

**Task Force on Public Information and Education
Business Meeting
Administrative Office of the Courts
Third Floor, Sequoia Room
455 Golden Gate Avenue
San Francisco, California 94102-3688**

August 26, 2008

Minutes

Task Force on Public Information and Education Members Present: Hon. Judith McConnell (*Chair*), Mr. Stephen Bouch, Mr. Bert Brandenburg (*via teleconference*), Dr. Frances Chadwick, Ms. Nanci Clarence, Mr. Marshall Croddy, Hon. Lynn Duryee, Mr. John Fitton, Hon. Edward Forstenzer, Ms. Janis Hirohama, Hon. Linda Lofthus, Hon. Franz Miller, Dean Elizabeth Parker, Hon. David Richmond, and Ms. Therese Stewart.

Task Force on Public Information and Education Members Absent: Senator Martha Escutia, Mr. José Guillén, Mr. John Hancock, and Mr. Jonathan Shapiro.

Task Force on Public Information and Education Advisory Members Absent: Dr. Timothy Hodson

Task Force Staff Present: Mr. Peter Allen, Mr. Philip Carrizosa, Ms. Leanne Kozak, Ms. Claudia Ortega, and Ms. Linda Theuriet.

Guests and Additional Attendees: Justice R. Fred Lewis of the Florida Supreme Court; Administrative Office of the Courts (AOC) staff Ms. Diane Bolotte, Mr. Kenneth Kann, Mr. John Larson, and Ms. Catharine Price.

Item 1 Public Comment

Justice Judith McConnell welcomed the task force members and called the meeting to order at 10:00 a.m. Members of the public did not address the task force on this day.

Item 2 Report on Public Forum

Public Forum

The meeting commenced with a five minute California Courts News (CCN) story on the Public Forum on Preserving Impartial Courts, which was held in Sacramento on July 14, 2008. Justice McConnell emphasized the respectable number of attendees and media coverage. The forum can be viewed on the California Channel site, <http://www.calchannel.com/>.

Justice McConnell related that the Steering Committee met after the forum. The emphasis on public education was discussed as it was emphasized by the speakers. The Steering Committee made a recommendation that was adopted by the Task Force.

Recommendation -

1. *Expand the Civics Institute Program for Teachers.*

Interim Report

Justice McConnell provided an update on the Interim Report presented to the Judicial Council on August 15, 2008. Commission Chair Justice Ming W. Chin, accompanied by task force chairs Hon. Judith McConnell, Hon. Ronald Robie, Hon. William McLaughlin, and Hon. Douglas Miller made a brief presentation and took questions from the council members. The council accepted the Interim Report without any amendments. The report can be found at <http://www.courtinfo.ca.gov/jc/tflists/commimpart.htm>.

Item 3 Report of the Education Working Group

Meeting with Superintendent Jack O'Connell

Justice McConnell reported that at Justice Chin's request, a meeting was held with Mr. Jack O'Connell (State Superintendent of Public Instruction), Justice Chin, commission member Bruce Darling, Justice McConnell, and commission project director Christine Patton. The meeting was requested to discuss the appointment of the commission, the public's lack of understanding of the courts' role in our constitutional system of government, and the lack of in-depth civic education in the K-12 curriculum framework. As a result of this conversation, two letters were prepared and sent to Superintendent O'Connell. Justice McConnell directed the members' attention to the two letters included in their meeting materials. One covers the current History/Social Science Framework and its lack of consistent coverage concerning the role of the judiciary. The second letter recommends that teacher Cynthia Sternquist be appointed to the History-Social Science Curriculum Framework and Evaluation Criteria Committee. Justice McConnell thanked the task force members for briefing her on framework and standards and drafting the letters. To date, there has been no response to either letter.

During the meeting with Superintendent O'Connell also recommended meeting with the Educational Testing Standards (ETS) Board. The task force members discussed how Mr. Darling could be helpful in arranging this meeting.

ACTION –

1. *Staff will discuss with the commission's project director (Ms. Patton) whether another follow-up letter by Justice Chin regarding Ms. Sternquist's application to the Curriculum Framework Committee is needed.*
2. *Staff will discuss with Ms. Patton any follow-up with Mr. Darling on his assistance with arranging a meeting with the ETS Board.*

California on My Honor: Civics Institute for Teachers – July Session

Dr. Frances Chadwick stated that the four-day Civics Institute in July went well. Justice McConnell, Mr. Marshall Croddy, and Ms. Therese Stewart provided brief descriptions and praise for the Institute. There are two sessions per year with 30 teachers attending each session. The small size of 30 allows for comfortable dialogue. The program has been conducted for three years and therefore has impacted over 15,000 students.

Dr. Chadwick related that Ohio has a large teacher training program with follow-up for three years. She stated that California needs a plan for growth.

*ACTION –
The Education Working Group and staff will gather information on the Ohio program.*

Also see Item 5.

Item 4 Florida’s Justice Teaching Program

Justice McConnell introduced Justice R. Fred Lewis of the Florida Supreme Court to the members. Justice Lewis, accompanied by Ms. Annette Boyd Pitts (Executive Director of the Florida Law Related Education Association) gave a PowerPoint presentation on Justice Teaching, a program they developed for the Florida courts in 2006. The program calls on judges and lawyers to serve as resources for teachers and students in 3,000 K-12 schools. Details concerning the program can be found at www.justiceteaching.org. (This presentation was a result of a letter from Justice Lewis to Chief Justice Ronald M. George explaining the success of the program and offering to make a presentation with costs paid through a Florida grant.)

Justice Teaching has been successful because Justice Lewis, Chief Justice at the time of the program’s inception, spearheaded the effort, met with all presiding judges in the state, developed a governance structure, and established partnerships with the county superintendents of schools and each school’s principle. Justice Lewis and Ms. Pitts stated that the program has been extremely successful because they have developed numerous lesson plans that the volunteer judges and attorneys can easily use when speaking with classes. In addition, the Florida Law Related Education Association provided funding and staff support to the program. The volunteer judges and lawyers must attend the Justice Teaching Institute to receive training on the lesson plans and CLE credits.

Regarding the replication of similar programs in other states, Justice Lewis has made similar presentations to approximately 30 states and currently has plans to visit more.

The Florida Justice Teaching Institute occurs April 19-23, 2009 and task force members were invited to attend.

It was related by task force members that similar programs already exist in California including the Constitutional Rights Foundation (CRF) “From the Courtroom to the Classroom” (http://www.crf-usa.org/law_government/c2c/index.htm), Courts in the Classroom, and local court programs. The Justice Teaching Institute, Wingspread program, and California ALL were also mentioned. California CLE credits for judges and attorneys participating in classroom teaching should be reviewed. Discussion continued during lunch.

Recommendation

Staff will research whether judges and attorneys can receive CLE credits for preparing or participating in classroom teaching for a non-judicial audience.

Item 5 Lunch, CCN Story, and Follow-up Discussion on Justice Teaching

During lunch, another CCN story of a KXJZ Radio (Sacramento) interview of Hon. Ronald Robie (Chair, Task Force on Judicial Selection and Election) and Dr. Timothy Hodson (Advisory Member of this task force) was viewed. The interview focused on the need for impartial courts in our democracy.

A lunchtime discussion continued as to the merits of the Florida Justice Teaching Program. The following concepts were mentioned as essential to the success of providing education on the judicial system in the K-12 schools:

- Enlist a high-profile champion
- Appoint an oversight committee to provide support to a sustainable program
- Develop a strategic plan
- Develop a governance structure
- Identify allies
- Establish partnerships
- Expand teacher training program
- Participate in curriculum review
- Evaluate current programs
- Dedicate staff

Because a substantial amount of work has already been provided by the Constitutional Rights Foundation, it was determined at a later discussion that Mr. Crowdy should make a presentation on the “From the Courtroom to the Classroom” project at the next task force meeting.

ACTION –

- 1. Convene the Education Working Group to develop a public education recommendation. Add Ms. Nanci Clarence, Ms. Therese Stewart, and Mr. John Fitton.*
- 2. Gather information on the Ohio program.*

Item 6 Report of the Public Outreach and Response to Unfair Criticism Working Group

Response to Criticism Draft Plan and Tips for Judges

Led by Hon. Lynne Duryee, task force members discussed elements of the latest draft of the *Rapid Response Plan* (draft 05/27/08). A real life situation was experienced by one member who remarked that when referring to the Response to Criticism plan, she did not feel that the Evaluation Factors were clear enough for one trying to determine if the criticism warrants the enactment of this model. The consensus was that the factors or questions listed provide sufficient guidance. Plan ownership was again questioned. The members added “communication experts” to the list of suggested team members in Section B. “Membership of the Statewide Rapid Response Team.”

The discussion on elements of *Responding to Press Inquiries: Tip Sheet for Judges* (draft 7/02/08) was also led by Judge Duryee. The task force decided that text should be added to advise judges to prepare summary paragraphs in their rulings that explain their decision and enable journalists to quickly utilize this text when preparing their stories. The members also recommended that the header for Item 3 be modified to state that judges should determine who is the most appropriate person to return the reporter’s call.

If approved by the Judicial Council, the AOC will also include the plan and tips in training for court Public Information Officers.

ACTION –

Staff will revise the Rapid Response Plan and Responding to Press Inquiries: Tip Sheet for Judges based on discussions during the meeting (attached).

Bench-Bar-Media Committee

Mr. Peter Allen explained the formation of a Bench-Bar- Media (BBM) Committee. The fourteen member steering committee, chaired by California Supreme Court Associate Justice Carlos Moreno, has been appointed and will be meeting for the first time in December. A full committee of 50-60 members will be appointed thereafter. The purpose of the BBM is to foster positive relationships between the three key stakeholders on a statewide and regional basis.

ACTION – Members are asked to forward nominees to the Bench-Bar-Media Committee to Mr. Allen.

State Justice Institute Grant Proposal

Mr. Allen informed the members that an application was submitted to the State Justice Institute to obtain a grant to hire a consultant to work with the AOC and the BBM Committee to further develop a national model rapid response plan and curriculum to train attorneys, judges, and court leadership on the plan. The consultant would also be required to develop and teach a course to trial court leadership on developing ongoing and effective relationships with the media.

Item 7 Report of the Voter Education Working Group

Ms. Janis Hirohama directed the members' attention to the draft *Judicial Elections: Proposed Language for Voter Pamphlets* provided in the meeting folder. She again related that the purpose is to educate voters on the role and responsibilities of judicial officers in a nonpartisan way. In developing the language, samples used in other states were reviewed. One minor revision was recommended. Mr. Allen related that the draft was reviewed by the AOC's editing unit for reading level. Because this document's text tested at the 10th grade level, the editors proposed a more simplified version.

The members then discussed how questions asked of candidates on the League of Women Voters Web site, (www.smartvoter.org) are not appropriate for judicial candidates. It was agreed that the working group will meet to discuss appropriate questions for judicial candidates, but left unresolved whether it would be appropriate to work on another stakeholder's web site.

ACTION –

- 1. Staff will revise the Voter Guide Language (attached).*
- 2. A conference call will be scheduled to discuss a rewrite on the Smartvoter website regarding judicial candidates.*

Item 8 Report of the Accountability Working Group - CourTools

Mr. John Fitton stated that the working group held a conference call to hear a presentation by Mr. Kevin O'Connell (Senior Research Analyst, AOC Office of Court Research) regarding the CourTools project. Eleven trial courts in California have implemented CourTools, a set of 10 measures designed by the National Center for State Courts to assist courts in evaluating and improving their performance.

Following this conference call, the working group drafted the following recommendation for the task force's consideration. The task force approved the recommendation without any amendments.

Recommendation –

The task force finds that court measurement tools—such as the current CourTools pilot project now underway in California—have the potential for improving court processes and making court systems more accountable. The task force encourages more widespread participation by the AOC and courts in CourTools or similar projects, and the development of tool kits and mentoring programs for those courts that wish to participate in such projects.

Item 9 Next Steps – Future Work

A considerable discussion occurred regarding future work relative to public education.

Item 10 Adjournment

Justice McConnell thanked the task force members for their participation and adjourned the meeting at 2:00 p.m. The next meeting is scheduled for November 7, 2008. The January 23, 2009 meeting will probably not occur.