individuals with behavioral health disorders at every stage of system involvement toward treatment and away from further penetration into the criminal justice system.
- Examine current case management and calendaring practices and implement strategies to more quickly and effectively address issues presented in cases involving individuals with behavioral health needs.

NCSC is now working with pilot courts to test task force recommendations to more fully understand the complexities of planning and implementing mental health diversion in local communities.

Visit ncsc.org/behavioralhealth to watch the recording of the virtual launch webinar with judges and mental health experts and download a copy of the final report and recommendations.



Strengthening global justice institutions through collaboration

Beyond the United States, NCSC is strengthening democratic institutions and the rule of law in post-conflict societies and developing democracies through relationships with donor agencies, host-country governments, and non-governmental organizations.

The International Programs Division engages in program management, proposal development, staff recruitment, and strategic engagement to deepen our partnerships in more than 30 countries throughout

Eastern Europe, Asia, the Middle East and North Africa, Latin America, and the Caribbean. NCSC also maintains an active role in the international court community through involvement in organizations including the International Association for Court Administration and International Organization for Judicial Training.

Since its inception in 1992, the division has developed a number of long-standing relationships with court systems including ones in Bangladesh and Tunisia.



Bangladesh

For years, NCSC has worked in Bangladesh to strengthen the capacity of courts to manage and adjudicate terrorism cases and complex financial crimes by increasing awareness of international best practices, delivering trainings and improving case management.

In 2022, NCSC organized virtual trainings for 263 judges, prosecutors, and court staff to address topics including caseflow management, digital evidence and court administration. This instruction equipped participants with applicable skills training, case study exercises and a forum for discussion and collaboration.

Additionally, NCSC has worked to improve access to justice by procuring audio/visual equipment to improve the court user experience and providing training and resources to panel lawyers and clients to increase awareness of legal aid services.

Awareness events have reached nearly 12,500 citizens through more than 700 activities that included courtyard meetings, cultural events, and public hearings. Contact with an additional 4.2 million citizens occurred during mobile events.

Tunisia

In 2022, NCSC continued work in Tunisia on several court administration, modernization and anti-corruption projects.

To increase accountability, the center is providing technical assistance and

training for adjudicating corruption and complex financial crimes cases. The work has focused on improving the prevention, detection, investigation, and prosecution of corruption cases; strengthening asset declaration and whistleblower protection; increasing capacity and operations of public controllers and the court; increasing transparency and efficiency of registration processes; and supporting the establishment of a constitutional court.

NCSC also initiated a series of IT procurements to support the court's decentralization and digitalization, including the creation of new regional chambers, installation of courtrooms in regional chambers, setup of training rooms and a computer lab, and the development of an electronic platform to automate case management and annual programming and reporting.

Global

In addition to individual court projects, NCSC is developing tools to address broad global concerns like the Mitigating Bias and Countering Discrimination Training Development Program. These training materials will educate international criminal justice actors on understanding and recognizing how implicit and explicit biases and discrimination can occur in their criminal justice systems and identifying actions they can take to mitigate their impact. Ultimately, the program aims to improve the experiences of individuals engaging with, entering in, and processing through the criminal justice system around the world.

Global Impact



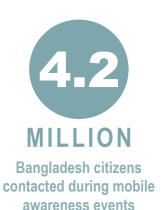
Active rule of law projects



More than 1,000 persons trained by NCSC experts and trainers



More than 50,000 individuals reached in NCSC-supported community events





Advancing long-term adoption of hybrid and remote hearings

s "normal" operations resume, many courts are evaluating the successes and failures of remote hearings. They're also looking at opportunities for increased access to justice as emphasis shifts from physical court locations to virtual public participation and delivery of court services.

Tapping into subject-matter experts and drawing from the national court community, NCSC has produced a wealth of webinars, toolkits, and guides on remote and hybrid hearings that cover a variety of topics that address policies and procedures, guiding principles, and technology. In the field, NCSC has partnered with dozens of courts as part of the Hybrid Hearings Improvement Initiative. Pilot sites in 12 states are working with NCSC staff to identify technical and operational solutions to improve hybrid hearings in these local jurisdictions. NCSC also facilitated implementation labs with more than 60 additional courts to test approaches and develop best practices and lessons learned.

Insights from these courts and NCSC's technology partners will inform updated guidelines and best practices that can be adapted for all types of proceedings and technology infrastructures.



Warren E. Burger Award for Excellence in Court Administration

Longtime Lane County (Ore.) Trial Court Administrator Liz Rambo has been named the recipient of the Warren E. Burger Award for Excellence in Court Administration. Rambo has been the trial court administrator in Lane County Circuit Court in Eugene since 2008.

A 35-year employee of the Oregon Judicial Department, Rambo is known for her leadership, innovation and mentorship. Locally, she developed a model Pretrial Release Program that has been adopted statewide. She also worked closely with county leaders to complete a six-year project to retrofit the courthouse to ensure it was ADA accessible.

Beyond Lane County, Rambo actively participates on several statewide court committees, including service as the vice chair of data governance advisory committee.

The Warren E. Burger Award for Excellence in Court Administration is named for the late chief justice of the United States, who was instrumental in founding NCSC and its Institute for Court Management. The recognition honors individuals who make significant contributions to the field of court administration through management and administration, education and training, or research and consulting.



Liz Rambo

REMOTE HEARINGS IN TEXAS COURTS

Virtual hearings take longer, but increase access

Early into the pandemic, leaders in Texas recognized the potential of adopting remote hearings on a more permanent basis. Yet many questions remained, and data needed to be captured in a timely manner to inform future decisions.

Working with NCSC, the Texas Office of Court Administration set out to answer these questions in the first national review of remote hearings data. The 12-month study analyzed both 1.25 million minutes of judicial data and focus group feedback from judges and court leaders in eight counties across Texas.

The report found that remote proceedings take about a third longer than in-person hearings but also provide increased access to justice as litigants can more easily attend and participate in hearings. The additional hearing time was largely attributed to technology-related issues and lack of preparation by participants — both which can be addressed through a series of recommendations, which include:

- Hiring "technology bailiffs" who can prepare remote participants for their hearings and handle technology glitches.
- Creating guidelines to determine which hearings should be in-person or remote.
- Scheduling hearings efficiently while also considering litigant participation.

- Ensuring paperwork is completed before hearings begin.
- Providing easily accessible systems for participant use.
- Encouraging judges to take breaks between hearings.

"The option to participate in a court hearing remotely continues to be overwhelmingly supported by the public," said Jeffrey Tsunekawa, director of research and court services for the Texas Office of Court Administration. "It's a major step forward in the area of access to justice."

Administratively, the Texas Supreme Court has issued a final order and approved new and amended rules to further define how and when remote proceedings may occur.

Today, Tsunekawa said Texas courts are still working through courtroom design logistics and technical equipment requirements to best accommodate attendees both in-person and remotely.

"There is no perfect solution, but there are definitely increased options," he said.

LEARN MORE > ncsc.org/txremote



Growing court leadership development opportunities both in-person and online

Management has delivered training and education to judicial branch personnel in emerging areas of court leadership and management concepts, case management, human resources management, court performance standards, and other areas deemed critical to professional development.

Its flagship experience, the ICM Fellows program, is its highest level of certification and demonstrates a court professional's advanced knowledge of a broad range of court administration and leadership topics and skills — culminating in a final research project, panel presentation, and graduation ceremony at the Supreme Court of the United States. It has graduated





over 1,300 members from across the country, and internationally.

The pandemic forced the Fellows program to go virtual. Now, ICM is embracing lessons learned to update its rigorous professional development program — which means maximizing the benefits of distance learning, while also looking for ways to reap the benefits of in-person collaboration. The Fellows 50th class —which graduated in 2022 — lined up with some of the biggest challenges presented by the pandemic. As a result, much of the program was held virtually. Students from across six time zones — the Caribbean, Alaska, California, Hawaii, Maryland, Nevada, and North Dakota — graduated from the



program, without those students coming together in person a single time. All learning was done virtually.

"The ICM Fellows program was a tremendous experience," said Brandon Kimura, a graduating student from Honolulu who serves as the deputy administrative director of the Hawai'i State Judiciary. "As an all-virtual cohort, we were able to — and circumstances required us to — engage each other at a quick pace for quick feedback. This lent itself to informal communications, which led us to quickly build relationships. Nevertheless, that the pandemic understandably precluded us from spending time face-to-face was unfortunate."

ICM has taken lessons from the pandemic to heart. New participants will now progress through the ICM Fellows program on a single track — with all candidates having completed both the certified court manager and certified court executive certifications in advance. However, to deepen bonds and relationships within the cohort, participants will resume spending time at NCSC headquarters in Williamsburg for activities with NCSC leadership and research staff, and will again gather at the end of their program for graduation at the Supreme Court of the United States.

The hybrid approach appeals to court leaders like Kimura.

"ICM's incredible content and the benefits of learning and networking with colleagues in other jurisdictions has been invaluable to our team — all with great savings of travel time and funding," he said.



(From left) Chief Judge Anita Josey-Herring of the DC Superior Court, Judge Kimberly Bacon of the Lawrence Township Small Claims Court in Marion County (Ind.), and Nikki Del Casale, a tenant organizer, share the impact of evictions in their communities during NCSC's Eviction Diversion Initiative announcement in Washington, D.C.

Eviction diversion initiative helps courts reimagine evictions

In 2022, NCSC expanded its ongoing eviction diversion work with the launch of the **Eviction Diversion Initiative**. This four-year grant program provides state and local courts with funding for dedicated court staff and technical assistance and support from NCSC to advance their efforts to create holistic, sustainable, and community-driven resolutions to housing problems. A \$10 million grant from the Wells Fargo Foundation helped NCSC begin its work in 12 jurisdictions with additional sites anticipated in 2023.

"The work of the first EDI cohort has been nothing short of transformative," said Samira Nazem, an NCSC principal court management consultant. "The EDI facilitators have been able to reposition longstanding court processes as opportunities for landlords and tenants to access the legal, financial, and supportive services they need to leave the courthouse in a better position than when they started."

Expanding access offerings to support justice for all

Everyone who comes to court has the right to be heard. All too often, the biggest barrier to being heard is the court itself. Many litigants are confounded and discouraged by complex court processes and the dense legal language of court forms.

Simplifying court processes and paperwork is essential to improving both access to justice for all litigants and court efficiency. NCSC's Forms Camp, which debuted in 2022, offered free webinars that provided guidance from national experts and hands-on workshops to simplify and improve court forms.

Using plain language is also critical to ensuring greater access to court services. NCSC's interactive plain language glossary helps courts identify ways to better communicate legal terms and activities to the general public.

NCSC's Tiny Chats video series continues to focus on what courts are doing to improve public access to justice. Topics have included e-filing for self-represented litigants, procedural fairness, and plain language.

DISCOVER MORE RESOURCES ➤ ncsc.org/a2j



(From left, top) Tiny Chat hosts Danielle Hirsch and Zach Zarnow explore access to justice issues with national court leaders and experts, including (from left, bottom) Washington Chief Justice Steven C. González and Connecticut Chief Justice Richard A. Robinson.



Preparing courts to be "future-ready"

The **Just Horizons initiative** has spent the past few years examining and testing a variety of vulnerabilities and scenarios to develop guidance and actionable resources and tools designed to ensure state courts are "future-ready." The council identified 13 drivers of change and six areas of vulnerability that courts must be prepared to address to successfully deliver high-quality justice in the years to come.

The vulnerabilities identified are:

- Including a forward-looking, anticipatory capacity in court governance
- Focusing on user-centered experience and inclusive design
- Embracing a data-driven mindset
- Understanding the role of private entities in court work
- Preparing for emergencies
- Cultivating a future-ready workforce and workplace

LEARN MORE > ncsc.org/justhorizons

WARREN E. BURGER SOCIETY

The National Center for State Courts' Warren E. Burger Society honors those who have volunteered their time, talent, and support to NCSC in exceptional ways.

The Burger Society is named for the former Chief Justice of the U.S. Supreme Court who helped found NCSC in 1971. We are proud to recognize the following society members.

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STEPHEN H. BAKER
S. JACK BALAGIA, JR.
ROBERT N. BALDWIN
CURTIS H. BARNETTE
LUTHER J. BATTISTE III
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