

THE CRIME REPORT: Your Complete Criminal Justice Source

By Julia Dahl

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The "Crisis" in America's Courts



The Old St. Louis Courthouse
[Jefferson National Expansion Memorial](#)

Next Monday, New York State Chief Judge Jonathan Lippman will head a group of senior judges and DAs to discuss challenges to the criminal justice system. There's a lot to talk about.

Start listing problems with the American court system and it's easy to get discouraged.

Overcrowding, judicial politicization, and the continuing economic crisis threaten to undermine the fair, smooth functioning of the very institutions where most Americans expect to find justice.

"We cannot fight for the rule of law overseas and lose it here at home as our courts crumble from neglect," says Steven N. Zack, president of the American Bar Association.

The courts' problems are "now crises," he added. "Reports are rampant of courts closing for good, cutting hours and reducing the types of services most important to ordinary people. It is happening in every region of the country and every size state. The impact is devastating."

The past year posed challenges at every level of the nation's justice system. From the continuing debates over gun control and inhumane conditions in our prisons to growing concerns over prosecutorial misconduct and racial bias in sentencing, the courts have been in the spotlight. Pending judicial decisions at every level, starting with the Supreme Court, are likely to have a major impact on the criminal justice system (and on our lives) in 2011.

Next Monday (Jan 31), leading judges, state prison directors, senior law enforcement officers, civil liberties advocates and journalists will gather at John Jay College of Criminal Justice in New York City for the sixth annual Harry Frank Guggenheim Symposium on Crime in America to explore criminal justice trends and their implications over the next 12 months.

Underlying the two days of discussions at the conference are the extreme challenges facing the courts.

While court administrators and judges are likely to be asked to do more with less as states slash their budgets further this year, Steven Zack is quick to note that lack of money isn't the only threat to the system.

"It is unacceptable that groups of all political stripes, often without any clear identification of donors, poured more than \$13 million into state judicial races across the country," says Zack. "Citizens must speak out and let their leaders know they oppose the judiciary becoming a new political football."

In response to the challenges, the ABA recently announced the creation of a [Task Force on the Preservation of the Justice System](#). During 2011, the association will solicit input from members all over the country to put together an accurate, comprehensive portrait of the problems faced by courts around the country. On February 9, the Task Force will meet in Atlanta to hear testimony from locals. Another meeting is tentatively set for spring in New Hampshire.

Already, Zack says, the task force is generating ideas and recommendations for keeping the courts solvent and fair. "It almost immediately became clear that one solution is to ensure courts have dedicated funding streams so they are not prey to the chopping block every time a state budget is reduced," he says.

A full transcript of *The Crime Report's* interview with Steven Zack can be seen [here](#).

Among those scheduled to speak on these issues at the H.F. Guggenheim Symposium are the Hon. Sue Bell Cobb, chief justice of the Alabama Supreme Court; the Hon. Andre Davis of the U.S. Court of Appeals for the Fourth Circuit; and the Hon. Robert T. Russell, Associate Judge for Buffalo City Court and a pioneer of the nation's Veterans Courts.

They'll be joined by American Civil Liberties Union President Susan N. Herman, Milwaukee County District Attorney John T. Chisholm, San Francisco DA George Gascon (and former chief of San Francisco's Police); Daniel Conley, DA of Suffolk County in Massachusetts, which includes Boston.

Stay tuned to *The Crime Report* for live blogging and updates from the conference. Registration for the conference is now closed, but a complete list of HF Guggenheim speakers and an agenda is available [here](#).

Julia Dahl is a freelance writer and contributing editor to The Crime Report