

JURY POOL NEWS

A NEW YORK STATE UNIFIED COURT SYSTEM PUBLICATION HIGHLIGHTING THE LATEST COURT INITIATIVES AND RELATED NEWS

MONGOLIAN JURIST TOURS NY COURTS

DESPITE AN ARDUOUS JOURNEY AND JAMPACKED ITINERARY, MONGOLIAN JUDGE TSOGT TSEND was looking sharp yet relaxed on a recent visit to the Big Apple, where he met with judges and administrators from the New York state courts, also observing courtroom proceedings. Since Mongolia's communist government gave way to a democratic republic following the breakup of the former Soviet Union, this central Asian nation has been on a path of judicial reform, with Judge Tsend seeking some fresh ideas to take home to his colleagues.

Appointed nearly two years ago to the newly established administrative court in his native Ulaanbaatar—Mongolia's capital and home to some 50 percent of this nation's three million citizens—Judge Tsend, at 31, is one of his country's youngest jurists.

"People are always telling me that I don't look like a judge," he says lightheartedly, noting that judges in his country are typically in their forties by the time of their appointment to the bench. Mongolia's jurists are appointed to a lifetime term by the country's president, with mandatory retirement set at age 65.

Slightly smaller than Alaska and bordered by Russia and the People's Republic of China, Mongolia is divided into 21 provinces, each with its own administrative court. Mongolia's judiciary comprises three levels of tribunals: trial courts, appellate courts and the Supreme Court, the country's highest court. Judge Tsend puts the current number of jurists serving at the three levels combined at roughly 450.

East Meets West and Vice Versa

Over the past several years, a considerable number of Judge Tsend's peers have visited the United States to observe our federal and state courts in action and exchange ideas with our judges and court experts on a range of issues, from effective case management to making the courts more accessible to the people.

U.S. judges and court administrators have also traveled to Mongolia in providing technical assistance to their counterparts in this developing nation, and the National Center for State Courts—one of Judge Tsend's stops on his recent U.S. tour—has played a key role in Mongolia's judicial reform

Inside

- Jurist-Turned-Juror William O'Brien* . 2
- Courts' Latest Findings on Lawyerless Litigants* 3
- Parent Ed Aids Children of Divorce* . 4
- Officer Shares Memories of Past Career* 4
- Albany Gets New Courthouse* 5
- Future Lawyers Get Firsthand Look at Nontraditional Courts* 6
- High-schoolers Learn their Way Around Surrogate's Court* 7
- Puzzle Fun* 8

efforts, offering a broad range of technical support and training to this nascent democracy's judicial sector.

"It's quite a unique experience to share information with judges from the United States," says Judge Tsend, who was pleasantly surprised to learn that New York's administrative judges, unlike their counterparts in Mongolia, can hear cases. "I think that's a good thing because administrators should have a real understanding of the job that judges do."

Getting a Firsthand Look at American Jury System

After sitting in on a criminal trial in Manhattan, Judge Tsend observed that New York's trial system is quite similar to Mongolia's, one key difference being there are no jury trials in his country. "Though we do have citizen participation," he quickly adds, explaining, "Depending on the complexity of the trial, citizen panels can listen to and comment on the case, but the judge does not have to abide by their decision."

Judge Tsend, who's read extensively about the American jury, likes the concept of

CELEBRATING BLACK HISTORY MONTH



Actor James Earl Jones joined Chief Judge Judith Kaye (left) and Deputy Chief Administrative Judge Juanita Bing Newton at a Manhattan Supreme Court tribute to the African-American community, one of numerous courthouse events held statewide last February in celebration of Black History Month.

NASSAU JURIST TAKES A SEAT IN THE JURY BOX

Nassau County District Court Judge William O'Brien recently got a chance to sit on the other side of the bench, serving as a juror on a medical malpractice trial at Nassau County Supreme Court. "I was always very curious as to what the experience of trying to come to a consensus as a member of a jury would be like, and it was pretty much as I had imagined," says the jurist, who initially worried that the other jurors, upon learning that he was a judge, would defer to him on the verdict. "But that didn't happen at all. They had very definite ideas of their own," he adds happily.

Jury service turned out to be a valuable experience for the judge, who found the case interesting and the jurors very focused. "Besides, I enjoyed seeing someone else having to make the decisions that I usually make," jokes Judge O'Brien, admitting that at times he had to resist the impulse to listen to the case from a judge's perspective.

Sitting on a jury also made the judge realize that he could do a better job of keeping jurors informed during downtime. "We all tend to assume that everyone knows what we know . . . most of the time, as judges we don't let jurors know that as they're waiting we are working with the attorneys to resolve important issues that may help expedite the trial and reduce their length of service," he explains. "Since serving, I'm even more cognizant of the fact that it's not a good idea to have jurors sitting around, not knowing what's happening. By simply keeping them in the loop, so to speak, their service is improved tremendously."

Judge O'Brien, one of 51 jurists who participated in a statewide experiment of various jury trial innovations known as the Jury Trial Project (see inset), also believes that voir dire openings, during which each counsel presents a brief description of the case to prospective jurors as part of the jury selection process, can enhance juror comprehension and satisfaction. "I do this as a regular course in my courtroom because I think it's helpful to the trial process," he says, adding that many of the attorneys he's spoken with endorse the practice as well.

The judge also reports that the majority of jurors he meets, including those he encountered while serving on a jury, find jury service to be an excellent experience. Advising first-timer jurors on how to get the most out of their service, Judge O'Brien

says, "Come prepared that it's not going to be like an episode of 'Law and Order.' Though the pace of the real-life courtroom may be slower, jury service can be very enriching and rewarding." ■



Judge and recent juror
WILLIAM O'BRIEN

NEW GUIDE AIDS JUDGES IN ADOPTING PRACTICES TO ENHANCE TRIAL PROCESS

The New York state courts' Jury Trial Project—a statewide study of jury trial innovations aimed at improving the trial process for jurors and all trial participants—has led to the publication of a guide to assist trial judges in implementing such inventive practices as permitting jurors to take notes and providing deliberating juries with a written copy of the judge's final charge.

Jury Trial Innovations in New York State: A Practical Guide for Trial Judges offers judges suggestions for employing these and other trial practices designed to promote juror comprehension and better informed verdicts, among other benefits. The guide also includes a bibliography of scholarly articles on jury trial innovations and a brief history of the Jury Trial Project, formed in 2003 with 51 state judges from 16 of New York's 62 counties.

In May 2005, the Jury Trial Project released a comprehensive report of findings and recommendations, based largely on data gathered from judges, jurors and trial attorneys in 112 civil and criminal trials held in 2004 that incorporated juror note-taking or other trial innovations. Both the May 2005 report and the newly published jury trial innovations guide for judges are available at the Jury Trial Project's Web site WWW.NYJURYINNOVATIONS.ORG, which features an array of informative materials on the subject.

INTERESTED IN SHARING YOUR JURY EXPERIENCE WITH OUR READERS?

We'd like to hear from you. We also welcome any comments about the newsletter as well as story ideas for future issues.

Please send juror anecdotes, newsletter suggestions and story ideas to:

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COURT SYSTEM CONDUCTS SURVEY OF SELF-REPRESENTED LITIGANTS

WITH THE NUMBER OF SELF-REPRESENTED LITIGANTS STEADILY RISING, the New York state court system recently surveyed New York City Housing Court and Family Court litigants appearing without a lawyer to learn more about this population, including the kinds of materials and services they prefer in helping them navigate the courts.

Conducted by the courts' Office of the Deputy Chief Administrative Judge for Justice Initiatives—established in 1999 to help ensure equal access to justice for all New Yorkers—the study involved some 3,300 litigants throughout New York City's five boroughs, most appearing in court without a lawyer for critical cases such as evictions, domestic violence and child custody.

Survey Yields Useful Data

Eighty-three percent of those surveyed identified themselves as African American, Asian or Hispanic, with the majority of respondents reporting household income of \$30,000 or less. Those surveyed were



Forty-four percent of respondents felt that they did not require the services of an attorney—with litigants who had higher income and education levels more likely to feel this way—while about 60 percent of those surveyed felt they could not afford an attorney.

Deputy Chief Administrative Judge JUANITA BING NEWTON

also found to have relatively low levels of education compared to the New York City population as a whole, with 50 percent of the Family Court respondents and 44 percent of the Housing Court respondents reporting a high school education or less. Respondents who completed the survey in Spanish—10.9 percent of those surveyed—reported lower income and education levels than those who completed it in English.

The survey also found that of those polled only 32 percent had consulted a lawyer, and that 44 percent of respondents felt that they did not require the services of an attorney—with litigants who had higher income and education levels more

RECOMMENDATIONS PROMPTED BY THE SURVEY

Providing useful data for allocating court resources to help level the playing field for self-represented litigants, the survey prompted a set of recommendations, among them:

- Expand court- and community-based services for the self-represented, including courthouse Offices for the Self-Represented, which provide information on court procedures and forms;
- Continue to maintain and upgrade the court system's CourtHelp Web site for self-represented litigants, WWW.NYCOURTHELP.GOV, launched several years ago to help self-represented litigants find and use the courts more easily;
- Install CourtHelp public access terminals at courthouse sites statewide;
- Publicize the court system's extensive network of public-access law libraries and conduct library tours that include tutorials on how to use these facilities to research a case;
- Conduct further research to explore other reasons besides affordability that lead litigants to appear in court without counsel.

likely to feel this way—while about 60 percent of respondents felt they could not afford an attorney, with this percentage similar throughout the entire range of

annual incomes reported (under \$15,000 annually to more than \$45,000 per year).

Among other findings, the survey revealed that most self-represented litigants want written materials available at courthouses that explain court procedures and forms as well as court staff who can help them; approximately a third of respondents would like to access courthouse and case information, including forms, via the Internet; and relatively few self-represented litigants are aware of the research services available at the courts' public-access law libraries.

“It's clear from this survey and from other research conducted by our office and others in the field that we must continue

our efforts to increase legal services funding for civil cases, expand pro bono legal help, and provide information and other services in the courthouse to assist the growing number of litigants who come to court without a lawyer,” emphasizes Deputy Chief Administrative Judge for Justice Initiatives Juanita Bing Newton.

Judge Newton's office also surveyed personnel from the state's 1,287 town and village courts in assessing the needs of self-represented litigants served by these tribunals, which hear traffic, housing, small claims and other civil matters. Though locally funded, the state's town and village courts receive training and other technical support from New York's state court system. ■

To view or download a full report of the two surveys, visit WWW.NYCOURTS.GOV, double-click on the “What's New” link and scroll down to “Self-Represented Litigants: Characteristics, Needs and Services, the Result of Two Surveys.”

COURTS' PARENT EDUCATION NETWORK AIMS TO EASE DIVORCE TRAUMA FOR CHILDREN

For too many families going through a divorce, the end of the marriage marks the beginning of a power struggle between the parents that claims no winners, least of all the children. The good news: parent education programs that offer information and practical tools to couples parting ways, helping them to better understand how the breakup can affect their children and what they can do to make their new family situation less stressful, are proving invaluable to youngsters as they adjust to their parents' separation.

Evelyn Frazee, a Monroe County Supreme Court judge and chair of the advisory board of the New York State Parent Education and Awareness Program—appointed by Chief Judge Judith Kaye to establish guidelines for ensuring the quality of parent education providers serving court-referred participants—knows all too well how detrimental ongoing parental conflict can be to children.

“Unfortunately, I've seen so many children adversely affected by their parents' hostile relationship, from social withdrawal to sexual promiscuity to the extreme case of a 12-year-old boy who attempted suicide because he felt inextricably trapped in his parents' war,” says Judge Frazee, adding, “I can tell you from my work with parent education programs that they can be highly beneficial to youngsters as they adapt to their new family situation. Parents consistently express appreciation for the information and assistance that these programs provide to them and their children.”

With 40 percent of our nation's youngsters experiencing the divorce of their parents during childhood, the need for these

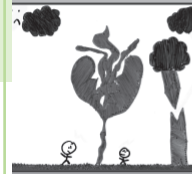
programs is greater than ever, notes the judge. To expand the network of

court-annexed parent education programs—currently these programs are offered at 58 sites in 38 of New York's 62 counties—the Parent Education and Awareness Program advisory board has launched a Web site, WWW.NYCOURTS.GOV/IP/PARENT-ED, advising parent education providers on the courts' certification requirements and application process.

Additionally, the attractive poster shown above will be disseminated for display in courthouses and other appropriate venues statewide in raising awareness about the value of parent education and directing parents to qualified providers in their local area, reports Judge Frazee. “For the sake of our children's well-being, it's vital that we get the word out about the benefits of parent education and that programs meeting the courts' standards for quality, efficacy and safety become more widely available throughout New York,” she emphasizes.

Judge Frazee invites anyone with questions or suggestions regarding parent education programs in New York to contact the advisory board at nyparent-ed@courts.state.ny.us or 888-809-2798 (toll-free). Inquiries and suggestions may also be addressed to: Parent Education Advisory Board, 140 Grand Street, Suite 701, White Plains, New York 10601. ■

ARE YOU A PARENT GOING THROUGH A SEPARATION OR DIVORCE?



LEARN HOW THE BREAKUP AFFECTS YOUR CHILDREN

LEARN TO MAKE YOUR NEW FAMILY LIFE EASIER FOR YOU AND YOUR CHILDREN

WWW.NYCOURTS.GOV/IP/PARENT-ED

Broadcast Maven Finds His Niche at the Courthouse



Court Officer CHARLES HOLLON

CHARLES HOLLON HAS A RATHER UNCONVENTIONAL RÉSUMÉ FOR A COURT OFFICER, having traded in a career in radio for one at the courthouse. “I always had a love for radio,” says the Brooklyn native, who gained entry into that world while a student at Kingsborough Community College, becoming program director of the school's radio

station and holding the titles of production assistant, writer-producer and market analyst at several prominent radio stations in the New York area following his graduation in 1985.

“Back then, before things were digitized, reporters would phone their stories in and I'd have to coordinate with the editor to make sure the piece had the right flow prior to airing,” recalls Charles, shedding some light on his role as a production assistant with all-news radio station 1010 WINS. “It could be extremely stressful.”

In Search of Job Stability

After several very hectic years in radio and with his wedding just around the corner, Officer Hollon decided it was time to make the transition to a more stable livelihood. “In radio, there is no job security,” emphasizes Charles, who got his introduction to the New York state courts in 1992 by landing a court-based position with the Legal Aid Society, assisting the agency's clients at the Kings County Criminal Courthouse.

NEW COURTHOUSE OPENS IN ALBANY

ENTERING THE MAIN LOBBY OF THE NEW ALBANY COUNTY JUDICIAL CENTER at 6 Lodge Street, one's eyes are immediately drawn to the free-standing stairway that dramatically ascends the first three floors of this 86,000-square foot, four-story edifice. Its railings reflecting the sunlight beaming through the court's many-windowed atrium, the staircase serves as an anchor for this majestic structure, the new home of the county's Supreme Court justices assigned to criminal cases and Albany's jury commissioner's office, among others.

While the new courthouse offers all the latest technology—from a state-of-the-art security system to wiring that will make it possible for prisoners to be arraigned by a video feed from the county jail—its wood-accented rooms and hallways and vintage-style furniture are reminiscent of simpler times. These stately surroundings appeared to be having a palpable effect on those passing through the courthouse doors on a recent Wednesday, with people throughout the building's lobby and corridors speaking in hushed, library-like tones.

Albany County Commissioner of Jurors John Diamond agrees that the new courthouse seems quieter than its predecessor—still in use and located directly across the street—certainly a plus for jurors eager to catch up on their reading during downtime.

Albany jurors in the market for new reading material will likely appreciate the wide selection of magazines available in the new court's spacious jury assembly room, which also features such amenities as wall-mounted television screens and computer terminals that offer waiting jurors access to the Internet. Pointing out these

conveniences, Commissioner Diamond notes, “What I particularly like about the new juror assembly room is that it's situated right by our offices, so jurors can readily stop by if they need assistance.”

Also among the new court's more notable features are its spacious, bright and beautifully appointed courtrooms, judicial chambers and jury deliberation rooms. With safety a top priority, the latter two are strictly off-limits to the general public as is a highly secure basement entrance by which prisoners are escorted to and from the court's holding pens. Additionally, personnel posted at the court's front-lobby security booth monitor all major parts of the building via the new facility's sophisticated video-tracking system.

The original county courthouse, opened for business in 1915 and known to locals as the “Temple of Justice,” is being renovated for the county's Supreme Court justices handling mostly civil cases as well as the local sheriff and his staff. ■



A view of the new Albany courthouse's free-standing staircase

“There's nothing like courtroom experience to give you a comprehensive understanding of our legal system.”

Following a five-year stint at the Legal Aid Society, Officer Hollon took a job with another legal services agency, Brooklyn Defenders, where he also aided clients, though not in a courtroom setting. “I missed the courtroom, but enjoyed the work and met some great people,” he says.

During his tenure at Brooklyn Defenders, Charles took and passed the court system's qualifying examination for court officers and has been donning his court officer's uniform since 2002. “It was tough leaving the Brooklyn Defenders, but I think I made the right choice,” says the affable ex-Brooklynite, who these days resides in the suburbs with his wife and eleven-year-old daughter.

As a new recruit, Officer Hollon underwent a rigorous training program in emergency response and other procedures. Lauding

the staff at the Court Officers' Training Academy, he notes, “They're very supportive and truly want the best for you as a new officer.”

“I always strive to treat everyone fairly, which I think works well whatever field you're in.”

Currently assigned to the court system's administrative offices in lower Manhattan, Officer Hollon can be spotted ushering visitors safely in and out of the building's lobby, among other duties. Some of the skills he honed during his radio days continue to serve him well, says Charles, adding, “To this day, I fall back on what I learned from dealing with so many different types of people and juggling a variety of projects. I always strive to treat everyone fairly, which I think works well whatever field you're in.” ■

Future Lawyers Get Close-up View of Problem-Solving Courts

A group of Fordham University School of Law students spent a morning last February touring Brooklyn Treatment Court for a new course on nontraditional courts being offered by the school. Taught by New York state court system judges and lawyers, Problem-Solving Justice: Courts as Agents of Social Change examines drug, mental health and other specialized courts that take a problem-solving tack to nonviolent crime, with students required to visit several such tribunals over the course of the semester.

Instructor Valerie Raine, director of drug projects for the Center of Court Innovation—the courts' research arm—and a former Brooklyn Treatment Court director, gave students an overview of the court, where nonviolent offenders with a drug history can opt for judicially monitored treatment in lieu of incarceration. Defendants must admit to their crimes, then sign a contract promising to comply with treatment, job training and other court requirements in having the charges reduced or dismissed.

“We deal with the entire panoply of problems that addicts have—health, housing, child care and other issues,” Ms. Raine informed the students, describing the range of on-site services available to offenders. Looking to initiate a dialogue, she added, “Traditional courts are concerned with the adjudication of past occurrences, while problem-solving courts focus on future behavior. What are your thoughts on the notion of the court being in the business of changing people's lives?”

Several students felt that the criminal justice system, via jail and other sentences, has always had a hand in behavioral issues, whether

realized or not. “What matters is that the offender has a choice,” added classmate Audra Beerman.

Students Hear from Court's Various Players

The students also met with Clinical Director Joseph Madonia, who discussed the court's nontraditional approach. “We have case managers, educational, vocational and other services, all unusual for a court. We view the courtroom as a therapeutic environment,” he explained, later on showing students around the court facilities, which include an office where Mr. Madonia's staff conducts educational assessments to help drug offenders prepare for their GED exams or apply to college.

Ms. Raine introduced the Fordham students to Brooklyn Treatment Court Judge Jo Ann Ferdinand, who's been with the court since its opening a decade ago. Elucidating the court's guiding philosophy, Judge Ferdinand told them, “It's clear that traditional criminal justice sanctions don't work well with addicts. Putting people with a history of drug abuse in jail doesn't cure their addiction. They just get arrested again and keep repeating that cycle . . . It turns out that having a single, authority figure to whom the addict is accountable works because the truth is, these offenders don't really want to be addicts. They don't want to stop getting high, but they don't want the negative consequences attached to drug addiction.”

After further talk on how the court works, Judge Ferdinand rushed off to the courtroom, where a short while later the students heard as she dispensed words of encouragement to several offenders who had made strides in their treatment, a big motivator for these defendants.

By the end of the semester, the students will hear from a drug court graduate and other guest speakers, also visiting Brooklyn's Domestic Violence Court. Center for Court Innovation Director Greg Berman reports that the center is planning to disseminate the course materials to professors and judges around the country, encouraging them to replicate the Fordham class, adding, “The goal is to get future lawyers to look at these nontraditional approaches to justice and start thinking of themselves as problem-solvers.” ■



Brooklyn Treatment Court Judge Jo Ann Ferdinand and Clinical Director Joseph Madonia talk with Audra Beerman and other Fordham students enrolled in the school's new course on problem-solving justice.

“Mongolian Jurist” continued

giving citizens the opportunity to hear a case and render a verdict. “As jurors, citizens are able to play an active part in the judicial system,” he says.

Drawing another comparison between Mongolia's judiciary and the New York State court system, Judge Tsend points out that Mongolia's judges grapple with many of the same issues that trouble New York jurists, from the public's lack of knowledge about the courts to the underlying complexities of domestic violence cases.



Judge Tsogt Tsend of Mongolia with Lawrence Marks, administrative director for the court system's Office of Court Administration. The judge spent several weeks touring the United States, meeting with American judges and court administrators and observing court proceedings.

In response to the former, Judge Tsend reports that this spring he and his colleagues will mark the 800th anniversary of the Mongol Empire by holding court tours and open houses to teach citizens about the role of their country's fast-evolving judicial sector. “We want the people to see for themselves how the system works,” he emphasizes. ■

BROOKLYN INITIATIVE GIVES TEENS FIRSTHAND KNOWLEDGE OF COURT SYSTEM

High school senior Ronald Noel is certain he wants to make his living as a court officer, a career option he discovered while an intern at Kings County Surrogate's Court. The 17-year-old is one of several participants in the court's newly launched Law, Politics and Community Program, funded by the Department of Education and open to seniors at Brooklyn's Samuel Tilden High School with an interest in the law. Interns are required to put in 16 hours per week at the courthouse, earning a stipend and academic credit.

"The program offers young people contemplating their career choices the opportunity to learn about what we do in Surrogate's Court and to know that the court is here to serve the public," explains Clerk of Guardianship Accounts John Devito, who oversees the initiative and whose unit monitors funds of minors and developmentally challenged individuals generated from lawsuits, ensuring these monies are used for beneficiaries' educational and other needs.

Building on an Old Friendship

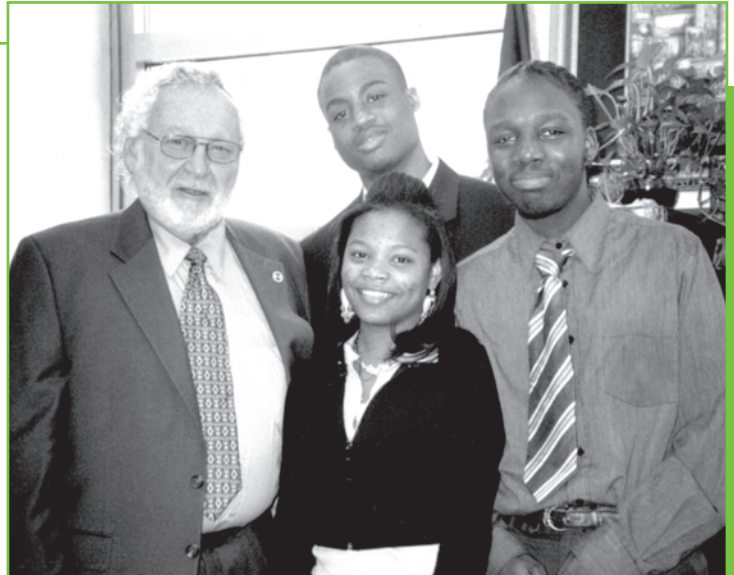
Clerk Devito, a court employee since 1964, has a long history with Samuel Tilden High School, working with interns from the school's Law Explorers Club during the 1970s. The genesis of the court's new internship program, the Law Explorers Club gave Tilden students the chance to gain courthouse experience as well as school credit.

"We had such a great experience with the students," recalls Mr. Devito, who recently ran into one of his former interns and was elated to learn that he's now a lawyer. Hoping to revive the Law Explorers Club, the veteran clerk met last year with longtime friend Clarence Kay, a Tilden faculty member who was involved with the original program, and Dorcas Young, a guidance counselor at the school, rolling out the Law, Politics and Community Program in November.

All Sides Gain from the Experience

Intern Jerome Grant, an aspiring attorney who's headed for Brooklyn's Saint Francis College next fall, has benefited greatly from the program. "Working here gives you a chance to help people, plus you learn a lot about the various documents that need to be filed with the court," states the soft-spoken teen.

Tilden senior and future real estate lawyer La'Donna Wilson is also interning at the court this semester and so far has found it to



Brooklyn Surrogate's Court Clerk of Guardianship Accounts John Devito with interns La'Donna Wilson, Ronald Noel and Jerome Grant (standing behind Ms. Wilson).

be a highly valuable experience. "I really wanted to work in a courthouse. I didn't know anything about Surrogate's Court or guardian accounts before I came here. I'm learning so much and have also discovered that I'm pretty good at office work," says the bubbly 18-year-old, who is assigned to the court's accounting unit and was recently accepted to Boston University.

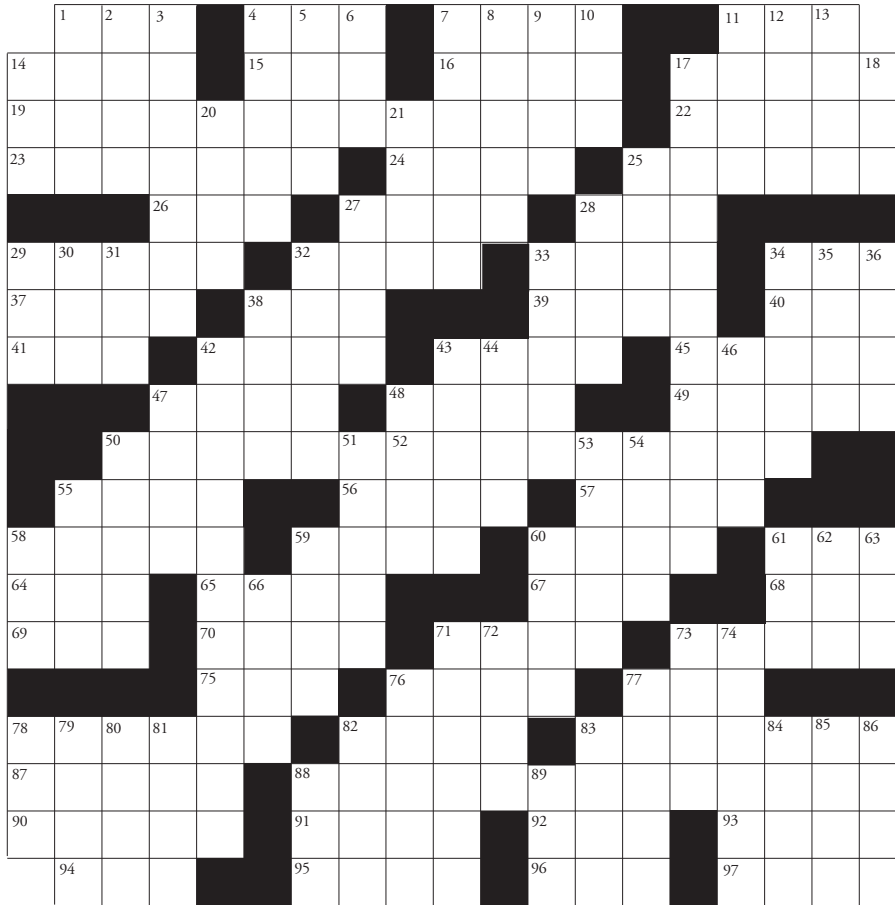
"I didn't know anything about Surrogate's Court or guardian accounts before I came here. I'm learning so much and have also discovered that I'm pretty good at office work."

- SURROGATE'S COURT INTERN AND ASPIRING ATTORNEY LA'DONNA WILSON

"Having these youngsters at the courthouse is a learning experience for us as well," chimes in Adriane Andrades, a member of Clerk Devito's staff who regulates the teens' assignments and monitors their attendance. "Sometimes we forget what it's like being young," she jokes, adding, "They're a wonderful group of youngsters, intelligent and eager to learn."

Kings County Surrogate's Court Judges Margarita Lopez Torres and Frank Seddio are ardent supporters of the court-school initiative. "This program develops leadership, and that's always a wonderful thing," says Judge Lopez Torres. "It's a way for the court to connect with young people, which is why we encourage these kinds of programs," adds Judge Seddio. ■

C O U R T S I D E C R O S S W O R D



ACROSS

- 1. Hearing organ
- 4. Unhappy
- 7. Late actress Lanchester
- 11. Start of the workweek for many: abbreviation
- 14. Land measure
- 15. Article
- 16. Plunder
- 17. One who submits a tax return
- 19. The moving of a lawsuit to another place for trial: 3 words
- 22. Martian, e.g.
- 23. Completely
- 24. Above
- 25. Revises, as a law
- 26. Earl Grey or oolong
- 27. Layer
- 28. Motorist's offense, perhaps: abbreviation
- 29. Express pain
- 32. Farm building
- 33. Word with "paper" or "flower"
- 34. Tooth specialist's degree: abbreviation
- 37. Suffers poor health
- 38. Snakelike fish
- 39. Whirlpool
- 40. Many car owners belong to this group: abbreviation
- 41. Turf
- 42. Wicked
- 43. First name of Perry Mason creator
- 45. You'll find these in many a mattress
- 47. Small songbird
- 48. Musical work
- 49. Desert's fertile region
- 50. Jurist's instruction in certain trials: 4 words
- 55. Do a farmer's task
- 56. Wealthy
- 57. Possible home for 22-Across
- 58. Greek-born composer-keyboardist
- 59. He wrote the Brandenburg concertos
- 60. Gasp
- 61. Box-office failure
- 64. Height: abbreviation
- 65. Hints
- 67. Tell a fib
- 68. Employ
- 69. The Rockies, for example: abbreviation
- 70. Poker stake
- 71. Currency in Saudi Arabia
- 73. Lawful
- 75. Frank McCourt title
- 76. Repair, as a sock

- 77. Martini ingredient
- 78. Élan
- 82. Mr. Estrada
- 83. Daniel Webster and Winston Churchill were great ones
- 87. Off-limits
- 88. Does a trial attorney's work: hyphenated word
- 90. Chinese or Indian
- 91. Bee colony
- 92. Rank of the late George Patton: abbreviation
- 93. Corrode
- 94. Unusual
- 95. Singles
- 96. Canadian province: abbreviation
- 97. Appraisal, for short
- 31. Aged
- 32. Existence
- 33. It's spoken in Wales
- 34. Leafy-stemmed perennial
- 35. Renowned surrealist
- 36. Insolent talk
- 38. Always
- 42. Elimination
- 43. Period
- 44. "The Babe"
- 46. Rowing need
- 47. At what time?
- 48. Suffix pertaining to 1-Across
- 50. Pennies
- 51. Delete
- 53. Communicate electronically: hyphenated word
- 54. A Fonda
- 55. Pepper's "mate"
- 58. Sweet potato
- 59. Places a wager
- 60. Blueprint
- 61. Used a shovel
- 62. Canada's neighbor: abbreviation
- 63. Dover's state: abbreviation
- 66. Part of a school course focusing on a central topic
- 71. Salary increments
- 72. Annoys
- 73. Actor Neeson
- 74. Whole
- 76. Operated, as a car
- 77. Give possession of by a deed
- 78. Depot: abbreviation
- 79. El __, TX
- 80. Academic's abbreviation for something previously cited
- 81. Highway
- 82. Ireland, poetically
- 83. Certain domesticated animals
- 84. Burden
- 85. "Let the defense __"
- 86. The Concorde, for short
- 88. Margaret, of stand-up comedy fame
- 89. Subject of study for a Freudian

DOWN

- 1. Repeat
- 2. Smell __, suspect something's not proper: 2 words
- 3. Opera's Ms. Scotto and namesakes
- 4. Pillar
- 5. Sailor's term
- 6. __ Jam, Russell Simmons' hip-hop label
- 7. Half of 22
- 8. Individualist
- 9. Like a lemon
- 10. Had a meal
- 11. 5,280 feet
- 12. Swedish-born actress Lena
- 13. Requirement
- 14. Play a role
- 17. Tribunal for domestic disputes: 2 words
- 18. Certain health professionals: abbreviation
- 20. Narrow valley
- 21. __ dire, questioning of potential jurors
- 25. " __ Lang Syne," New Year's Eve ditty
- 27. Like most NBA players
- 28. County in Georgia
- 29. Fuel
- 30. River, to a Madrid native