

# JURY POOL NEWS

A New York State Unified Court System publication highlighting the latest court initiatives and related news

## Courts' Pilot Programs Enhance Grand Jury Service

Pilot programs recently implemented by the New York State court system in several counties are helping to make grand jury service more palatable. An outgrowth of a comprehensive study of the grand jury system by a blue-ribbon panel comprising prosecutors, judges, academics and jury commissioners, these pilot projects are working to shorten average terms of service, improve juror selection and summoning procedures, enhance juror facilities and provide a better grand jury experience overall.

Unlike petit jurors, who sit on either criminal or civil trials, grand jurors decide if there is legally sufficient evidence and reasonable cause for an indictment, or felony charges against the accused. Of the 23 members who make up a grand jury, 16 who've heard all the evidence in a case must be present to deliberate, with 12 votes required for an indictment. Approximately 25,000 grand jurors serve in New York each year.

### Time Well Spent Results in Shorter Terms, On Average

"Our initiative has focused on reducing the burden of service on grand jurors and improving their physical surroundings," says Charles Perreaud, who as Monroe County's jury commissioner oversees the county's grand jury pilot program and with his staff has made refrigerators, microwaves and other amenities available to the grand jurors. "We worked with the public defender and our district attorney's office in better utilizing jurors' time," says Patricia Marks, supervising judge of Monroe County's criminal and

county courts, explaining how the pilot program got off the ground. The outcome: Instead of two grand jury panels serving five days a week for four weeks, one panel serves the 20 days but the other serves for only 10 days over the same four-week period. Mr. Perreaud says he's received quite a lot of positive feedback on the 10-day schedule, which better enables many to keep up with their other commitments.

In Onondaga County, the site of another of the state's grand jury pilot programs, the average number of days served by grand jurors went down from 22 in 1998 to 14 last year. Albany County Commissioner of Jurors John Diamond says attendance is up since the inception of his county's grand jury pilot project, which has reduced by 30 to 50 percent the average number of days grand jurors are required to report

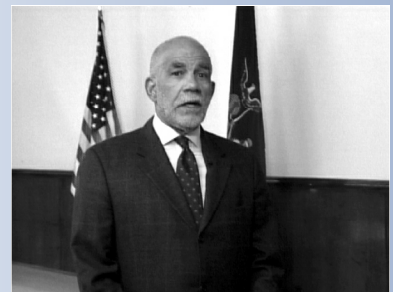
for service. "Now, 21 out of the 23 jurors comprising a grand jury panel show up consistently, so we have the 16 people required to hear all the evidence in a particular case," he adds.

Jack Vitale, who runs the Kings County Supreme Court's grand jury office—which oversees six grand jury panels at a time—also reports better attendance since the start-up of its grand jury pilot project. The majority of the county's grand jurors now serve 10 days rather than 20, for two consecutive weeks instead of four.

To make this possible, Mr. Vitale and his staff, in coordination with the district attorney's office, implemented a new scheduling system. "Now, the prosecution must be ready with all its witnesses before scheduling a case," he says. Prior to the new scheduling arrangement, a case *Continued on Page 2*

### And Coming Soon to a Courthouse Near You . . .

*Grand jurors can soon look forward to a lively orientation video narrated by actor Sam Waterston (top), newsman Ed Bradley and other notables. This new film, which by year's end will be available to grand jurors serving in each of the state's 62 counties, explains the grand jury's role and responsibilities, also educating viewers on the origins and evolution of the modern-day grand jury system. Additionally, a grand juror handbook currently in the works will be ready for statewide distribution early next year.*



*“PILOT PROGRAM” continued from page 1*

would be placed on the grand jury calendar in the morning, with the prosecution scrambling to get all its witnesses together by afternoon. If everything didn’t come together by then, the jury’s time was wasted, explains Mr. Vitale.

In spite of the more stringent scheduling requirements, Executive Assistant District Attorney Donald Berk, supervisor of the team of assistant district attorneys who bring cases before the grand jury, has high praise for the Kings County pilot project. “The grand jurors overwhelmingly prefer the two-week term of service,” he says, adding that those who serve the shorter term seem to stay more focused throughout their service, plus the better juror turnout allows cases to move along more steadily. In fact, the Kings County grand jury pilot project has proven so successful it’s already being replicated in New York City’s Richmond County.

James Imperatrice, chief clerk of Kings County Supreme Court, Criminal Term, says having a dedicated crew to attend to the grand jurors’ needs has been key to the program’s success. Members of Mr. Vitale’s team take turns scheduling the cases and also are on hand to make sure jurors are comfortable and to answer any questions they may have about grand jury procedures.

“Of course, not everybody’s satisfied, but we have people who actually say they want to stay on longer,” says Mr. Vitale. Like the rather lively panel of Kings County grand jurors serving the final days of a two-week, 10-day term this past spring who conceded to feeling a bit sad that their service was coming to an end. All the jurors said they were going to miss each other and the special care of the court’s attentive crew.

### **Better Preparation of Jurors**

In addition to the pilot programs, the blue-ribbon panel’s recommendation to better prepare new grand jurors—many of whom have little or no knowledge about the grand jury process and come in expecting to sit on a trial—has come to fruition in the form of a lively orientation film. The film, which will soon be available in courthouses in each of the state’s 62 counties, instructs grand jurors on their role and responsibilities and also includes some interesting historical tidbits. Additionally, a handbook being developed by the New York State court system, explaining the grand jury’s role and containing other important information, will be distributed to grand jurors throughout the state starting next year. ♦

## **Do You Know Your Grand Jury?**

The idea of a grand jury predates the idea of a trial jury.

The first English grand jury consisted of twelve men selected from the knights or other free men to inquire into crimes alleged to have been committed in their local community. In other words, these early grand jurors served as accusers or witnesses rather than as judges of the facts.

Over the years England’s grand jury became independent of the Crown, serving as a shield against government oppression rather than as a sword for the King.

Grand jury proceedings are secret, allowing for free and open deliberations, while also encouraging witnesses with information about a crime to speak freely and protecting innocent parties from disclosure of the fact that they were under investigation.

The grand jury as an institution was so firmly established that the Founding Fathers included it in the Bill of Rights. The Fifth Amendment to the United States Constitution states in part that “no person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury . . .”

Each grand jury panel has both a foreperson and an assistant foreperson.

Although defendants sometimes testify during grand jury proceedings, typically grand jurors only hear the People’s case.

Witnesses may have legal counsel present in the grand jury room to advise them of their rights, but counsel may not participate in any other way during grand jury proceedings.

Questions, comments or suggestions about the jury system? Call 1-800-NY-JUROR, e-mail us at: [nyjuror@courts.state.ny.us](mailto:nyjuror@courts.state.ny.us) or write to Chief Judge Judith Kaye, Continuing Jury Reform, 25 Beaver Street, New York, NY 10004

## Courts Salute Nation's Legal System, Pay Tribute to Workforce

### **"WITH RESOURCES YOU CAN MAKE A BIG DIFFERENCE IN SOMEBODY'S LIFE."**

Those were the words of Emily Jonas, pro bono coordinator of Westchester-Putnam Legal Services, at a ceremony held in Mount Vernon City Court this past spring in honor of Law Day, a celebration of our nation's



*Emily Jonas, pro bono coordinator of Westchester-Putnam Legal Services, addressing middle-schoolers and other guests at the Mount Vernon City Court on Law Day 2002.*

legal system that traditionally falls on May 1.

Alluding to this year's Law Day theme—assuring equal justice for all—Ms. Jonas spoke of the critical role of programs like Westchester-Putnam Legal Services, which last year provided legal assistance to

some 25,000 clients and family members struggling with job, housing and other make-or-break issues. She explained that as pro bono coordinator her job is to find attorneys willing to take cases at no cost to the client. "If an attorney can take even just one case a year, it can make a tremendous difference," Ms. Jonas said, adding that each day she gets numerous calls from people in desperate need of legal help but is forced to turn many away because of inadequate funding and staff.

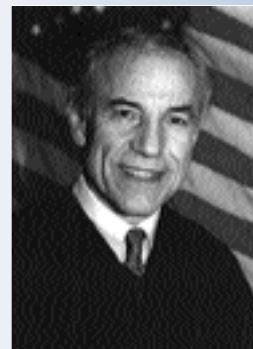
As part of the morning's festivities, seventh- and eighth-graders from Mount Vernon's A.B. Davis Middle School presented a poster based on the equal access to justice theme, with one young lady delivering a speech she wrote, inspired by the Gettysburg Address, calling for racial and religious tolerance.

Teens with an interest in the law also participated at the Suffolk County Supreme Court's Law Day celebration this year. Suffolk County Administrative Judge Alan Oshrin told students from Northport High School, some participants in a moot trial program involving several of the county's judges, "This special day has been set aside to allow all Americans to celebrate in appreciation of their liberties and in observance of our legal heritage. It allows

all of us to reflect upon the importance of our legal system in the lives of each and every citizen, and how the freedoms we hold so dear would not be possible without a strong and independent judiciary." Workshops relating to the equal access to justice theme were offered throughout the morning at the Suffolk County celebration as courthouses all across the state commemorated Law Day with special ceremonies and events.

Expanding legal services for the needy, making courts more user-friendly and taking other steps in assuring equal access to justice was the theme of Chief Judge Judith Kaye's Law Day address at Albany's Court of Appeals Hall this year. Afterward the Chief Judge joined Chief Administrative Judge Jonathan Lippman, Attorney General Eliot Spitzer and other guests in a tribute to the courts' workforce, with special honors going to Appellate Term Justice Michael Pesce and the courts' chief of public safety, Matthew O'Reilly, for their outstanding contributions to New Yorkers and the justice system.

Justice Pesce, who for six years served as the administrative judge of New York's Second Judicial District, was honored for his innovative spirit in making the courts both more efficient and effective for all New Yorkers. Justice Pesce oversaw the implementation of the Brooklyn Treatment Court, which has helped hundreds of offenders begin productive, drug-free lives and now serves as a model throughout the state and beyond. He also played a key role in implementing programs to enhance the handling of domestic violence cases, expedite divorce proceedings and improve



*Michael Pesce, presiding justice of the Appellate Term, Second and Eleventh Judicial Districts, received a special award this past Law Day for his pivotal role in numerous court innovations.*



*New York State courts' Chief of Public Safety Matthew O'Reilly was the recipient of the Law Day 2002 Service Award for his extraordinary efforts in meeting the security challenges posed by the World Trade Center attacks.*

*Continued on Page 7*



## Activist-Turned-Judge Finds His Niche at Innovative Harlem Court

### **Rolando Acosta, sole presiding judge of the Harlem Community Justice Center,**

was a go-getter from an early age. Judge Acosta, who with his parents and five siblings emigrated to New York City from the Dominican Republic as a young teen in 1969, wasn't expecting the kid-glove treatment as a newly arrived immigrant in a town known for its less-than-relaxed pace. "I wasn't disappointed either," laughs the Judge, who despite his athletic build and commanding presence, is a very approachable person.

Even with the language difficulties, discrimination and other hardships he and his family faced, the Judge excelled in school, graduating fourth in his class at DeWitt Clinton High School in the Bronx. He was also an outstanding athlete, a star pitcher who led his high school baseball team to victory two seasons running. And though his family was struggling financially—his parents toiled in a garment factory to put food on the table—Judge Acosta passed up the chance at a lucrative baseball career to attend Columbia University on an academic scholarship. Of his decision, the Judge says emphatically, "I have no regrets," then pauses, adding half-jokingly, "Although you always think, 'What if? How much money would I have made?'"

Young Rolando, who had plans to become a psychologist, first entertained the idea of a legal career after hearing John Carro, a high-ranking Latino judge, speak at his high school. Judge Carro talked with passion about the role of the judicial branch. "Here I was, a kid from the Dominican Republic, where there's

not an independent judiciary," recalls Judge Acosta, who was quite taken with the idea of an autonomous judicial branch. Judge Carro's love for the law took hold on the future jurist, and the two remain friends to this day. Another reason Judge Acosta turned down the opportunity to play pro baseball to pursue a legal career: his desire to give back to the community. "Baseball I did for my own personal enjoyment, but I look at my career as something I do for the community, which is why it's been so fulfilling," he says.

A graduate of Columbia University School of Law, Judge Acosta began his legal career as a community activist and grass-roots organizer, serving as a Legal Aid lawyer and holding down a number of high-level city posts before his election to the Manhattan Civil Court bench in 1997. Accustomed to "always advocating for someone or something," Judge Acosta had to adjust to his new role as impartial interpreter of the law. "The role may be different, but the skills and ultimate goal—justice—are the same," he emphasizes.

Last year Judge Acosta was called upon to oversee the Harlem Community Justice Center, the first full-scale court in Harlem in over 40 years, with a strong focus on juvenile justice and housing issues. The aim of the Center's Youth Justice Project is to engage local youngsters in their community, teaching them citizenship



*Judge Rolando Acosta of the Harlem Community Justice Center applauds guest speaker and Center participant Sharif Smith at the Center's Juvenile Intervention Court opening last May.*

skills and also preparing them for the workforce, while its Housing Part offers mediation and other services for speedier resolution of landlord-tenant disputes. In May, the Center celebrated the official opening of its Juvenile Intervention Court, the first community court in the country to address the problems of juvenile delinquency and drug abuse.

The Judge calls problem-solving courts like the Harlem Community Justice Center "a good thing," employing a more holistic approach in dealing with litigants and enabling judges to take a more proactive role. "You must deal with the litigant's underlying problems. For example, in a housing case, you need to know if the landlord is falling behind on taxes, the number of repair violations that exist in a building and how long the dispute has been going on," he explains, adding that armed with such crucial data, the court is able to get to the core problem a lot faster. "The same thing goes for juvenile delinquency cases. If there's a drug issue, I should know. Otherwise we're just dealing with the symptoms—truancy, vandalism and the like—not the problem," he says. *Continued on Page 5*

# Victim-Offender

## DIALOGUES HAVE DRAMATIC IMPACT ON BOTH SIDES

Although some people may find it hard to fathom, an increasing number of crime victims are opting to meet face-to-face with those who've done them harm, provided, of course, the offender is ready to make some type of amends. Giving victims an opportunity to question the offender directly—something that doesn't occur in the traditional criminal justice system—such dialogues also make defendants realize the magnitude of the pain and damage they've caused.

"It's a real opportunity for victims and offenders to talk about the experience fully," says Jody Miller, executive director of the Mediation Center of Dutchess County, Inc., a nonprofit organization that recently initiated a victim-offender mediation program for cases involving juvenile defendants. Last spring the Center brought a panel of national experts to Poughkeepsie to discuss victim-offender dialogues, group conferences and other methods that actively engage victims and community members in deciding how to best repair the harm caused by a crime, a philosophy known as "restorative justice." An approach rooted in ancient tribal cultures, restorative justice focuses on the emotional and material losses of victims and the community at large, holding offenders directly accountable to the individuals and neighborhoods they've violated. Atwin conference on restorative justice practices was held in White Plains, New York, with the two events drawing over 300 law-enforcement professionals, social workers, judges, clergy members, community activists and others.

### For Offenders, Facing Victims Can be Tougher than Doing Jail Time

"Several wounds occur every time a crime is committed. The victim suffers the immediate crime, but the peace of the community is also disturbed," panelist Dennis Maloney, a juvenile justice expert and director of the Department of

Community Corrections in Deschutes County, Oregon, told audience members at the Poughkeepsie seminar. Speaking of the importance of holding criminals directly accountable to their victims, Mr. Maloney, a former prison warden, said those who do jail time seldom take responsibility for their criminal behavior. It's often just the opposite, he said, with prisoners perceiving themselves as the victims and frequently disassociating themselves from those they've



*Jody Miller of the Mediation Center of Dutchess County, Inc. joins Andrew Thomas, executive director of the Center for Dispute Settlement, at the restorative justice conference held in Poughkeepsie this past spring. Mr. Thomas, whose organization serves central New York, acted as moderator.*

harmed.

Mr. Maloney recounted a number of victim-offender dialogues he'd facilitated that forced offenders out of their denial, including one case involving a trio of juvenile delinquents brought to tears when they came to understand the pain and suffering they inflicted on a

widow whose home they'd burglarized. The woman told the boys, all of whom were repeat offenders, that she no longer felt safe in her home, recalled Mr. Maloney, adding that the youngsters broke down upon learning the coin collection they'd stolen—and later cashed out to play video games—held great sentimental value for the widow. "Had we just depended on the traditional system of criminal justice, there's no way these boys would have

*Continued on Page 7*

The past year has been rather intense for the Judge, with over 10,000 housing cases alone filed at the Harlem court. Following the September 11 tragedy, there was a steep rise in nonpayment proceedings, spurred by job layoffs and other financial woes. These days, the court averages 60 housing cases per day, three times a week.

"You've got to stay loose," advises the Judge, referring to the

community's evolving needs. Speaking of problem-solving courts more generally, he adds, "You have to be able to shift gears if something isn't working, try new ways to resolve problems. We can't always follow precedent, even though as lawyers we're trained that way."

With his hectic schedule, the Judge doesn't get out to the golf course lately but still finds time to coach Little League and pursue other community-

oriented activities. Spending time with family is also a top priority for Judge Acosta, who sometimes brings his two children to the courthouse. "I want them to understand what I do," explains the Judge, whose youngsters, ages 12 and 9, feel right at home at the Harlem court. "It's such a family atmosphere here, a real community feeling. I feel very privileged to be the presiding judge of the Harlem Community Justice Center." ♦

## JURY SERVICE SHIRKERS COULD NOW END UP IN COURT

*JURY COMMISSIONERS AROUND THE STATE* are taking action against individuals who ignore a jury summons, with repeat no-shows being called into court—and before a judge—to explain their absenteeism and, in more cases than not, get a new date for jury service.

New York County Chief Clerk of Jurors Vincent Homenick says those in his county who've been summoned for jury service on two separate occasions but fail to show either time are made to appear before a judge, with such hearings scheduled every Friday morning at Manhattan Supreme Court. Individuals who repeatedly fail to return juror qualification questionnaires or respond to the court's warning notices also are subpoenaed.

By New York State law, the punishment for ignoring a jury notice can range from a civil fine of up to \$250, and a lien against the individual for that amount, to a criminal contempt charge resulting in a \$1,000 fine, jail time or both. Mr. Homenick says if someone fails to show up for a hearing with the judge, a \$250 default judgment is filed with the court, which can be a major headache for anyone in the process of securing a loan or new line of credit.

On a recent Friday morning, over a dozen people, some looking anxious, filed into a courtroom at the Manhattan courthouse, waiting for the judge to take the bench. Reasons given for ignoring jury notices ranged from problems with the mail to family obligations. In the end, the majority had to pay the court fines of up to \$50—these monies go into the state's coffers—and with the exception of a woman who didn't meet the citizenship requirements for jury service, everyone left with a new service date. "That's really the main purpose of these hearings, to secure another service date for those who fulfill the juror residency and other requirements," says Mr. Homenick. "The days of throwing a jury summons away are over," he adds.

Indeed, that's the story in Broome County, where State Supreme Court Justice Patrick Monserrate regularly lectures shirkers on the importance of jury duty. "I've spent 40 years as a lawyer, then a judge, so you can call me a fan of the jury system," says Judge Monserrate, who finds the dedication of those who do show up for jury service impressive. "Some people reschedule vacations so they can serve. They take jury service seriously and do a terrific job. We owe it to those who

show up for service to hold the ones who don't accountable," he comments.

### *Weeding Out the Legitimate Reasons from the Excuses*

At a hearing held last spring over which Judge Monserrate presided, a small-business owner was fined \$50 for ignoring numerous jury notices. "I would like to serve. I just don't know when I can," he told the Judge, who was upset by the fact he never bothered to notify the court.

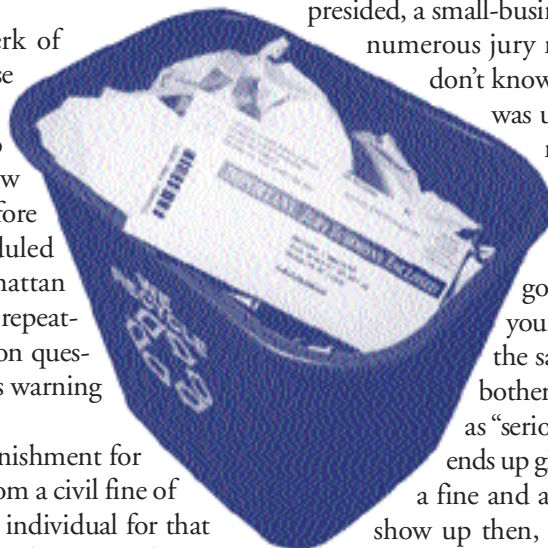
Of course, every case is unique, and Judge Monserrate takes each person's circumstances into consideration. "I'm going to treat the mom who's got three young children to care for differently than the salesperson who just didn't want to be bothered," he says. Referring to the hearings as "serious business," Judge Monserrate says he ends up giving most who appear before him both a fine and a new date to serve. "And if you don't show up then, you're talking about jail," warns the Judge, who says so far that's never happened.

### *Habitual No-Show Shamed into Doing Civic Duty*

An Onondaga County businessman recently summoned to appear before Administrative Judge James Tormey, III, for failing to do his civic duty didn't end up in jail, but he made headlines in the local papers. Although he told the Judge he was involved in restoring buildings damaged in the World Trade Center attacks, jury office records reveal he failed to respond to two prior notices, one sent out in December 2000 and a second mailed to him early last summer, reports Sidney Oglesby, the county's deputy jury commissioner. Needless to say, this gentleman was fined and had to schedule a new date for jury service.

Mr. Oglesby adds that hearings before Judge Tormey are a last resort, and that even before sending out delinquency letters he and his staff will try calling reticent jurors to persuade them to come in voluntarily. In the case of the businessman, the deputy commissioner recalls making numerous phone calls to him, none of which were returned.

And though going after chronic jury service dodgers is often a laborious process for New York's jury commissioners and their staffers, the payoff is a more representative, significantly larger jury pool—an estimated one million more potential jurors to date statewide—which reduces the burden for those who do respond to their jury notices the first time around. ♦





*“VICTIM-OFFENDER” continued from page 5*

felt the impact of their crime on someone else. By the end of the dialogue, the victim felt these boys would never do this again to her or anyone else,” he said.

**Research Shows Dialogues Can Prevent Future Crimes**

Two years ago, Mr. Maloney surveyed a group of victims and offenders who participated in such dialogues, with an overwhelming majority of crime victims reporting they no longer feared being victimized again by the offender. Most of the victims and offenders said they’d be willing to go through the process again, with 98 percent of victims calling these encounters “very helpful.” For the most part, each side said they came away with a better feeling toward the other party. Additionally, empirical studies conducted in Canada, England and the U.S. on juvenile and adult offenders who participated in victim-offender dialogues found they had significantly lower re-offense rates than similar offenders who did not meet with their victims.

Kathy Elton, who has facilitated discussions between offenders and victims in cases ranging from petty crime to homicide, told those at the conference that even though the process is geared to the needs of the victim, she’s seen it lead to positive changes in offenders’ behavior. Ms. Elton, director of alternative dispute resolution programs for

Utah’s Administrative Office of the Courts and a former juvenile probation officer, acknowledged that the process is not appropriate for everyone, especially when a very serious crime is involved, but said she believes the door should be open to victims and their loved ones who have a desire to meet with the offender.

These encounters hold so much promise that some New York judges are beginning to steer appropriate cases in this direction. Sullivan County Court Judge Frank LaBuda calls these dialogues and other restorative justice practices “good tools” that can have a healing effect on crime victims and communities as well as a positive impact on offenders. Tompkins County Court Judge John Sherman, who encourages victim-offender dialogues in suitable cases, says, “Until offenders can truly realize the damage they’ve caused, they’re much more likely to re-offend. Putting a face on the victim of the crime can have a very dramatic effect and is a very important part of rehabilitation. On the victim’s side, it’s a way for them to finally be at peace with the crime. They never really get a lot of their questions answered and may want to know why they were targeted, what was going on in the defendant’s mind. That can be helpful in relieving some of their anxiety about the future and perhaps reaching some peace.” ♦

*“WORKFORCE” continued from page 3*

probation, and most recently helped shepherd the development of the Brooklyn Mental Health Court, which will offer nonviolent offenders who are mentally ill the option of completing a rigorously monitored treatment program in lieu of jail.

Chief O’Reilly was honored for his extraordinary efforts in meeting

the security challenges posed by the World Trade Center attack and its aftermath. A veteran of the court system, Chief O’Reilly quickly responded to the state of emergency, implementing a 24/7 security plan and new mail-handling procedures, while also devising a statewide court evacuation protocol.

Noting the special significance of

this year’s Law Day celebration in light of last September’s tragic events, Judge Lippman said, “As in years past, as part of our Law Day celebration, today we pay tribute to our workforce, whose commitment to our nation’s democratic ideals . . . continue to keep our courts running, even in times of national crisis.” ♦

## ***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:**

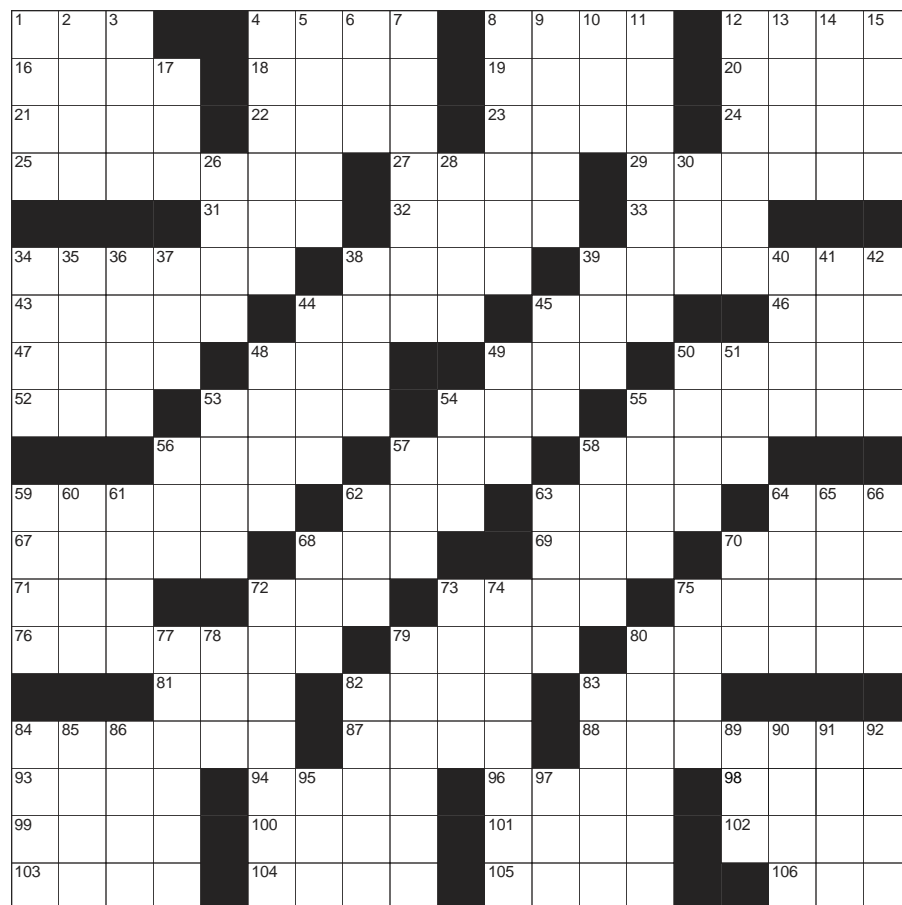
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*Jury Pool News is published quarterly by the New York State Unified Court System’s Office of Public Affairs.*

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



## ACROSS

1. Like a valley
4. Be angry (about)
8. Identical
12. Aid to the needy
16. Personal injury case, for example
18. Egyptian goddess
19. Sculptor's medium
20. Emily Dickinson, for one
21. Land measure
22. Crazy
23. By \_\_, mechanically
24. Window part
25. Where stage actors do their thing
27. Another name for Ireland
29. Add substance to: 2 words
31. Telepathy
32. See 49-Down
33. Former name of Pretoria's country:abbr.
34. New York's Chief Judge Judith Kaye, for example
38. Ella Fitzgerald's specialty

39. Does a private eye's work,perhaps
43. Build
44. Article
45. Haul
46. Take a chair
47. "\_\_\_ Kleine Nachtmusik," Mozart work
48. Serve a tennis ball a la Venus Williams
49. Neither ... \_\_
50. "Beauty and the Beast" heroine
52. Temporal zone in California:abbr.
53. Ms.Barrymore
54. Make preserves
55. Rebellion
56. Debts
57. 007, e.g.
58. Being nothing more than
59. List of cases to be heard by the court
62. Abbreviation used by those who go by more than one name
63. Sudden rush of wind
64. Office necessities, in today's world:abbr.
67. One who gives a greedy look
68. Take a stab at
69. Brevity is the soul of this, according to Shakespeare
70. Aid for 39-Across
71. What some divas are big on
72. Goal
73. Pitcher
75. Cases are tried here
76. Cues
79. Abel's brother
80. Dodges
81. Building extension
82. Give the boot to
83. Canine sound
84. Infant's plaything
87. \_\_\_ Mawr; college in Pennsylvania
88. An offender and his or her legal team

93. Smell \_\_, suspect something is wrong: 2 words
94. Satisfactory
96. Jacob's twin
98. Christmas
99. It's bail or this
- 100.Daredevil Knieval
- 101.Billboard
102. Small amount
- 103.Competent
104. You might need this to receive a giveaway via mail: abbr.
105. Committed a traffic offense
- 106.Reply, for short

## DOWN

1. Examination for students embarking on a legal career: abbr.
2. That hurts!
3. Telephone part
4. Best
5. Seize power wrongfully
6. Renowned university west of Boston: abbr.
7. Being
8. Need for 25-Across
9. Solo
10. Gymnast's item
11. Facial feature
12. Take a lower court's decision to a higher court
13. Be an idler
14. Restaurant item
15. Prefix with ladder or parent
17. Oolong or English breakfast
26. I-Down, for example
28. Wander
30. Some educators are specially certified in this:abbr.
34. Safari vehicle
35. Author of "Topaz" and "Exodus"
36. Issue before a housing court judge, perhaps
37. On \_\_, in reserve
38. Cook slowly
39. In favor of
40. Norway's capital
41. Matter for Surrogate's Court
42. Editor's instruction, maybe
44. Summer treat
45. 2,000 lbs.
48. In \_\_, stuck in the same routine: 2 words
49. Negative vote
50. Ernie's buddy on "Sesame Street"
51. Adam's mate
53. Active sort
54. Financial records expert:abbr.
55. Take a breather
56. Presidential nickname
57. Place to look for celestial happenings
58. "The Ghost and Mrs. \_\_," 1947 film
59. Accomplishes
60. Today, in Rome
61. Drain problem
62. Equip with weapons
63. The late Ms.Verdon
64. Fill, as a hole
65. Restore to health
66. Fixes, as bail
68. Title of a Frank McCourt memoir
70. Type of fish
72. Asserts before proving
73. \_\_ as pie
74. Essential player in a trial
75. Sleeve part
77. Irritate
78. Every
79. Spoil, as milk
80. Boyfriend,in Deutschland
82. They're part of the woodwind section
83. Proverb
84. Indian title
85. The "A" in UAE
86. \_\_ off, abate
89. Conclusion
90. Novelist Ephron
91. Actor-director Penn
92. Eugene O'Neill play, "Desire Under the \_\_"
95. Eggs:Latin
97. Use a straw