

WINTER 1994 • VOL. 33, NO. 1 • AMERICAN BAR ASSOCIATION

THE JUDGES' JOURNAL

A Quarterly of the Judicial Administration Division



Differentiated Case Management:

*What Is It?
How Effective Has It Been?*

Building Your Law-Related Education Dream

By Leslie A. Hayashi

Much like architectural designs, law-related education programs run the gamut from traditional and contemporary to prefabricated and avant-garde. The design you choose depends not only on your personality and preferences, but also your market, your materials, and your available resources.

Let's take an architectural tour of these efforts, both in my home state of Hawaii and across the country, in the hopes of providing a blueprint for programs in your state and community.

Traditional. Many of the "traditional" law-related education (LRE) programs are well known to many judges. For example, a survey of bar associations I recently conducted indicates that almost all of them produce informational pamphlets. As a judge you are in a prime position to enhance such efforts—to explain the jurisdictional aspects of courts; what people can expect when they come to court as a juror, witness, or litigant; key court decisions; etc. Such pamphlets also provide excellent opportunities to reaffirm our commitment to due process and nonbiased conduct.

Other traditional programs are equally familiar. Judges often preside over high school mock trials or participate in bench-bar seminars organized by a young lawyers division or public information section of the bar. For the busy judge, these programs offer opportunities to educate the community without requiring tremendous time commitments.

Contemporary. In recent years, a variety of contemporary LRE programs have been developed which expand upon the traditionalist programs and provide the public with more interactive experiences.

For example, the California Judges Association has developed an impressive "Meet Your Judges" forum in which magistrates, trial, and appellate judges discuss their roles and responsibilities with the public. In some of these programs, interpreters for the non-English-speaking audience are available; in others the program is taped with close captioning for future airing on television. Since May of 1991, programs of this type have

been held in many states, including Illinois, Iowa, Kentucky, Maryland, Massachusetts, Nevada, and New Hampshire. A "Meet Your Judges" planning handbook is available from the ABA Commission on Public Understanding About the Law, 541 North Fairbanks Court, Chicago, IL 60611 (or contact Tracye Graves at 312/988-5721).

Teaching teachers is another important activity. In March 1992, the Hawaii Supreme Court, in partnership with Hawaii's Department of Education, sponsored a seminar for public school teachers on law-related education. The purpose was to bring together a diverse group of teachers, educate them about LRE, and encourage the adoption of law-related education curricula. A similar program was held in October 1993, in which various community agencies met with teachers interested in law-related education curriculum. As a result of that meeting, we are in the process of forming a consortium to support law-related education for Hawaii's people.

Some school districts have magnet schools with a primary focus on law-related education, which is integrated into every class. Even a class learning shorthand is taught about courtroom procedures and legal terms at the same time. Schools always welcome the involvement of judges in their educational efforts. For information about both teacher training opportunities and magnet schools in your area, contact Paula Nessel at the ABA's National LRE Resource Center, 541 North Fairbanks Court, Chicago, IL 60611, 312/988-6386.

If you are a journalist-turned-judge, or simply a judge with a journalistic flair, you might contribute to a regular column in your local newspaper or even write a book (or at least a chapter of one). The Hawaii State Bar Association (HSBA) Young Lawyers Division produces a question and answer column which appears every two weeks in the *Honolulu Advertiser*. These columns address the law in our daily lives, ranging from Hawaii's "lemon law" to taxes for domestic help.

On a more ambitious scale, Hawaii Women Lawyers published *Our Rights Our Lives: A Guide to Women's Legal Rights in Hawaii*, a 185-page book explaining laws relating to housing, family, employment, and financial matters. Funded by the Hawaii Bar Foundation (through IOLTA), there have been first and second printings of 10,000 free copies, with a third edition underway. As a judge, you can contribute to these efforts by explaining the court process, alternative dispute resolution, and other issues concerning the legal system.

Leslie A. Hayashi is a judge on the District Court of the First Circuit, Honolulu, Hawaii. She is the coeditor and author of several articles in Our Rights Our Lives: A Guide to Women's Legal Rights in Hawaii and coeditor of The Law and You: A Directory of Law-Related Education Programs.

Judges also have expanded upon their courthouse tours. In Honolulu, the District Court's Division of Driver's Education organized a pilot DUI Awareness Project in which intermediate and high school students are invited to tour district court. During the tour, the students are informed of the driving laws as well as the penalties for driving under the influence.

Following the tour, a judge meets with the students to explain the role and responsibilities of the judge and how a person becomes a judge, and to answer general questions. Students are eager to learn about types of cases and the decisions that judges make. As one of the judges meeting with students, I am equally eager to hear what they think about cases coming through the judicial system.

A recent twist on the courthouse as schoolhouse is the judge in the classroom. Florida's Supreme Court justices actually ride the circuits during Constitution Week to visit classrooms and discuss rights and responsibilities as well as the role of the courts. This program is so popular that there is a long waiting list. For further information, contact Annette Boyd Pitts, executive director of the Florida Law Related Education Association, 325 John Knox Road, 104-E, Tallahassee, FL 32303, 904/386-8223.

Prefabricated. A variety of national organizations are very involved in LRE. The American Trial Lawyers Association (ATLA) has organized an impressive educational program for adults called the "People's Law School." A People's Law School can be set up in any city or town with minimal effort, and judges often serve as guest speakers to discuss the courts and judicial system. These programs also provide an excellent opportunity to describe other LRE programs in your community. For further information, contact ATLA, 1050 31st Street, N.W., Washington, DC 20007-4499, 800/424-2725 or 202/965-3500.

Written materials prepared by bar associations and other groups can serve as texts and resources at these classes. For example, my handout materials include *The Law & You Directory*, a Hawaii State Bar Association Young Lawyers Division's guide to various LRE programs in our community; *Directory of Legal Resources*, a pamphlet which lists the various providers of legal services; *Our Rights Our Lives: A Guide to Women's Legal Rights in Hawaii*; and other informational brochures and publications published by the Hawaii State Bar Association and Hawaii Legal Auxiliary. For information on ordering these and other Hawaii materials noted in this article, contact Jaylene Sarcedo at the Hawaii State Bar Association, 1136 Union Mall, PH-1, Honolulu, HA 96813, 808-537-1868.

These programs are also an excellent way to solicit citizen thoughts about the judicial process and to discover additional ways to provide even more law-related education for the community.

Avant-Garde. If you are a fan of technology, there are other types of LRE programs which may appeal to you. These programs I refer to as "avant-garde."

Media opportunities abound in television and radio. Judges can anchor brief segments about the law on local television or radio programs. Judges can record public service announcements for radio and television on a variety of topics such as constitutional rights, promoting LRE programs in the community, and other timely issues. In keeping with the popularity of *Wayne's World*, judges even can be involved in video production.

The Hawaii State Bar Association's Standing Committee on Law-Related Education—with generous funding from the Hawaii Bar Foundation (IOLTA) and Olelo, the public television access foundation—have produced a series of six jury trial videos. These videos cover domestic violence, sexual harassment, driving under the influence, negligence (automobile accidents), murder with an insanity defense, and a probate/contract dispute. A narrator explains the different parts of the trial, attorneys present their arguments, witnesses testify, etc.—and the audience decides the outcome by rendering the "Final Verdict." These videos air on Hawaii's public access channel, and copies are available in the public schools and libraries. An accompanying teacher's guide is also available.

In addition to the Hawaii State Bar Association's Final Verdict series, the Hawaii Supreme Court (with funding from the Hawaii Bar Foundation) produced a 20-minute video on juror orientation narrated by two trial judges. This video is shown to jurors as part of their orientation and while they are waiting to be selected as jurors.

LawLine, another popular project, is being replicated around the country. In Hawaii, LawLine consists of pre-recorded messages on a variety of topics which a person can access 24 hours a day, seven days a week with the use of a Touch-Tone telephone. Judges can offer their writing and editing skills or their "golden voices" to these brief messages, which in Hawaii can be recorded from a judge's office. Lawline is coordinated through the HSBA. For example, if I draft a script on any of the recommended topics, the HSBA staff will edit it and find a volunteer to record the script. A committee initially suggested the various topics.

You might want to consider educational programs for specific target groups within your community. In the First Circuit, Hawaii's Family Court sponsors a three-part program entitled "The Divorce Experience." In one of the segments, a judge explains the process and the legal issues to participants who are going through divorce. There is also a discussion concerning the emotional aspects for not only the couple but also for the children of divorce. Hawaii does not have mandatory child custody mediation but other jurisdictions, such as Cook County, Illinois, do have educational films on that, which they use with mandatory custody mediation.

Speaking of the children of divorce, the Dallas Association of Young Lawyers has produced an excellent video, "Don't Forget the Children," on children's perspectives of divorce and custody fights. The video is available to courts, judges, and tax-exempt organizations

for \$20 from Mark W. Bayer, Dallas Assn. of Young Lawyers, Video Project, 1601 Elms St., Suite 3000, Dallas, TX 75201, 214/999-4521. Loaner copies are available from the Texas State Bar without charge on a two-week basis. Order from the State Bar of Texas, Public Information Office, P.O. Box 12487, Austin, TX 78711.

In Hawaii, a Judiciary History Center Museum also has been a guiding force in LRE. Its mission is to "promote recognition, understanding and appreciation of the importance of Hawaii's legal and judicial heritage and to further the education, historical and cultural interests of the people of the State." To that end, the museum has developed slide programs on landmark cases involving land and water rights, offered exhibits on martial law in Hawaii during World War II, sponsored traveling exhibits, conducted research, and hosted special events including daily tours and seminars. A restored 1913 courtroom is the focal point of the museum. I had the privilege and honor of serving on the initial executive board for three years and helped to shape and implement LRE projects.

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As this article suggests, possibilities abound in the architectural landscapes of LRE. Whichever type you choose to build, here is some final advice to help make your experience easier and more rewarding.

- If you are personally committed to LRE, you can accomplish much, even if it involves only one program.
- If you have the support from the top (meaning the chief justice or judge and administration), you can accomplish even more.
- Find out what models and materials are available elsewhere (benefit from the work and experiences of others).
- Look for potential partners, such as your area bar associations (including minority and women's bars), school systems, legal auxiliaries, alternative dispute resolution programs, law schools, bar foundations, CLE programs, and many other groups.

So take a moment to sketch out your dream law-related education "building." And don't hesitate to dream big.

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