

**Task Force on Public Information and Education**  
**Commission for Impartial Courts**  
Judicial Council of California  
San Francisco, California

September 11, 2007, Meeting  
8:30 a.m. to 11:30 p.m.

**Summary Minutes**

**Task Force members present:** Presiding Justice Judith D. McConnell, Fourth Appellate District; Stephen Bouch, Court Executive Officer of the Superior Court of Napa County; Dr. Frances Chadwick, Professor, California State University at San Marcos; Ms. Nanci Clarence, President of The Bar Association of San Francisco; Mr. Marshall Croddy, Director of Programs, Constitutional Rights Foundation; Judge Lynne Duryee, Superior Court of California, County of Marin; Mr. John Fitton, Court Executive Officer of the Superior Court of San Mateo County; Judge Edward Forstenzer, Superior Court of California, County of Mono; Mr. José Octavio Guillén, Court Executive Officer of the Superior Court of Imperial County; Judge Steven E. Jahr, Superior Court of California, County of Shasta; Judge Linda L. Lofthus, Superior Court of California, County of San Joaquin; Judge Franz E. Miller, Superior Court of California, County of Orange; Ms. Elizabeth Rindskopf Parker, Dean, University of the Pacific McGeorge School of Law; Presiding Judge David Sargent Richmond, Superior Court of California, County of Amador; Mr. Jonathan Shapiro, Writer/Producer; and Ms. Terry Stewart, Chief Deputy City Attorney of San Francisco.

**Advisory member:** Mr. Timothy A. Hodson, Executive Director, Center for California Studies.

**Steering Committee liaisons:** Mr. John Hancock, President California Channel; Ms. Christine Hedwick, General Counsel for California State University, sitting in for Chancellor Charles Reed; and Ms. Janis R. Hirohama, President League of Women Voters.

**Absent:** Ms. Martha M. Escutia, attorney and former state Senator.

**Task Force consultant:** Mr. Bert Brandenburg, Executive Director Justice at Stake Campaign, by telephone.

**Staff:** Mr. Peter Allen, Program Director; Ms. Dianne Bolotte, Executive Office Programs Division Deputy Director; Mr. Philip Carrizosa, Communications Specialist; Mr. Douglas Denton, Senior Court Services Analyst; Ms. Lynn Holton, Public Information Officer; Mr. Kenneth Kann, Executive Office Programs Division Director; Ms. Karen Viscia, Senior Research Analyst; and Ms. Daisy Yee, Administrative Coordinator.

## **Welcoming Remarks and Introductions**

Presiding Justice Judith D. McConnell, Chair, called the meeting to order at 8:40 a.m. on Tuesday, September 11, 2007. Justice McConnell welcomed the task force members and noted that each member brings a unique set of skills, talents, and knowledge. She invited those present to introduce themselves and provide some background information.

## **Discussion of the Charge to the Task Force**

### *Background*

Justice McConnell raised the topic of the broad charge and that it should be narrowed to recommendations that are attainable. Various categories of information sharing and education were discussed.

### *Target Audiences*

#### *Background*

A presentation by AOC staff described the various groups or audiences that are currently being reached by AOC projects and that may be targeted by the Task Force. They include court users, jurors, employees, court leaders, judges, justice system partners, students and teachers, and community organizations. A matrix of programs by audience type has been prepared by AOC staff, *Education Audiences, Messages, and Channels/Initiatives*, which will be forwarded to members. The task force should consider capitalizing on programs initiated.

There was discussion about one of the key jobs for the task force, which is to take abstract concepts, such as impartial courts, and break them into chunks of information understandable to target audiences; in other words, how to “make it come alive.”

There was a recommendation that law schools be included as a separate audience (not just part of the “higher education” audience) because of the special role they play in educating aspiring attorneys. The McGeorge School of Law’s Education Pipeline Initiative was mentioned as one way of educating students about the legal system.

#### *Action*

- *Education Audiences, Messages, and Channels/Initiatives* will be made available to members.
- Obtain information on the McGeorge School of Law’s Education Pipeline Initiative.

## ***Jurors***

### *Background*

Improving the education of jurors about the judicial system through such methods as videos or information pamphlets in jury assembly rooms, or including pamphlets with the jury summons was discussed.

### *Action*

- Current information presented to both potential and serving jurors will be made available to members.

## ***Education***

### *Background*

It was stressed that schools are producing the next generation of voters so children's and adult education is important. One important task is helping the teachers. Children in 4th grade are most impressionable and they influence their parents. It was noted that state education tests are now focused on math and English and will soon include science. There is little attention paid to social studies, particularly in elementary school and in impacted schools.

There was a recommendation that the Judicial Council connect with the state Department of Education about amending the testing requirements so students learn about civics and the role of the judiciary. It is important *how* that information is taught so students do not forget it and it was recommended bringing a judge or lawyer into a classroom to teach students.

Task Force member Dr. Fran Chadwick has developed a K-12 teacher-training program focused on the judicial system. Karen Viscia of the AOC has produced *Courts in the Classroom*, a Web tutorial that speaks to teens in their language, which is now being tested.

The teaching of civics needs to be tied into the state testing curriculum. The Judicial Council should consider getting on the Education Department's calendar for the next curriculum revision.

As far as adults are concerned, it was noted that the medical profession connected with the television writers' guild so programs would be accurate and that led to the creation of the TV series, "House."

### *Action*

- *Courts in the Classroom* will be made accessible to members.
- *California on My Honor: Civics Institute for Teachers Courts in the Classroom* will be made accessible to members.

- Continue to discuss proposals for a Judicial Council connection with the state Department of Education to discuss amending the testing requirements so students learn about civics and the role of the judiciary.

Continue to discuss strategies for the Judicial Council to get the Education Department's calendar for the next curriculum revision.

### ***Voters***

#### ***Background***

Improving voter information through such approaches as Web sites as smartvoter.org, sponsored by the League of Women Voters, was suggested.

#### ***Action***

- Obtain information on smartvoter.org.
- Research other sources of voter information

### ***Reaching Minority Communities***

#### ***Background***

The importance of connecting with ethnic groups was discussed. There was agreement that the best way to reach an immigrant population is by reaching school-age children. Children help their families become socialized. High-impact schools have less opportunity for learning social studies and related topics because of the focus on math, reading and science. As a result civics lessons are disproportionately unavailable to minority students. If a student misses the fifth grade or starts school in this country after the fifth grade, then the student completely misses any foundational lessons regarding civics.

It was noted that Native American tribal leaders in Alaska were educated one-by-one so they could teach tribal members how the American legal system works. In San Francisco, the Bar Association of San Francisco has a law academy that assists disadvantaged and ethnically diverse high school students and teaches basic legal concepts as part of its core curriculum. Justice McConnell said information about all of these programs need to gathered in a single site and Mr. Allen asked everyone to send their information to him by e-mail.

#### ***Action***

- Obtain information on Bar Association of San Francisco law academy.

### ***Responding to Criticism of the Judiciary***

#### ***Background***

On the topic of responding to attacks on judges and the judiciary, there was discussion about the criticism leveled at Marin family court judges several years ago and how the bench had difficulty in getting anyone to speak in their defense. The Bar Association of San Francisco, on the other hand, has a judicial

independence committee that acts as a first responder to attacks on the judiciary. The committee has not acted yet. One problem is how to get the media interested in the topic.

The California Judges Association also has a committee to respond to unjustified criticism of a judge. However, it was noted that such committees need media-savvy attorneys to respond to attacks on judges. It was voiced that the local bar should respond, not the courts, because they are seen as independent. Also, religious and community leaders should be on these response committees because they may be viewed as more credible.

Some of the attacks against the court come from politicians. With term limits, many legislators lack experience so they need a basic introduction to the courts. The Chief Justice and AOC management are dedicated to providing briefings. Also, there are principled people who have criticized judicial decisions, particularly when a single federal judge tells the state how it should spend its money. Finally, some groups attack judges simply as a means of energizing their base and furthering their agenda.

It was noted that some 8-10 states have conduct commissions that monitor judicial elections. They should be broad-based and include religious and business leaders, not just lawyers and judges. Newspaper editorial boards can also be helpful in defending the courts. As to local bar associations, it was noted that their membership changes regularly, so the point of contact should be with the executive directors of the associations, who have a longer tenure.

#### *Action*

- Obtain information on conduct commissions in other states.
- Work with CJA and the State Bar to determine how best to complement their existing programs.

### **Charge Focus and Action Plan**

#### *Background*

It was agreed that the task force should concentrate primarily on what is attainable now. Long-term projects such as changing the education requirements for students, however, should continue to have some Task Force attention. The initial concentration will be on the following:

- 1) Improving voter information through such approaches as Web sites as smartvoter.org, sponsored by the League of Women Voters;
- 2) Responding to criticism of the judiciary through organizing methods of response, and to coordinating those efforts with other organizations;

- 3) Reaching minority communities through the use of ethnic media outlets and local consulates;
- 4) Improving the education of jurors about the judicial system through such methods as videos or information pamphlets in jury assembly rooms, or including pamphlets with the jury summons; and
- 5) Developing a method to consider longer term projects

Everyone was urged to send what information they have to Peter Allen so that it can be organized in a central location and task force members can see what is available.

*Action*

- Members forward pertinent information to Peter Allen to place in task force central location.

**Meeting Schedule**

After the break, Justice McConnell polled task force members and set the following schedule for the next meetings, all in San Francisco.

- Tuesday, Nov. 6—10 a.m. to 2 p.m.
- Friday, Feb. 8—10 a.m. to 2 p.m.
- Friday, May 2—10 a.m. to 2 p.m.

*Action*

- Establish meeting dates for remainder of term.

The meeting was adjourned at 11:35 a.m. for lunch, following by a plenary session and an address from Chief Justice Ronald M. George in the Judicial Council boardroom.

**Subcommittees**

Breaking the task force members in subcommittees was considered and the Chair voiced at this time it would be most beneficial to consider the topics in the large group.