

Home Means Nevada for America's College for Judges

BY HON. BENES ALDANA (RET.), CEO OF THE NATIONAL JUDICIAL COLLEGE

In 1991, Harry Reasoner began a segment on “60 Minutes” by asking viewers to imagine for a moment that you are a lawyer in a small or medium-size American city and you’re good enough to have just been appointed to the bench. Suddenly you have a whole new set of things to learn.

Where do you go to learn them?

The famous TV journalist explained that if you’re like John Burdette Pratt, at that time a brand-new judge from Vale, Oregon (the screen showed him being sworn in), you pack up and go to Reno.

“Yes, Reno. That’s where you can go to school and get a crash course in how to be a judge. Less than a mile from the bright lights of the casinos sits The National Judicial College,” Pratt said.

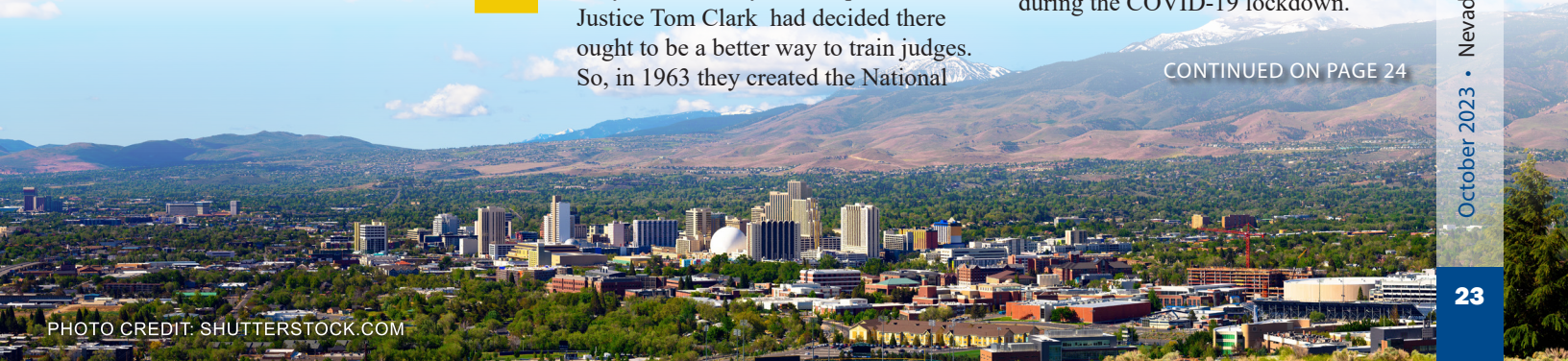
Reasoner explained that nearly 30 years before, a group of judges and lawyers headed by U.S. Supreme Court Justice Tom Clark had decided there ought to be a better way to train judges. So, in 1963 they created the National

College of State Trial Judges, now The National Judicial College (NJC).

That first-of-its-kind (in the U.S.) school for judges turns 60 years old this year and has six anniversary celebrations scheduled from coast to coast. The one in Reno will take place on October 18 and the one in Las Vegas on December 7.

The college is still based in Reno but now offers classes all over the country, abroad and, increasingly, online. In a given year, usually about 10,000 judges study with the NJC, although enrollment soared past 20,000 in 2020, when many judges had extra time for online study during the COVID-19 lockdown.

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The Name Says it All

Located on the periphery of the University of Nevada, Reno (UNR) campus – but not part of UNR – The National Judicial College is the country's one and only national college for judges. It's a private nonprofit and nonpartisan 501c3 supported by donations, grants, and tuition.

The categories of judges the NJC serves decide more than 95 percent of the cases in this country. These include state and local trial and appellate judges, limited jurisdiction judges, administrative law judges (think DMV, SEC, Social Security), tribal, military and immigration judges, and certain commissioners.

The far-smaller federal trial and appellate benches rely on a government agency, the Federal Judicial Center in Washington, D.C., which was founded four years after the NJC.

Way More than a Crash Course in Judging

The NJC's flagship General Jurisdiction course – the one featured in the 60 Minutes piece – remains the college's most popular in-person offering. It's the go-to course for many new state trial judges from all over the country. But the NJC now offers scores of other specialty courses ...

- ... On how to write better opinions or understand financial statements;
- ... On how to handle the growing number of self-representative litigants, including so-called "sovereign citizens" who refuse to recognize the government's authority.
- ... On what judges need to know about drugs, digital evidence, artificial intelligence, or guarding against racism in proceedings and rulings. In 2022, the Walmart Foundation awarded the college a two-year, \$1 million grant through the Walmart.org Center for Racial Equity with the aim of reducing racial disparities in youth incarceration rates.

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There's even a course about what judges should do when faced with administering unjust laws, as happened during the Holocaust and the Jim Crow era in the South.

In simple terms, the NJC teaches new judges how to do the job and teaches experienced judges how to do it better throughout their careers.

Most judges say the best part of their NJC experience is meeting judges from other places and comparing notes on common challenges, including how to handle the stress of the job.

You can browse the current list of courses at the NJC's easy-to-remember website, Judges.org.

How Does Anyone Learn to be a Judge?

It would likely surprise many citizens to learn that no law school in the U.S. offers a major, a sequence, or even a single course in how to be a judge. A few states have their own form of a judge school that serves only judges in their state. Some states and foreign governments contract with the NJC to have the college send instructors to their location and teach on various topics.

Almost all NJC courses are taught by volunteers – active and retired judges. It's considered a high honor to teach one's colleagues on the bench. Nine Supreme Court justices have studied with or taught for the NJC, and the college's highest award is named for former Justice Sandra Day O'Connor, an alumna.

Some jurisdictions in the U.S. provide their new judges little more than a simple orientation lasting an hour or two. They may also assign them a mentor judge. The rest is on-the-job training. One NJC alum recalls, "I didn't [have any formal judicial education], other than, 'Here's your robe, here's your courtroom, now go preside over your first felony jury trial on your second day.'"

Country's Only Course for Lawyers Who Want to Become Judges

In 2019, the college launched a Judicial Academy for lawyers who aspire to become judges. Held annually, the course is designed to provide the judiciary with judges who are prepared to serve from day one.

It teaches not only what it takes to be a judge, but also how to improve one's chances of getting appointed or elected. Already 22 graduates have been appointed or elected to judgeships all over the country.

Another goal for the course is to increase diversity on the bench. A majority of the alumni who have become judges are women or people of color.

Cradle of Major Justice Innovations

Dennis Challeen, a longtime district court judge in Winona, Minnesota, taught at the college for more than 30 years and is credited with inventing the concept of sentencing people to community service. Feature articles and editorials about him and his sentencing philosophies appeared in national publications, including *Reader's Digest* and *Parade* magazine, and on programs such as the "CBS Evening News." He died in 2018 at the age of 82.

It's said that the idea for drug treatment courts originated in an NJC course discussion group. Whether that's true, an NJC alumnus, Judge Stanley M. Goldstein, created the first such court in Miami-Dade County in 1989. Another NJC alum, judge, and longtime faculty member Peggy Fulton Hora, started the second drug treatment court in California in 1992. There are more than 3,500 such courts now.

A Place Just for Tribal Judges

There are 574 federally recognized tribes in the U.S., and about half have tribal courts. In 2002, in consultation with tribal judges and leaders, the college created the National Tribal Judicial Center (NTJC).

No entity comes close to the NTJC in terms of the depth and breadth of educational programming provided to tribal courts. The center educates more than 500 tribal judges and court service professionals annually. The courses are taught by current and former tribal judges and court administrators, mainly Native Americans.

Dividing the Waters

As parts of the country continue to experience historic drought – most famously in the Colorado River Basin – courts are likely going to have to settle increasingly contentious disputes over water rights.

Founded in 1993, the Dividing the Waters program is open to all judicial officers with complex water litigation on their docket. It connects judges, special masters, and referees who preside over such litigation with the information and educational resources they need to resolve disputes over this essential and diminishing resource.

Educating Judges From, and in, Other Countries

More than 5,000 judges and court officers from 150 countries have studied with the NJC since the college began working with foreign judicial systems in 1986.

The first programs brought foreign judges and other justice personnel to Reno to learn to become trainers of judges back in their home countries. They were followed by American faculty (typically current and retired U.S. judges) traveling abroad to teach.

Among other outreach programs, last year the college worked with the Ukraine New Justice Program and the U.S. Agency for International Development (USAID) to present Handling Cases of War-Related Sexual Violence to the Ukrainian Judiciary.

World's Only Doctorate in Judicial Studies

NJC programs, whether offered in person or online, could be best thought of as continuing education courses. The longest of the in-person classes lasts only two weeks, but many courses qualify for

credit toward graduate degrees offered by UNR's Judicial Studies Graduate Degree Program. The program awards a master's degree and the world's only doctorate in judicial studies. Judges often pursue these degrees if they want to transition into academia.

Whatever Happened to that Judge featured on '60 Minutes?'

Judge Pratt retired in 2012 after 21 years on the district court and circuit court benches in eastern Oregon. He still presides over the occasional case as a senior judge.

THE HONORABLE BENES Z. ALDANA (RET.) has served as president and chief executive officer of The National Judicial College since 2017. A native of the Philippines, he became the first Asian Pacific American to serve as chief trial judge of a U.S. military branch during his 22 years of service in the U.S. Coast Guard.



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