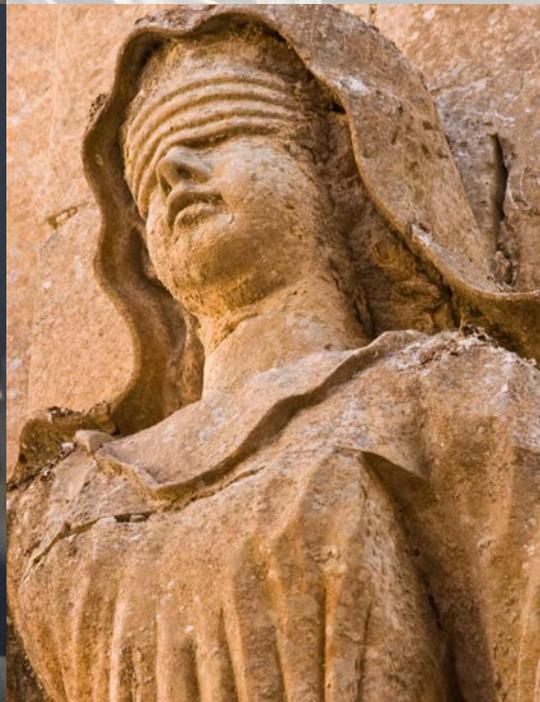




# NCSC

2019 ANNUAL REPORT



*The National Center for State Courts promotes the rule of law and improves the administration of justice in state courts and courts around the world.*

**NCSC Management Team**

**Mary C. McQueen, *President***

**Robert Baldwin, *Executive Vice President & General Counsel***

**Michael Buenger, *Executive Vice President & Chief Operating Officer***

**Jeff Apperson, *Vice President, NCSC International***

**Pamela Casey, Ph.D., *Vice President, Research***

**Daniel J. Hall, *Vice President, Court Consulting Services***

**John R. Meeks, *Vice President, Institute for Court Management***

**Jesse Rutledge, *Vice President, External Affairs***

**Gwen W. Whitaker, *Chief Financial Officer & Vice President, Finance & Administration***

**Trusted Leadership. Proven Solutions. Better Courts.**



STANDING, FROM LEFT Jeff Apperson, Jesse Rutledge, Mary C. McQueen, John Meeks, and Daniel Hall  
SITTING, FROM LEFT Gwen Whitaker, Michael Buenger, Robert Baldwin, and Pamela Casey

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*The National Center for State Courts was established in 1971 at the urging of Chief Justice of the United States Warren E. Burger. NCSC continues to be led by the collective effort of brightest and most innovative minds on issues and trends that impact the justice system. NCSC is governed by the Conference of Chief Justices and the Conference of State Court Administrators and is closely aligned with 15 other national court associations.*

*Our staff is composed of specialists in a range of fields, from economics and sociology to political science and the law. Each discipline contributes a unique perspective, but it's the blend of these skills and knowledge that NCSC combines effectively to conduct meaningful research.*

This report includes photos of some of the nation's state supreme court buildings that were included in a 2013 book published by the Conference of Chief Justices.

# Board of Directors 2019–2020

## CHAIR

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*Chief Justice, Supreme Court of Texas*

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*State Court Administrator  
Supreme Court of Rhode Island*

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*President, National Center for State Courts  
Williamsburg, Virginia*

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**Elena R. Baca**  
*Paul Hasting  
Los Angeles, California*

**Jennifer D. Bailey**  
*Circuit Court Judge  
Miami, Florida*

**Barry P. Barbash**  
*Willkie Farr & Gallagher  
Washington, DC*

**Luther J. Battiste III**  
*Johnson, Toal & Battiste  
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*District Court Administrator  
Athens, Georgia*

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New Brunswick, New Jersey*

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*Vice President & General Counsel  
Exxon Mobil Corporation  
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**Jimmie M. Edwards**  
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**Michael J. Harrington**  
*Sr. Vice President & General Counsel  
Eli Lilly and Company  
Indianapolis, Indiana*

**Sally A. Holewa**  
*State Court Administrator  
Supreme Court of North Dakota*

**Gary W. Lynch**  
*Judge, Court of Appeals  
Springfield, Missouri*

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*Sr. Executive Vice President & General  
Counsel  
AT&T, Inc.  
Dallas, Texas*

**Dan W. Mozena**  
*U.S. Ambassador (retired)  
Silver Spring, Maryland*

**Kathleen Flynn Peterson**  
*Ciresi Conlin, LLP  
Minneapolis, Minnesota*

**Paul L. Reiber**  
*Chief Justice, Supreme Court of Vermont*

**Thomas W. Ross**  
*President, Volcker Alliance, Inc.  
New York, New York*

**Toko Serita**  
*Judge, Queens Criminal Court  
Kew Gardens, New York*

**Jeff Shorba**  
*State Court Administrator  
Supreme Court of Minnesota*

### FRONT ROW, FROM LEFT

Russell C. Deyo  
Elena R. Baca  
Sally A. Holewa  
Mary C. McQueen  
Chief Justice Nathan Hecht  
J. Joseph Baxter  
Judge Jennifer D. Bailey  
Luther J. Battiste III  
Laurie K. Dudgeon

### SECOND ROW, FROM LEFT

Dan Mozena  
Kathleen Flynn Peterson  
Chief Justice Paul L. Reiber  
Tracy "T.J." BeMent  
Deborah J. Daniels  
Chief Justice Paul A. Suttell  
Judge Toko Serita

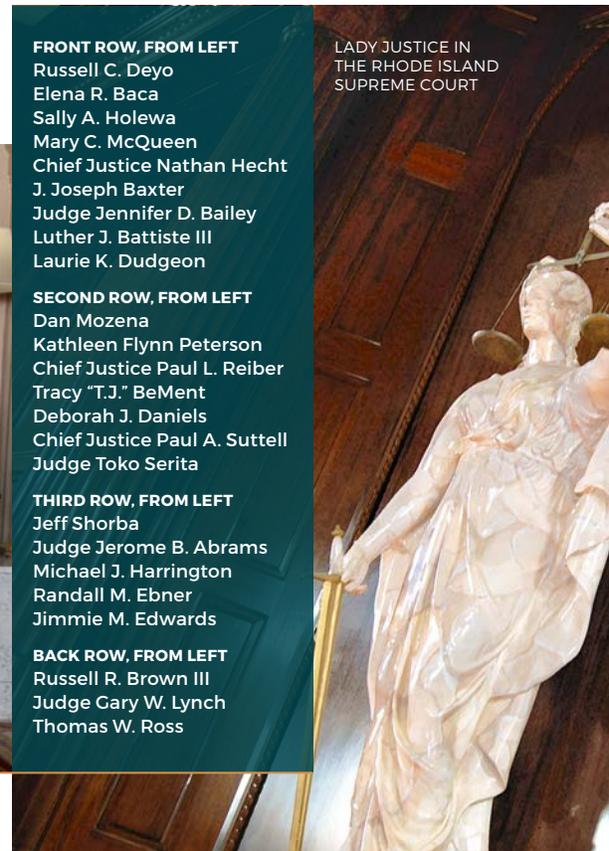
### THIRD ROW, FROM LEFT

Jeff Shorba  
Judge Jerome B. Abrams  
Michael J. Harrington  
Randall M. Ebner  
Jimmie M. Edwards

### BACK ROW, FROM LEFT

Russell R. Brown III  
Judge Gary W. Lynch  
Thomas W. Ross

LADY JUSTICE IN  
THE RHODE ISLAND  
SUPREME COURT



*Mary Campbell McQueen*  
 PRESIDENT  
 National Center for State Courts



*Nathan C. Hecht*  
 CHAIR  
 Chief Justice of Texas Supreme Court

## Message from the President and the Chair of the Board of Directors

There's an adage that was first attributed to Mark Twain in 1919: "A lie travels around the globe while the truth is putting on its shoes." Other versions of this quote also have been mistakenly attributed to Thomas Jefferson and Winston Churchill. However, we do know that Jonathan Swift wrote in a 1710 article: "Falsehood flies, and the Truth comes limping after it."

Disinformation and misinformation campaigns are nothing new in political campaigns. But social media has rendered them swifter and more invasive where even the courts are not immune. Chief Justice of the United States John Roberts, Jr., recognized the challenge presented by online disinformation in his 2019 annual report of the federal judiciary:

*In our age, when social media can instantly spread rumor and false information on a grand scale, the public's need to understand our government, and the protections it provides, is ever more vital.*

Unfortunately, the truth of what happens in our nation's courts all too often limps behind while the lies and distortions fly ahead. Controversial court decisions are often criticized not only by those who may have legitimate reasons to disagree with them, but also by Internet trolls who enjoy conflict as "entertainment" or foreign governments who want to undermine our legal system by sowing distrust about how justice works.

In 2019, the National Center for State Courts (NCSC) announced its intention to combat disinformation campaigns that target state courts. We held focus groups with the public and work sessions with court leaders to determine strategy. In 2020, NCSC is establishing an early alert system to monitor social media directed at courts and providing training for court officials to counteract the attacks.

This disinformation campaign is just one example of how NCSC is working to strengthen the leadership and governance needs of the state court community while enhancing public trust and confidence in our justice system. In 2019, NCSC launched the inaugural Judicial Leadership Academy to improve the core leadership skills of judges and court executives who work together on court operations. The overwhelming response by court leaders to the Academy demonstrated the judiciary's interest in and need for specialized training.

With our world-class team of researchers, consultants, and judicial educators, the National Center for State Courts is uniquely positioned to take on these and other challenges faced by state courts.

In this *Annual Report*, you will learn about other notable NCSC initiatives, including:

- the national Court Technology Conference, CTC 2019;
- the final report of the National Judicial Opioid Task Force; and
- the results of the annual State of the State Courts Survey.

We hope you find this report enlightening and that you join us in our efforts to improve court operations and public trust and confidence in the justice system. NCSC thanks the state court community, our clients, grantors, and donors who support our mission and make it possible for us to make an impact.



## Research & Evaluation

VADM JEROME M. ADAMS, U.S. SURGEON GENERAL

### National Judicial Opioid Task Force Releases Final Report

Following more than two years of field hearings, cross-disciplinary partnerships, and in-depth study of best practices, the National Judicial Opioid Task Force (NJOTF) in November 2019 released its final report, which outlines a comprehensive approach for judges to tackle the addiction crisis. The report calls for state court judges to exercise leadership and to advocate for the availability of quality, evidence-based treatment as the most effective response to the addiction crisis. The report emphasizes the need for judges to engage in individualized assessments that contain mental health and behavioral health conditions, detoxification services (including the use of medication-assisted treatment), and psychosocial services to build resilience and recovery.

The report was welcomed by the nation's top public health official, VADM Jerome M. Adams, U.S. Surgeon General,

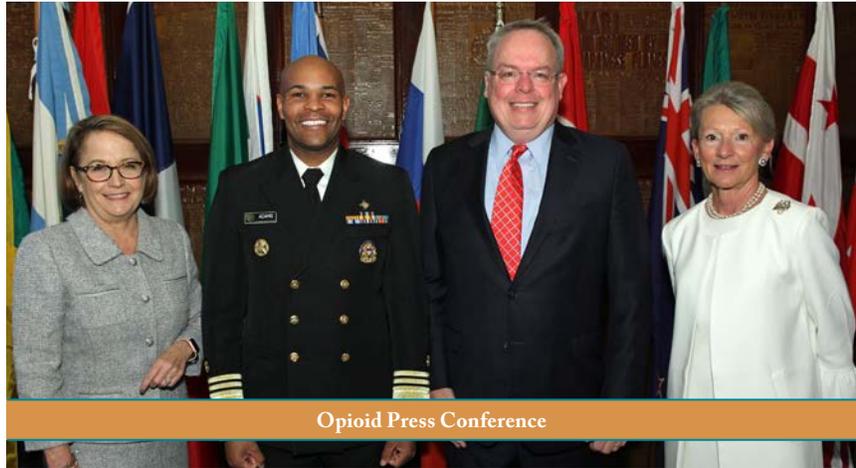
who spoke at the launch of the report at the National Press Club in Washington, D.C. He was joined by James Carroll, director of the White House Office of National Drug Control Policy. Task force co-chairs Indiana Chief Justice Loretta H. Rush and Tennessee Director of Courts Deborah Taylor Tate, and the task force's Executive Committee, hosted the event. Thirty-four state court leaders representing 24 states served on the task force.

Research shows the criminal justice system is the single largest source of referral to substance-use-disorder treatment. The report states that "the opioid epidemic is not just a criminal justice issue," but impacts every court in the country, highlighting that foster care rates have spiked in recent years as the crisis strains the nation's child welfare system.

The NJOTF was established in 2017 by the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA). NCSC staffed the task force, and the State Justice Institute provided funding.

[ncsc.org/opioids](http://ncsc.org/opioids)

Loretta Rush, *NJOTF Co-Chair Indiana Chief Justice*  
 VADM Jerome M. Adams, *U.S. Surgeon General*  
 James Carroll, *Director of White House, Office of  
 National Drug Control Policy*  
 Deborah Taylor Tate, *NJOTF Co-Chair,  
 Tennessee Director of the Courts*



Opioid Press Conference

*“The opioid crisis has ravaged communities across the country.  
 Everyone has a stake in our response, including our court systems.”*

JEROME M. ADAMS, U.S. SURGEON GENERAL

## Removing Obstacles to Justice

The **Justice for All Initiative**, led by NCSC in partnership with the Self-Represented Litigation Network, offers a framework for systematically expanding access to justice in 14 states: Alaska, Colorado, Florida, Georgia, Hawaii, Illinois, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Montana, New Mexico, and New York. The initiative involves a broad range of stakeholders in reform to address the needs of litigants, as well as people with unmet civil legal problems who could benefit from legal help — even if they don’t yet realize their problems have a legal solution.



PHOTO LEFT

To release the NJOTF’s final report, an event was held at the National Press Club in Washington, D.C. with support from the U.S. Surgeon General Jerome M. Adams.

## Building Public Trust

Surveys show that the public trusts the courts more than the other branches of government, but there is still deep-seated mistrust of courts in many communities. With that in mind, NCSC is leading the **Public Engagement Pilot Projects**, which aim to prove ways to build trust and confidence in the courts. The project is initially working in six jurisdictions:

- Massachusetts Trial Court
- Nebraska Supreme Court
- Franklin (Ohio) Municipal Court
- Kansas City (Mo.) Municipal Court
- Puerto Rico Judicial Branch
- Texas Office of Court Administration

CALIFORNIA COURTHOUSE CEILING



## Research & Evaluation *continued*

### Protecting Children

Reforming the child welfare system, including foster care, was the overriding theme of the **National Judicial Leadership Summit on Child Welfare** held in Minneapolis and co-hosted by NCSC. More than 500 court leaders and others representing child welfare agencies from 52 states and territories and eight Native American tribes gathered to chart a new course. The summit revolved around five themes:

- Giving voice to families
- Delivering high-quality legal representation
- Preventing the unnecessary entry of children into foster care
- Ensuring fairness and access to justice
- Leading reform from the supreme court and the administrative office of the courts

### Gauging Public Opinion

Courts must figure out the most effective way to communicate with the public, especially on social media, according to NCSC's sixth annual **State of the State Courts Survey**. Three out of four Americans report using Facebook regularly, and respondents under 40 are much more likely to turn to social media for information about the courts than the rest of the population. While a whopping 80 percent of Americans over 50 say they never use Instagram, about one-third of those under 50 report using it daily.

The survey findings come at a time when the justice system has become a target of disinformation efforts, often from fake social media accounts. The 2019 survey provides initial guidance for courts to combat disinformation, including focusing on messages that promote shared values and stronger civics knowledge.

[ncsc.org/survey](https://ncsc.org/survey)

## 2019 State of State Courts Survey

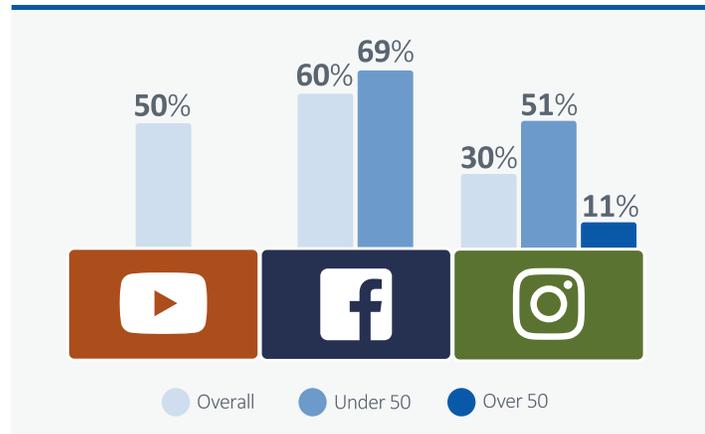
### // FIGURE 7B

Social media usage varies by platform—and by other demographic characteristics.

STATE OF THE STATE COURTS

**Q:** “How often do you use each of the following social media platforms?”

Percentage saying they use this social media platform daily or weekly.



// 2019 POLL 12



ROTUNDA ON THE 5TH FLOOR OF THE SCOTT M. MATHESON COURTHOUSE WITH A VIEW OF THE ENTRY TO THE UTAH SUPREME COURT



## Court Services

NEBRASKA STATE COURT ADMINISTRATOR COREY STEEL  
NATIONAL PANDEMIC SUMMIT

### Preparing for a Pandemic

**N**CSC coordinated the first-ever **National Pandemic Summit** in Omaha, Nebraska in May 2019, bringing court leaders, public health officials, legislators, and government executives together to discuss how states need to prepare for a pandemic. Health crisis, like pandemics, raise many legal issues and often require judges to order quarantines with little notice.

Twenty-five states and three territories sent teams to the summit to discuss issues, such as: Who has the authority to quarantine? What are the penalties for not abiding by a quarantine? How will the courts remain open during a pandemic, while still protecting the health and safety of court staff and the public?

Nebraska Chief Justice Michael Heavican hosted the summit, which was held at the University of

Nebraska Medical Center, home to the country's largest biocontainment unit. The summit was long overdue, said Chief Justice Heavican. Quarantine laws and statutes in many states have not been updated or tested since the influenza outbreak of 1918, which killed approximately 50 million people worldwide, including more than 675,000 Americans.

Robert Kadlec, assistant secretary of Preparedness & Response for the U.S. Department of Health and Human Services, presented about the potential disease outbreaks facing our country and the overwhelming need for collaboration among the three branches of government. The summit was funded through a grant from the State Justice Institute.

*The United States' justice system is under attack as part of a long-term Russian effort to undermine the appeal of democracy and weaken the West. Like elections, the justice system depends on public trust in the legitimacy of its processes and outcomes. And like elections, there is documented evidence that justice systems are consequential targets in our adversaries' attempts to undermine democracy.”*

BEYOND THE BALLOT: HOW THE KREMLIN WORKS TO UNDERMINE THE U.S. JUSTICE SYSTEM  
BY SUZANNE SPAULDING, DEVI NAIR, AND ARTHUR NELSON

## Combating Disinformation

Russia isn't just interfering in our elections. The Kremlin has promoted false and distorted stories that make our justice system look corrupt and hypocritical. So says Suzanne Spaulding, a senior adviser with the Center for Strategic and International Studies, who has identified four themes that Russia is pushing across social media platforms. It claims our justice system:

- Tolerates, protects, and covers up crimes committed by immigrants;
- Operationalizes the institutionally racist and corrupt police state;
- Supports and enables corporate corruption; and
- Operates as a tool of the political elite.

Russia and other nations spread these lies by making personal attacks against judges, focusing on polarizing court decisions, and intentionally misleading people about other rulings.

In 2019 NCSC announced its intention to combat disinformation campaigns that target state courts. Working with Spaulding, NCSC held focus groups and brought together court professionals from around the country to coordinate efforts to fight disinformation campaigns. In 2020 NCSC plans to establish an early alert system and train court officials so they can recognize these campaigns and counteract them.

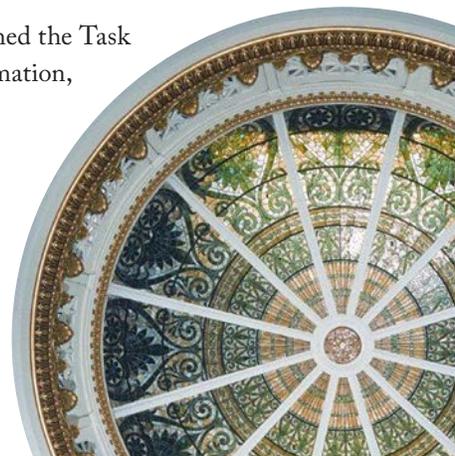
NCSC President Mary McQueen has called social-media-disinformation campaigns “the biggest attacks that we've seen on the judicial system.” And Chief Justice of the United States John Roberts cited them as a serious threat



Suzanne Spaulding, senior adviser with the Center for Strategic & International Studies.

to the judicial branch in his annual year-end statement. He said the judicial branch at all levels needs to work harder to educate the public so it can recognize the truth. NCSC viewed the chief justice's statement as validation that combating disinformation targeted at state courts is a good use of our time and resources.

Also in 2019, Arizona established the Task Force on Countering Disinformation, the first statewide group to study the problem and make recommendations on how to counter it.



## *Court Services continued*

### Defining Court Data

NCSC is leading the charge in a massive national effort to enable courts to provide relevant data to the public. NCSC researchers are working with court professionals around the country to develop a set of definitions, so courts can share consistent data, whether they're in Boise or Boston. Currently, states often define seemingly clear-cut terms, such as domestic violence and trials, differently. Besides defining terms, the **National Open Court Data Standards Project** hopes to reduce misinterpretation and enhance data-driven decision making on important court management and policy issues.

### Evaluating Drug Courts

Drug courts help many addicted defendants get their lives together but identifying the factors that make some drug courts more successful than others can be challenging. NCSC researchers and consultants are conducting evaluations to determine how drug courts operate, how they spend resources, and how effectively they help defendants kick their substance abuse problems. In 2019 NCSC conducted 14 evaluation projects in nine states: Arkansas, Delaware, Illinois, Maryland, Michigan, Nebraska, New Mexico, Virginia, and Wisconsin.

### Protecting Domestic Violence Victims

As a leader in guiding state courts on issues of domestic violence, NCSC is conducting four projects to protect victims by helping courts strengthen protection orders, improve language access for non-English-speaking victims, support staff who coordinate domestic violence programs, and use technology to protect victim privacy and remove identifying information from court documents.

### Working on Jail Reform

NCSC is working with the **MacArthur Foundation** on a massive project to examine the problem of over-incarceration. As one of MacArthur's 13 "strategic allies" on this project, NCSC's role is to communicate with the courts about this issue, develop resources to guide the

courts, and assist the 52 courts involved in the study. The communication work has produced a courts-and-jails website, a courts-and-jail discussion forum, and frequent social media posts.

### Guiding Online Dispute Resolution Work

When it comes to providing access to justice, NCSC is keeping a close eye on online dispute resolution (ODR). ODR allows people to use their smart phones and computers to file cases and communicate with other parties without appearing in court. eBay and other online retailers have been doing this for years to resolve disputes between buyers and sellers, and a growing number of people think it might revolutionize how people engage with the courts to settle disputes. NCSC guided this effort in 2019 by providing technical support to courts in several states that want to use it, by hosting the International ODR Forum in Williamsburg, Virginia, and by monitoring efforts in Utah, where court officials are receptive to using ODR in small-claims courts statewide.

### Examining Criminal Case Management

Every minute, 40 felony cases and 100 misdemeanor cases are resolved — about 18 million a year nationwide. That is one of the findings of a four-year effort by NCSC researchers to determine the best way to **conduct criminal case management**. A team examined data from more than 90 courts in 21 states. The researchers identified three common traits among courts that successfully manage these cases:

- Presiding judges who are committed to effective case management
- Excellent coordination among judges, court staff, prosecutors, and defense lawyers
- Attention to detail

More results from the Effective Criminal Case Management Project will be released in 2020.



**NCSC REMEMBERS  
IOWA CHIEF JUSTICE  
MARK CADY**

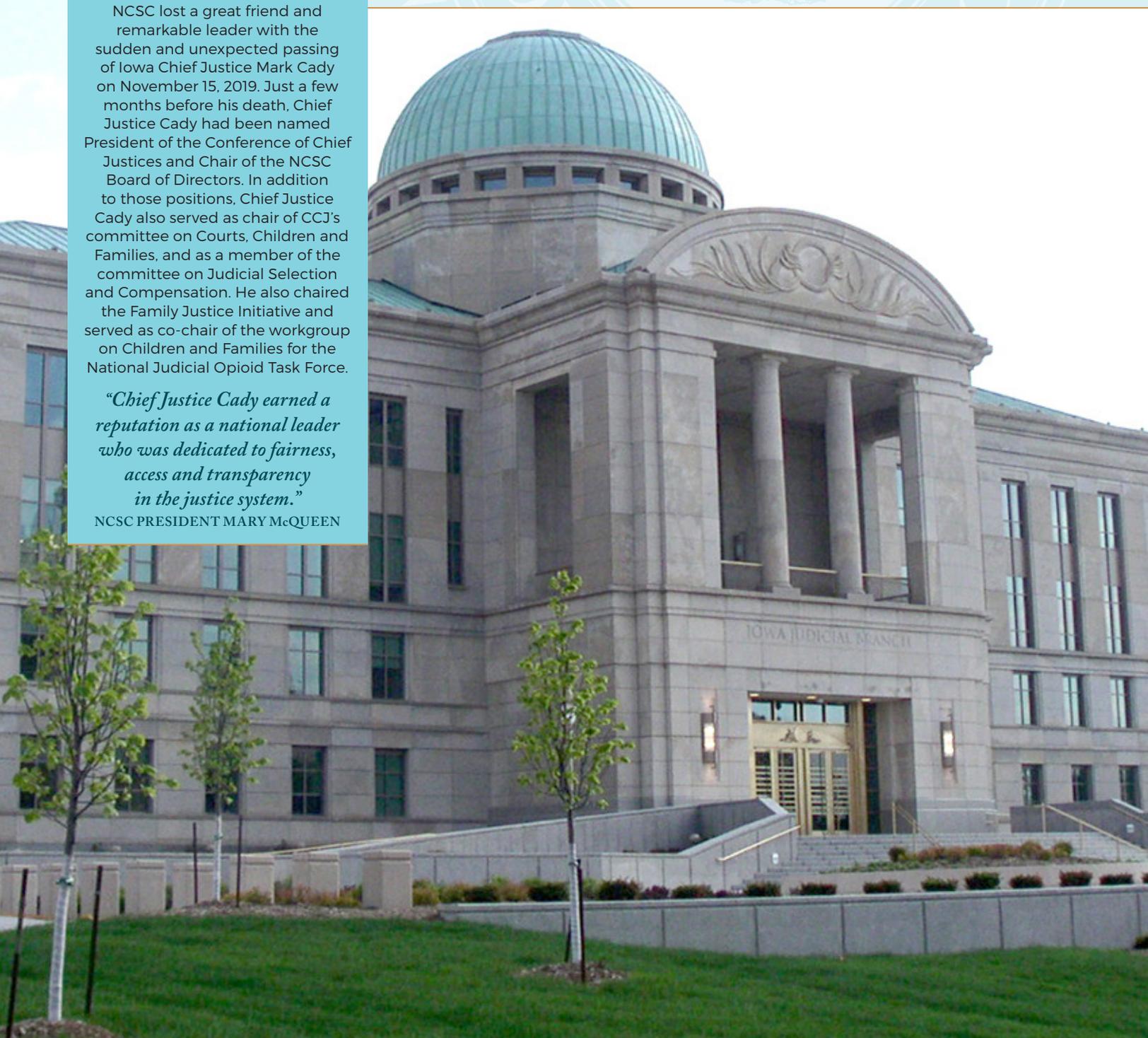
NCSC lost a great friend and remarkable leader with the sudden and unexpected passing of Iowa Chief Justice Mark Cady on November 15, 2019. Just a few months before his death, Chief Justice Cady had been named President of the Conference of Chief Justices and Chair of the NCSC Board of Directors. In addition to those positions, Chief Justice Cady also served as chair of CCJ's committee on Courts, Children and Families, and as a member of the committee on Judicial Selection and Compensation. He also chaired the Family Justice Initiative and served as co-chair of the workgroup on Children and Families for the National Judicial Opioid Task Force.

*“Chief Justice Cady earned a reputation as a national leader who was dedicated to fairness, access and transparency in the justice system.”*

NCSC PRESIDENT MARY McQUEEN

*“Justice endures when we promote public trust and confidence in our court system. Justice endures when citizens see the value of the services that our court system provides. Justice endures when citizens see their fair and impartial courts as essential to this American democracy. Justice endures when we all speak out against attacks on our fair and impartial courts.”*

IOWA CHIEF JUSTICE MARK CADY (1953–2019)



## Court Services continued

### Associations

*NCSC provides education and conference services to the 8,200 members of the 17 court-related associations we manage. In 2019, Association Services staff assisted in contracting, planning, and supporting nearly 30 court conferences and meetings.*

- Conference of Chief Justices (CCJ)
- Conference of State Court Administrators (COSCA)
- American Judges Association (AJA)
- Conference of Court Public Information Officers (CCPIO)
- Council of Chief Judges of the State Courts of Appeal (CCJSCA)
- Council of Language Access Coordinators (CLAC)
- Court Information Technology Officers Consortium (CITOC)
- International Association for Court Administration (IACA)
- Joint Technology Committee (JTC)
- Judicial Family Institute (JFI)
- National Association for Court Management (NACM)
- National Association for Presiding Judges and Court Executive Officers (NAPCO)
- National Association of State Judicial Educators (NASJE)
- National Association of Women Judges (NAWJ)
- National College of Probate Judges (NCPJ)
- National Conference of Appellate Court Clerks (NCACC)
- National Consortium on Racial and Ethnic Fairness in the Courts (NCREFC)



Women Chief Justices at Annual CCJ Conference

The 16 women chief justices who attended CCJ's 2019 annual conference in North Carolina gathered for a photo to honor the upcoming 100th anniversary of the passage of the 19th Amendment that gave women the right to vote.

FROM LEFT

Bridget Mary McCormack, *Michigan*  
 Mary Fairhurst, *Washington State*  
 Leigh Saufley, *Maine*  
 Maureen O'Connor, *Ohio*  
 Martha Walters, *Oregon*  
 Mary Ellen Barbera, *Maryland*  
 Cheri Beasley, *North Carolina*  
 Sharon Keller, *Texas Court of Criminal Appeals*

Patience Roggensack, *Wisconsin*  
 Elizabeth Walker, *West Virginia*  
 Katherine Maraman, *Guam*  
 Anna Blackburne-Rigsby, *District of Columbia*  
 Lorie Gildea, *Minnesota*  
 Judith Nakamura, *New Mexico*  
 Maite Oronoz Rodriguez, *Puerto Rico*  
 Loretta Rush, *Indiana*

# International

NCSC International last year continued to gain worldwide recognition for its work with courts in more than two dozen nations in Central and South America, Europe, Africa, and Asia.

In November, NCSC Vice President of International Programs Jeffrey Apperson attended a meeting with international dignitaries and USAID officials to discuss rule-of-law development on the global front. During that meeting, it became clear to Apperson that NCSC now administers 50 percent of the rule-of-law programs Internationally.

*“We’ve gone from implementer of programs to the builder of programs,” Apperson said. “I don’t want us to just be a leader, I want us to be a beacon for the greater good.”*

International employees, most of whom are based in Arlington, Virginia, performed a wide array of work in 2019, some of which is highlighted here.

Our employees:

- Helped judges and government officials in four countries — Bangladesh, Barbados, Costa Rica, and Tunisia — detect and combat corruption, money laundering, and terrorism financing.
- Provided training for prosecutors throughout Honduras.
- Worked in Myanmar to protect legal rights and promote access to justice.
- Trained administrative court clerks to better serve the public in Tunisia.
- Helped the Lebanese High Judicial Council create and use electronic archiving systems that will improve records maintenance and management.



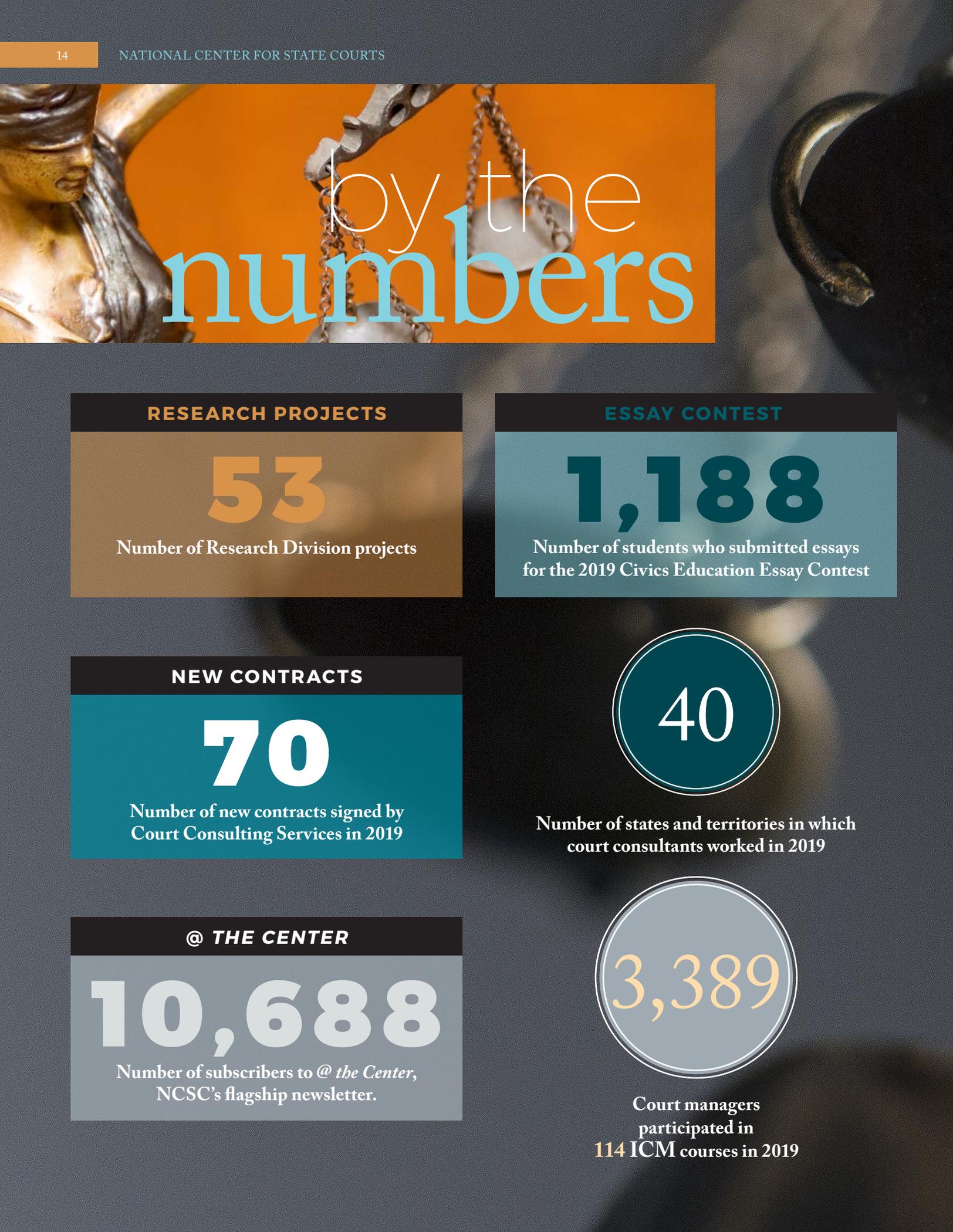
## INCREASING SCOPE OF INTERNATIONAL WORK

NCSC completed its six-year *Justice for All Program* in Bangladesh in 2019, which worked to improve access to justice for the poor and vulnerable by strengthening government legal aid services, promoting court excellence, increasing legal literacy, and empowering women professionals and law students.

- Provided training related to terrorism cases for female judges in Bangladesh.
- Showed court officials in Kosovo how free legal clinics expand access to legal information.
- Trained the next generation of judges, prosecutors, and defense lawyers in Bosnia and Herzegovina.
- Helped Guatemala’s Judicial Training Center develop a new work plan for all Judicial Training Centers in Central America and the Dominican Republic.
- Provided insight on guidelines to boost trust in the judiciary in Trinidad and Tobago.

NCSC International also recently announced new projects in Bangladesh, Tunisia, Malaysia, Lebanon, Honduras, Colombia, Peru, and Myanmar.

In 2019, 120 people from 27 nations participated in the International Visitors Education Program, which allows court officials from other nations to learn about courts in the United States. The largest nation by population to visit last year was China (1.4 billion), while its western neighbor, Mongolia (3.1 million), was the smallest.



# by the numbers

## RESEARCH PROJECTS

# 53

Number of Research Division projects

## ESSAY CONTEST

# 1,188

Number of students who submitted essays for the 2019 Civics Education Essay Contest

## NEW CONTRACTS

# 70

Number of new contracts signed by Court Consulting Services in 2019

# 40

Number of states and territories in which court consultants worked in 2019

## @ THE CENTER

# 10,688

Number of subscribers to *@ the Center*, NCSC's flagship newsletter.

# 3,389

Court managers participated in **114** ICM courses in 2019

27

Number of nations that sent delegations to visit NCSC offices in 2019

160

Approximate number of members of NCSC's lawyers and General Counsel committees

1,265

Court professionals *to date* who have earned Certified Court Manager credentials, and 360 have earned Certified Court Executive credential

### COURT TECHNOLOGY CONFERENCE

1,300

Approximate number of people who attended the Court Technology Conference in 2019

### RESEARCH DIVISION

\$17,065,767

Amount of federal, state and foundation funding for the Research Division

4,992

Number of NCSC Facebook followers as of Dec. 31, 2019

250

Approximate number of court leaders who attended NCSC's Judicial Excellence Events in 2019

162

Number of full-time NCSC employees as of Dec. 31, 2019



## Leadership & Education

### JUDICIAL BRANCH LEADERSHIP ACADEMY

## Establishing a Leadership Academy for Courts

In the public and private sector, leaders often are expected to train others, but who trains them? Often, no one. With that in mind, NCSC established the first Judicial Branch Leadership Academy to help judges and court executives become more effective leaders.

More than 40 chief justices, judges, and court executives from 21 states participated in the three-day program in Boston in October 2019. Current and former professors from Harvard, Boston, and Tufts universities taught the curriculum, which was developed by NCSC researchers. NCSC President Mary McQueen said the enthusiastic response to the Leadership Academy demonstrated the

judiciary's need and desire for specialized leadership training. "I view the Leadership Academy as a critical step toward what the National Center can contribute to the governance needs of the state court community."

The Leadership Academy focused on issues such as the need for leadership partners, the importance of establishing an organizational vision, and the ability to resolve leadership conflicts.

Participants praised the academy. Massachusetts Trial Court Chief Justice Paula Carey said, "We learned how to use enhanced listening skills to have difficult conversations and how to expand our vision and change management

#### PHOTO ABOVE

More than 40 chief justices, judges, and court executives representing 21 states participated in NCSC's inaugural Judicial Branch Leadership Academy held at Boston's John Adams Courthouse in October 2019. Faculty was led by former Dean of the Fletcher School of Law and Diplomacy at Tufts University, Jeswald Salacuse, and supported by professors from Harvard University, Boston University, and the Fletcher School.

within our court world. . . [W]e learned how we can use our status as judges and court administrators to facilitate disputes and discussions about systemic change.”

Tracy “T.J.” BeMent, court administrator for Georgia’s 10th Judicial District and president-elect of the National Association for Court Management, said the Leadership Academy offered good advice on how to negotiate with leaders of other branches of government. “Court leaders are often involved in high-level discussions when advocating for resources, judicial reform and other difficult topics. The academy helped us to better assess each player’s motivations while giving us the skills to educate them on the purpose of the courts.”



Jonathan Williams, court administrator of the Massachusetts Trial Court, and Sarah Thomas, administrative director of the Idaho Courts, discuss strategies for strengthening leadership skills.

*“We learned how to use enhanced listening skills to have difficult conversations and how to expand our vision and change management within our court world.”*

MASSACHUSETTS TRIAL COURT CHIEF JUSTICE PAULA CAREY

## ICM Reaching More Court Professionals, Expanding Courses, and Extending Services

In 2019, nearly 3,400 court managers from around the country participated in 114 Institute for Court Management courses offered either online or in person — a 19 percent increase over 2018. “This speaks to the demand for high-quality, relevant education that’s tailored for the court community,” said Margaret Allen, ICM’s director of National Programs. In 2019, ICM, which provides professional court development courses and specialized programs, had 259 people earn the Certified Court Manager (CCM) credential, 60 earn the Certified Court Executive (CCE) credential; and 13 court administrators and managers became ICM Fellows, ICM’s highest level of certification.

ICM continues to update and revise course curriculum and in 2019 launched two new courses in the CCE track: Executive Decision Making and Modern Court Governance.

In addition to providing high-level professional development, ICM’s Creative Learning Services (CLS) division provides instructional technology assistance to

various organizations within the court community via a wide range of projects. CLS continues its work with the National Association of Drug Court Professionals, developing a series of online learning modules designed to educate court professionals. After the 2018 introduction of a training module for lay guardians in Texas, the Texas Office of Court Administration reconnected with CLS to develop a Spanish-language version of the training, which launched in 2019.

In addition, CLS:

- Partnered with the Arkansas Administrative Office of the Court, to produce the second in a series of online courses designed to educate the state’s court security officers on critical aspects of security processes and procedures.
- Worked with the American Judges Association to redesign the online course Effective Adjudication of Domestic Abuse Cases, adding greater interactivity and engagement to this valuable resource for judges.



## Leadership & Education continued



### Producing a Video to Boost Jury Service

Jury trials are considered the backbone of our justice system, yet many people are unprepared when called for duty. Often, it's because they don't know what to expect — or what is expected of them. To answer these and other questions the public has about jury service, NCSC and the American Board of Trial Advocates (ABOTA) developed an “explainer” video: *Answering the Call for Jury Duty*.

The three-minute video explains who's eligible, what to do when summoned, and what happens when you're selected to serve. The video is available free for courts, schools, civic groups, and others to download and show or post on their websites.

[www.ncsc.org/jury-service](http://www.ncsc.org/jury-service)

*“People don't want courts.  
They want the outcomes courts bring.”*

RICHARD SUSSKIND  
IT ADVISER TO THE LORD CHIEF JUSTICE  
OF ENGLAND AND WALES

CTC keynote speaker Richard Susskind, IT adviser to Lord Chief Justice of England and Wales, talks to attendees about how online courts, AI, machine learning, and virtual reality may dominate court service in the not-so-distant future.

### Examining AI's Impact on the Courts

The **Joint Technology Committee** hosted the Augmented Intelligence Forum in Galveston, Texas for thought leaders in the courts, academia, and the private sector to discuss how artificial intelligence could and should be used in the courts. The Joint Technology Committee, a collaboration between NCSC, the Conference of State Court Administrators, and the National Association for Court Management, provides guidance on court technology standards, processes, and ethics through white papers and training for court leaders.

### Providing Cutting-Edge Technology Information

The **2019 Court Technology Conference**, NCSC's signature biannual conference and the largest court technology conference in the world, attracted about 1,300 court professionals to New Orleans in September for three days of education and training. This year's focus was on next-generation courts, access to justice, public trust, future tech roadmaps, and security — both cyber and physical. Richard Susskind, IT adviser to the lord chief justice of England and Wales, delivered the keynote address: “Online Courts and the Future of Justice.”





ROTUNDA OF ALI'IOLANI HALE, HAWAII SUPREME COURT



## Recognizing Court Leaders

JUDGE DUANE SLONE, LEFT, RECEIVES WILLIAM H. REHNQUIST AWARD FROM CHIEF JUSTICE OF THE UNITED STATES JOHN G. ROBERTS, JR.

### Tennessee Judge Receives William H. Rehnquist Award for Judicial Excellence

Tennessee Judge Duane Slone received NCSC's 2019 William H. Rehnquist Award for Judicial Excellence, one of the highest judicial honors in the country. Judge Slone, of the Circuit Court in the Fourth Judicial District, was recognized for his groundbreaking work helping people with opioid use disorder. Chief Justice of the United States John G. Roberts, Jr., presented Judge Slone the award during a ceremony at the U.S. Supreme Court, November 21.

The Rehnquist Award honors a state court judge who demonstrates the qualities of judicial excellence, including

integrity, fairness, open-mindedness, knowledge of the law, professional ethics, creativity, sound judgment, intellectual courage, and decisiveness. Judge Slone possesses each of those qualities, and more, said Tennessee State Court Administrator Deborah Taylor Tate. "Judge Slone has demonstrated outstanding judicial leadership, personal and professional integrity, and pure heart in using his platform as a judge to combat the opioid crisis ... He has been an innovator, an initiator, a collaborator, and a visionary . . . and most importantly, his numerous systemic changes have saved lives."

## Conversation with the Chief Justices

This year's conversation — between state supreme court chief justices and members of NCSC's General Counsel and Lawyers committees — included 17 chief justices and featured discussions about the use of technology to help self-represented litigants and whether lawyers could be the torchbearer for civics education through pro bono and/or CLE work.

Another discussion centered on using technology to help self-represented litigants. The chiefs touted online dispute resolution (ODR), which allows litigants to use their phones or computers to have cases resolved without stepping foot in a courtroom. Different versions of ODR are used in about 15 states, mostly for small-claims cases. The chiefs said it has a lot of potential in rural states, where there aren't enough lawyers.

## Justice Roundtable Tackles Opioid Epidemic's Impact on Business

NCSC's annual Justice Roundtable explores a topic relevant to state court leaders, attorneys, and general counsel. In 2019 Indiana Chief Justice Loretta Rush, co-chair of the National Judicial Opioid Task Force, led two panels of experts who discussed the toll the opioid epidemic is taking on the courts and business communities.

The first panel laid the groundwork, discussing how the perception of addiction — is it moral failure or disease — can impact courts' and communities' responses. Although scientific advances into how the brain works have led to a broader acceptance that addiction is a disease, resistance to this finding still exists in the criminal justice system.

The second panel tackled the financial impacts of the epidemic on employers. Panelists explained that 75 percent of people with substance use disorder are in the workforce, leading to absenteeism, increased costs, decreased productivity, on-the-job injuries and fatalities, and even employee arrests.



PHOTOS FROM TOP TO BOTTOM

FROM LEFT: Chief Judge of D.C. Court of Appeals Anna Blackburne-Rigsby, New Mexico Chief Justice Judith Nakamura, and South Carolina Chief Justice Donald Beatty participate in Conversation with Chief Justices.

Seventeen state court chief justices participate in a Q&A-type dialogue with members of NCSC's General Counsel and Lawyers committees.

Indiana Chief Justice Loretta Rush, left, and Chief Justice of the New Hampshire Superior Court Tina Nadeau lead a roundtable discussion about the importance of understanding the science of addiction.

Panelist Jonathon Copley, CEO of Aetna Better Health of Kentucky, talks about the impact the opioid epidemic has had on the workforce.

## Recognizing Court Leaders *continued*

### General Counsel Committee

Members of the National Center for State Courts General Counsel Committee commit to heightening the visibility of NCSC's mission and to developing and implementing future NCSC programs. In addition to their financial support, each member provides important outreach to the justice, legal, and business communities.



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## Supreme Court Justice Stephen Breyer: The Rule of Law Must Be Followed

In a Manhattan boardroom, corporate general counsels, state supreme court chief justices, and others gathered last summer to hear U.S. Supreme Court Associate Justice Stephen Breyer give his take on the often used, and sometimes misunderstood term, the “rule of law.”

“The rule of law, that’s something people pay a lot of lip service to, and they try to do it but not always perfectly,” Justice Breyer said. “So what is it? It’s a very simple thing. . . . It’s a fight against the arbitrary. That’s what it was in 1215. That’s why they made the king sign (the Magna Carta). I’m paraphrasing, but it said, ‘You will act according to the law. You will not take people you don’t like and throw them in jail (just because you don’t like them). There will be laws, judgment, etc.’”

Justice Breyer spoke at NCSC’s General Counsel Forum, hosted by the law firm Paul Hastings LLP. The event also included panel discussions on the international rule of law and on artificial intelligence. NCSC General Counsel Committee co-chair Randall M. Ebner, vice president and general counsel for Exxon Mobil Corp., moderated the panel on international rule of law. The committee’s other co-chair, Michael J. Harrington, senior vice president and general counsel for Eli Lilly and Company, moderated the panel on artificial intelligence.



Associate Justice of the U.S. Supreme Court Stephen Breyer talks to the more than 50 general counsel members and court leaders about how the rule of law is a “fight against the arbitrary.”

In Justice Breyer’s speech, he asked how we can keep the rule of law. He said some would say, “Oh, well, that’s obvious.” He added, “Is it?” He then gave several examples of when judges’ orders and rulings have been ignored and disregarded — in the 19th century, when Cherokee Indians were forced out of northern Georgia and marched to Oklahoma, and more than 100 years later when black children were not allowed to attend a white high school in Little Rock, Arkansas.

He said it’s not enough for lawyers to understand and appreciate the rule of law. “In America — surprise, surprise — 319 million people of our 320 million are not lawyers,” Justice Breyer said, “and they’re the ones who have to understand the importance of this (the rule of law).”



General Counsel Forum

PARTICIPATING IN NCSC’S GENERAL COUNSEL FORUM IN JUNE 2019, FROM LEFT

NCSC President Mary McQueen; Texas Chief Justice Nathan Hecht; Seth Zachary, chair of NYC office of Paul Hastings; Vermont Chief Justice Paul Reiber; Associate Justice of the U.S. Supreme Court Stephen Breyer; Elena Baca, NCSC Board member and partner at Paul Hastings; Michael Harrington, NCSC Board member and General Counsel co-chair; Ohio Chief Justice Maureen O’Connor; and Iowa Chief Justice Mark Cady, now deceased.

## Lawyers Committee

As officers of the court, lawyers have a special commitment to help improve the performance of the state courts for the benefit of their clients and the public. Membership on NCSC Lawyers Committee furthers this goal. Our members actively engage with the Chief Justices and other court leaders on a range of issues affecting the courts.

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## Young Lawyers Committee

Lawyers Committee members are encouraged to mentor and to name a young attorney to serve on the Young Lawyers Committee. State court leaders value the unique perspective and ideas that these members provide in advisory groups and annual meetings. The Committee's goal is to engage young lawyers in the substantive work of NCSC while also fostering deeper relationships through networking with other members of the bench and bar.

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KENTUCKY SUPREME COURT ENTRY

## Lawyers Committee Meeting

The Lawyers Committee meeting in November in Washington, D.C., covered several topics, including the Civil Justice Initiative (CJI), social media attacks against the American justice system, and state court survey results.

A positive insight from the survey results is a majority of respondents consider courts to be the most trusted branch of government, and they believe courts play a key role in protecting individual rights. There were some negative conclusions, such as courts are slow, expensive and complicated and that courts lag in technology and innovation. Florida Judge Jennifer Bailey, who spoke about CJI, agreed that courts are too slow and expensive, and many people don't believe courts can help them. CJI is an

effort to help courts manage their cases more efficiently, and the results of its pilot project — in Florida's Eleventh Judicial District (Miami) — are promising. To date, the data supports that cases are moving through the system more quickly.

NCSC External Affairs Vice President Jesse Rutledge spoke about foreign threats to state courts. Russia and other foreign governments as well as trolls and profiteers are using social media to spread disinformation that makes the American judicial system look corrupt. They do this by making personal attacks against judges, focusing on polarizing court decisions, and intentionally misleading people about other rulings. NCSC is responding by establishing a surveillance team and conducting training for court officials.



## Warren E. Burger Society

Texas Chief Justice Nathan L. Hecht, president of the Conference of Chief Justices and chair of the National Center for State Courts' Board of Directors, inducted six individuals in the Warren E. Burger Society, which honors those who have volunteered their time, talent and support to the National Center in exceptional ways.

The 2019 Warren E. Burger Society honorees included:

- **Howard H. Berchtold Jr.**, trial court administrator, Atlantic/Cape May Vicinage, New Jersey
- **Alphonse F. LaPorta**, former Ambassador to Mongolia and board member of NCSC
- **Andrew M. Perlman**, Dean of Suffolk University School of Law, Boston, Massachusetts
- **Peggy A. Quince**, retired chief justice of the Supreme Court of Florida and former NCSC board member
- **Todd A. Smith**, partner with Power, Rogers & Smith, former NCSC board member and co-chair of the NCSC Lawyers Committee
- **Dr. Daniel H. Straub (1943–2019)**, Dean of NCSC Institute for Court Management and pioneer in the profession of court administration

The Burger Society is named for the former Chief Justice of the U.S. Supreme Court who helped found NCSC in 1971. The induction ceremony was held during a luncheon on November 21 as part of NCSC's Judicial Excellence events in Washington, D.C.

ABOVE PHOTO FROM LEFT

Chief Justice Nathan Hecht; Howard Berchtold, Jr.; Karen Straub, accepting for her late husband, Daniel Straub; Todd Smith; Andrew Perlman; Alphonse LaPorta; retired Florida Chief Justice Peggy Quince; and NCSC President Mary McQueen.

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The Friends of the Court program provides an opportunity for those who care about the NCSC's mission to make a personal financial contribution in support of NCSC's work and programs. These contributions enable NCSC to provide quality training and education, independent research, and to promote awareness of issues surrounding the administration of justice. The National Center gratefully acknowledges the following individuals who made a gift in 2019.

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# Honoring Service

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

California Supreme Court Chief Justice Tani Cantil-Sakaue received NCSC's 2019 Sandra Day O'Connor Award for the Advancement of Civics Education, which honors 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.

Chief Justice Cantil-Sakaue was selected for her long-time commitment to civics education and for her strategic but personal approach to the issue.

"The Chief Justice faced a major challenge embarking on this path: there was little civic education in California K-12 schools, and no statewide plan to address the subject with the six million students in nearly 1,000 school districts," said California Administrative Director Martin Hoshino. Her first action was to reach out to the superintendent of public instruction to co-sponsor an award to recognize schools already engaged in civics education, and to identify replicable models. She then convened a statewide summit of leaders from education, business, and law to examine the status of civics in California. This provided the foundation to establish the Task Force on K-12 Learning for California, which influenced the state education policy.



Chief Justice Tani Cantil-Sakaue

## Warren E. Burger Award for Excellence in Court Administration

Justin Barry, chief clerk on the New York City Criminal Court, received NCSC's 2019 Warren E. Burger Award, which recognizes an individual, other than a sitting judge, whose work has significantly contributed to improving the administration of the state courts.

Barry is credited with playing a key role in reducing case backlogs, increasing trial capacity, and improving disposition times, as well as instituting policy reforms to modernize the New York City Criminal Court, which processes nearly 200,000 cases a year. As the court's highest ranking nonjudicial official, he prepares and implements the court's annual multi-million-dollar budget, manages day-to-day court operations, and supervises more than 1,300 employees throughout the city's five boroughs. An attorney, he also assists the court's administrative judge with policy matters and researches complex legal and operational initiatives, among other duties.

"I have the highest regard for Justin Barry, who is always available to troubleshoot any issues that arise," said Chief Administrative Judge Lawrence K. Marks. "Over the course of his stellar court career, Mr. Barry has led the implementation of alternative-to-incarceration courts and instituted significant improvements in the processing and adjudication of New York City's tens of thousands of summonses for quality-of-life offenses."



Justin Barry



## Project Funding

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 SEARCH, The National Consortium for Justice Information and Statistics  
 Society of Research Administrators International  
 The Urban Institute  
 U.S. Embassy of Panama  
 United Nations Development Programme

## G. Thomas Munsterman Award for Jury Innovation

The Juries Ontario Health Insurance Plan Team received the National Center for State Courts' 2019 G. Thomas Munsterman Award for Jury Innovation, which recognizes states, local courts, organizations, and individuals that have made significant improvements or innovations in jury procedures, operations, and practices. The Ontario group is the first Munsterman Award recipient not based in the United States.

The team was established in 2018 to implement a new, single source of data for identifying potential jurors. Its work streamlines operations, creates efficiency, and provides a more inclusive and up-to-date source list for the jury roll, increasing the opportunity for broader participation on Ontario's juries.

### STAY IN TOUCH WITH NCSC

NCSC produces numerous court-related newsletters. @ *the Center*, our flagship newsletter, is a weekly, online publication. Other newsletters — all online — include:

*Gavel to Gavel*                      *Jur-E Bulletin*  
*Connected*                              *Court Tech Bulletin*

Listen to our monthly podcast, *Court Talk*, which discusses societal issues and how they intersect with the courts.

*State Court Organization*, [ncsc.org/sco](http://ncsc.org/sco), presents detailed comparative data about how state trial and appellate courts are organized and administered in the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, and the territories of Guan, Northern Mariana Islands, and Virgin Islands.

*Trends in State Courts*, an annual publication, reports on how courts are meeting the changing needs of society.

## NCSC 2019 Staff Awards

The *Staff Excellence Award* recognizes the employee whose work has significantly contributed to the fulfillment of our mission. The recipient consistently produces a high quality of service that enhances our reputation and earns the support and trust of the court community.

- **Alicia Davis**, *Principal Court Management Consultant*

The *Dale A. Sipes Memorial President's Award* highlights an employee whose exceptional work and dedication merits special recognition from the NCSC president.

- **Kathryn Holt**, *Senior Court Research Analyst*

The *Florence McConnell Award* is given to the employee whose interaction with the courts and with fellow employees creates an atmosphere of trust and respect.

- **Kent Kelly**, *Program Specialist*

The *Jeanne A. Ito Award* acknowledges an employee who has worked here for five years or less and who exemplifies the same traits as Ms. Ito, who developed a reputation for innovation, initiative and enthusiasm during her five years at NCSC.

- **Francisco Ciampolini**, *Program Manager*

The *Robert W. Tobin Achievement Award* goes to a group or an individual who developed an excellent product.

### OPIOID TASK FORCE TEAM

- **J.D. Gingerich**, *Consultant*
- **Beverly Hanson**, *Program Specialist*
- **Nora Sydow**, *Principal Court Management Consultant*
- **Susan Weinstein**, *Consultant*

The *Katherine T. Wilke Memorial Scholarship* goes to the employee who holds herself to high personal and professional standards and always strives for professional improvement.

- **Teri Deal**, *Principal Court Management Consultant*

## 2019 Distinguished Service Awards

NCSC annually presents a handful of *Distinguished Service Awards* to court leaders who have made significant contributions to the justice system.

### CURRENT OR FORMER STATE APPELLATE COURT JUDGE

**Hon. Patricia Breckenridge**  
*Missouri Supreme Court Judge*

### CURRENT OR FORMER STATE TRIAL COURT JUDGE

**Hon. James Fleetwood**  
*Retired Chief Judge for Kansas' 18th Judicial District*

### STATE-LEVEL COURT ADMINISTRATOR OR EMPLOYEE

**Kathryn Dolan**  
*Chief Public Information Officer for the Indiana Supreme Court*

### TRIAL COURT ADMINISTRATOR

**Kevin J. Bowling**  
*Court Administrator for Michigan's 20th Circuit Court*

### INDIVIDUAL NOT EMPLOYED BY THE COURTS

**Rebecca Love Kourlis**  
*Founder and Retired Executive Director of the Institute for the Advancement of the American Legal System*

PHOTOS ON BACK COVER ARE OF SIX STATE SUPREME COURTS REPRESENTED IN A PICTORIAL BOOK PRODUCED IN 2013 BY THE CONFERENCE OF CHIEF JUSTICES AND THE NATIONAL CENTER FOR STATE COURTS.

TOP ROW, FROM LEFT  
MICHIGAN HALL OF JUSTICE  
THE SUPREME COURT OF KENTUCKY  
HAWAII SUPREME COURT

CENTER ROW, FROM LEFT  
NEBRASKA STATE CAPITOL, WHICH HOUSES  
THE SUPREME COURT  
THE DISTRICT OF COLUMBIA COURT OF APPEALS

BOTTOM ROW, FROM LEFT  
MASSACHUSETTS SUPREME JUDICIAL COURT  
THE SUPREME COURT OF FLORIDA  
PENNSYLVANIA JUDICIAL CENTER



*The National Center would like to recognize the following individuals who made a gift in 2019 to the Joan K. Cochet Memorial Scholarship.*

## Joan K. Cochet Memorial Scholarship

Joan Cochet worked at NCSC for 10 years, during which time she touched the lives of many with her gracious and generous spirit. Joan worked closely with court leaders, members of the nation's court associations, and Fellows of the Institute for Court Management at the National Center for State Courts.

Her service represented the highest ideals of NCSC. The scholarship was named in her honor to help deserving students achieve the status of ICM Fellow — the highest level of ICM's certification program.

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Howard H. Berchtold  
Sheldon Clark  
J. Peter Coolsen  
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## Tributes

The National Center for State Courts gratefully acknowledges the following honor & memorial gifts received in 2019.

**In memory of Ernestine Barany**  
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**In memory of Judge John Corrigan**  
Patrick L. Carroll

**In honor of the Honorable Mary Fairhurst Supreme Court of Washington**  
Debra L. Stephens

**In memory of Geoff Gallas**  
Sonya Kraski

**In memory of Diane Esther Hodge**  
Patricia Stephens

**In memory of Joseph F. Quinn**  
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**In memory of Louise Sonet**  
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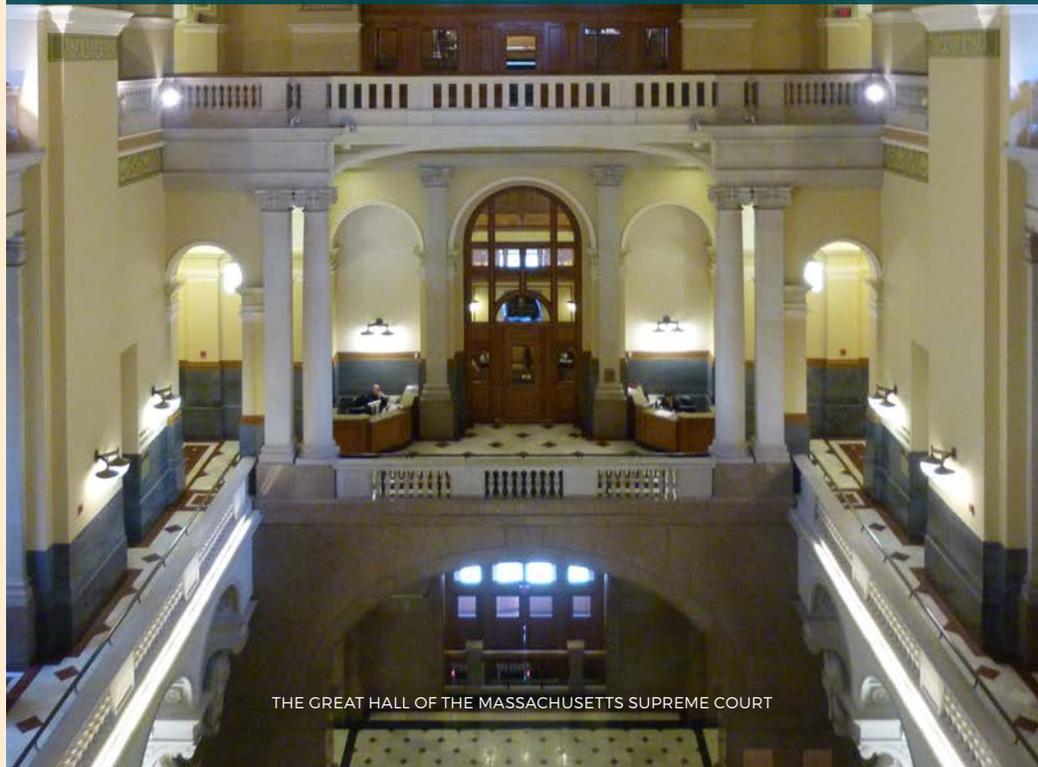
**In memory of Katherine Wilke**  
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**PRESIDENTS LEGACY SOCIETY**  
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*The National Center for State Courts established the Presidents Legacy Society in honor of its four presidents — Edward B. McConnell, Larry L. Sipes, Roger K. Warren, and Mary C. McQueen — to honor and to celebrate donors who provide legacy gifts to help NCSC fulfill its mission of promoting the rule of law and improving the administration of justice in state courts and courts around the world.*

*With gratitude the NCSC acknowledges the generous gift from the estate of Ronald J. Stupak. Mr. Stupak was a strong and loyal supporter of NCSC throughout his life. He captured his commitment saying, "The National Center for State Courts has given me the opportunity to be interactively involved in the improvements needed in the leadership and management of courts. It is an honor, a privilege, and a personal responsibility for me to be an unabashed advocate for the National Center."*



THE GREAT HALL OF THE MASSACHUSETTS SUPREME COURT




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