

HIGHWAY TO JUSTICE

SPRING 2018

From The ABA with support from the National Highway Traffic Safety Administration

THE COURT'S AUTHORITY AND DUTY TO MANDATE "EFFECTIVE" REHABILITATION

*Hon. Patrick C. Bowler (Ret.)
Michigan Judicial Outreach Liaison*

The United States recently celebrated the fiftieth anniversary of a historical document which has been described as the most influential study of criminal justice ever undertaken in the United States. Its words remain as pertinent today as they did back then. Produced by the Johnson Crime Commission, it states:

"There is no decision in the criminal process that is as complicated and difficult as the one made by the sentencing judge. A sentence prescribes punishment, but it also should be the foundation of an attempt to rehabilitate the offender; to ensure that he does not endanger the community; and to deter others from similar crimes in the future. Often these objectives are mutually inconsistent, and the sentencing judge must choose one at the expense of the others."¹

Criminal courts have historically had the intent and authority to order rehabilitation of an offender in the criminal justice system. In a federal court of appeals case, the Court held:

"The Sentencing Reform Act (of 1984) explicitly delineated the purposes of criminal sanctions. 18 USC, Sect 3551(a) provides that every defendant "shall be sentenced ...so as to achieve the purposes set forth in subparagraphs (A) through (D) of section 3553(a)(2)." Paragraph (D) requires: "to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner."² *Emphasis added.*

The court further explained: "In creating the sentencing statutes, Congress spelled out the four traditional justifications of the criminal sentence-deterrence, incapacitation, retribution and rehabilitation-and expressly instructed the sentencing court to keep these purposes in mind..."³ The directives of federal law, and the traditional justifications of sentencing, including rehabilitation, have been accepted and adopted by federal and state courts at all levels.

In the 1970's, the American Bar Association developed Standards that also urged judges to ensure that sentences are carried out consistently with the purpose and intent of the sentence imposed by the sentencing court. Proposed standards encouraged judges to visit and inspect each correctional institution within their jurisdiction and talk to people inside institutions, whether prisoner or staff, and discuss the effectiveness of programs.⁴

The Johnson Crime Commission spelled out new expectations for all the players in the criminal justice system; Congress mandated that courts make rehabilitation effective and the ABA sought standards for judges to enforce sentencing orders. But the question remains as critical today as it has over the years: how does a court order rehabilitation and ensure its effectiveness?

In the traditional criminal justice process, a newly designated probationer walks out of the courtroom post-sentence with specific orders to attend counseling or treatment. The judge (hopefully) never sees the defendant again. However, often the defendant returns. He or she must answer for alleged violations of probation conditions; or, having completed the original sentence, revisits the court charged with a new crime. Unfortunately, the prior attempt at rehabilitation failed to alter the trajectory of the defendant's criminal life style.

So, what went wrong? One possible answer is that the attempted rehabilitation for the original offense was simply not effective. The defendant recidivates. To effectuate the rehabilitative conditions of a sentencing order the court must exercise its authority to see that the mandates of the sentence are both realistic and fulfilled. Three basic principles may help to improve the effectiveness of the court order:

I. Courts must first accept that competent treatment is effective.

Despite early pessimism of the value of treatment, much progress has been made. Over the last twenty-five years researchers have worked to develop "Principles of Effective correctional interventions."⁵

continued, page 2

Highway to Justice is a publication of the American Bar Association ("ABA") and the National Highway Traffic Safety Administration ("NHTSA"). The views expressed in *Highway to Justice* are those of the author(s) only and not necessarily those of the ABA, the NHTSA, or the government agencies, courts, universities or law firms with whom the members are affiliated.

We would like to hear from other judges. If you have an article that you would like to share with your colleagues, please feel free to submit it for inclusion in the next edition of *Highway to Justice*.

To submit an article, please send it to the editor, Hon. Neil Edward Axel neilaxel49@gmail.com with a copy to the staff liaison, Cheronne.Mayes@americanbar.org. Please contact Ms. Mayes for editorial guidelines.

The deadline for submission of articles for the Summer issue is June 1.

THE COURT'S AUTHORITY AND DUTY TO MANDATE "EFFECTIVE" REHABILITATION continued from page 1

As a result of endorsing the perspective of opening the black box, we have been able to generate a number of principles of effective and ineffective interventions.⁶ "The principles of effective intervention have been conveyed in considerable detail in a number of forums."⁷

Significantly better outcomes have been achieved when Drug Courts adopted standardized, evidence-based treatments.⁸ Optimism has also grown over new and refined clinical assessment tools that have been normed for particular populations and specific crimes. For instance, the Impaired Driving Assessment (IDA), increases the ability to predict future DWI behavior and identify anti-social attitudes and behaviors that can be addressed to improve rehabilitative outcomes.⁹

The National Institute on Drug Abuse, states:

"According to research that tracks individuals in treatment over extended periods, most people who get into and remain in treatment stop using drugs, decrease their criminal activity, and improve their occupational, social, and psychological functioning."¹⁰

II. Courts must accept that they have the authority to select competent treatment providers

State laws may vary on the authority of the court to 'choose' the providers for rehabilitation of probationers. A court should start with a thorough examination of its own state law and legal precedent. For instance, some state legislatures require that for certain crimes, such as impaired driving, that the court take an active role in the ordering of a clinical assessment and developing a treatment plan, approved by the court.¹¹ Such a law that requires the court to play an active role in 'selecting' the assessor and treatment for one crime involving substance use, can logically be extrapolated to the same requirement for other substance use crimes. General jurisdiction courts may also look at legislation or supreme court authority that supports their drug treatment courts. Some state drug court statutes require the problem-solving courts to "hire and contract with 'approved' treatment providers."¹² The common-sense requirement for drug treatment courts (DTC's) should be no different for any court dealing with substance use disorders. The mandate for effectiveness is authorized by law.

In addition to state law references and appellate case law, judges should turn to the ethical requirements of most codes of judicial conduct. Many require that judges take an active role to improve the administration of justice.¹³ As encouraged by the ABA, courts should abide by standards that ensure that sentences are carried out consistently with the purpose and intent of the sentence imposed by the sentencing court. That means choosing 'effective' treatment providers.

III. The Court must monitor the order for rehabilitation and terminate the use of ineffective treatment providers

Courts must be willing to make the intensive inquiry necessary to determine what the providers who service the court's population are in fact doing in their practice. Questions that should be asked are well-documented and available from numerous sources.¹⁴ The success of DTC's can be tracked to the open partnership with treatment and the ongoing communication about the shared goals of recovery, including the adoption of best practices and standards that incorporate therapeutic integrity. The philosophy of the drug treatment courts is adaptable by all courts:

"There is no justification for permitting poor-quality or unvalidated treatment services to be administered unabated, with the excuse that criminal justice professionals are not qualified to judge the quality of these treatment services."¹⁵

THE COURT'S AUTHORITY AND DUTY TO MANDATE "EFFECTIVE" REHABILITATION

continued from page 2

While not clinicians themselves, judges and probation officers should be trained in the behavioral sciences and be proficient enough to recognize the practices of competent treatment practices.

For courts that do not believe they have the expertise or time necessary to evaluate their providers, technical assistance is available to perform evaluations. Courts should not depend on state or local government oversight or licensing officials. They may not be suited or resourced to provide the necessary monitoring.

Bottom line: If treatment providers, who are entrusted to satisfy a court's sentencing order, are not capable of fulfilling that order, either because of incompetence or the choice to ignore evidence-based and proven methodologies of treatment, their services should be terminated. The need for judicial integrity in a court's sentencing order requires as much.

CONCLUSION

The present opiate crisis has encouraged law makers and officials to promise more resources to fight the epidemic. Where should those resources be directed? The success and rapid expansion of problem-solving courts have enlightened the path; the concentrated efforts at rehabilitation of some offenders, those with the highest risks (risk of recidivism) and highest needs, have produced dramatic results both in terms of reducing recidivism and saving money. The logical next step for government officials is to roll the dynamics of the drug treatment court philosophy into the everyday practice of the criminal courts. Additional resources should be made available to promote and expand the unique partnership of courts and competent treatment.

With judges of all courts taking an active role in overseeing the effectiveness of their sentences, the foundation will be laid to truly make rehabilitation a reality.

Endnotes:

1. The Challenge of Crime in A Free Society. A Report by The President's Commission on Law Enforcement and Administration of Justice Feb 1967.
2. *United States v Blarek*, 7 F Supp2d 192 (1998)
3. *United States v Blarek*, supra
4. ABA, Criminal Justice System, Project on Standards Relating to the Legal Status of Prisoners, 14 Am. Crim. L. Rev. 377 (1977).
5. Policy, Practice and Prospects of the Criminal Justice System, Vol 3, Assessing Correctional Rehabilitation, p 144.
6. Policy, Practice and Prospects of the Criminal Justice System, Vol 3. Assessing Correctional Rehabilitation, p 144, citing Gendrou (1996, 118)
7. Policy, Practice and Prospects of the Criminal Justice System, Vol 3. Assessing Correctional Rehabilitation. p 144.
8. Need to Know NADCP Research Update on Adult Drug Courts. Douglas B. Marlowe, J.D., Ph.D. Chief of Science, Law & Policy December 2010.
9. See Highway to Justice, Fall 2013: The Impaired Driving Assessment (IDA): A New Tool to Estimate Risk and Needs Among DWI Offenders.
10. National Institute on Drug Abuse, <https://www.drugabuse.gov>.
11. See Michigan Vehicle Code, MCL 257.625b(5)
12. See Drug Treatment Courts, MCL 600.1063 Hiring or contracting with treatment providers.
13. Michigan Code of Judicial Conduct, Canon 4. As a judicial officer and person specially learned in the law, a judge is in a unique position to contribute to the improvement of the law, the legal system, and the administration of justice, including revision of substantive and procedural law and improvement of criminal and juvenile justice.
14. For how to evaluate treatment providers see the National Institute on Drug Abuse, Seeking Drug Abuse Treatment: Know What to Ask. Or, the extremely thorough "Request for Proposals (RFP), Questions for Drug Court Treatment Providers. National Drug Court Institute (NDCI, AllRise.org)
15. NDCI, The Drug Court Judicial Benchbook, National Drug Court Institute, & 4.34, p 93.

DID YOU KNOW? COMMERCIAL DRIVER'S LICENSE CASES AREN'T JUST FOR TRAFFIC COURT

*Tim Cotter, Division Administrator
Pennsylvania Division
Federal Motor Carrier Safety Administration*

In the most recent reporting year, 4,564 people were killed as a result of a commercial truck or bus crash. While not always the fault of the commercial motor vehicle (CMV) driver, these crashes are frequently the result of behaviors that are preventable. Often, the courts, particularly traffic courts, play a major role in preventing these tragedies. Because judges, prosecutors, and court administrators play a significant role in assuring only safe drivers remain behind the wheel, the Federal Motor Carrier Safety Administration (FMCSA) partners with and grants financial support to the court community to provide education and resources to improve the court process.

Did you know?

- All States must adhere to its own commercial driver's licensing laws, which are based on Federal regulations;

- School buses, church buses, motorcoaches, and transit buses that are designed to carry 16 persons or more, including the driver, require the driver to have a commercial driver's license (CDL);
- If any CDL holder uses a motor vehicle in the commission of a felony, there are severe penalties mandated by the Federal regulations (49 CFR 383.51);
- Courts adjudicating a CMV or CDL case must report the results of that case to the State Driver Licensing Agency (SDLA) promptly so that the SDLA meets the requirement of posting the conviction to the Commercial Driver License Information System (CDLIS) within 10 days of that conviction;
- For purposes of determining first and subsequent violations of the offenses specified in the Federal regulations tables (49 CFR 383.51), each conviction for any offense listed resulting from a separate incident, whether committed in a CMV or non-CMV, must be counted; and

DID YOU KNOW? COMMERCIAL DRIVER'S LICENSE CASES AREN'T JUST FOR TRAFFIC COURT

continued from page 3

- The disqualification period must be in addition to any other previous periods of disqualification.

Unknown to many judges, it is illegal to mask a CDL-holder's violations. Federal regulations are explicit in the prohibition of masking. The regulation can be found at 49 CFR 384.226 and says:

The State must not mask, defer imposition of judgment, or allow an individual to enter into a diversion program that would prevent a CLP or CDL holder's conviction for any violation, in any type of motor vehicle, of a State or local traffic control law (other than parking, vehicle weight, or vehicle defect violations) from appearing on the CDLIS driver record, whether the driver was convicted for an offense committed in the State where the driver is licensed or another State.

Despite this regulation and enabling State legislation, it is common practice in many traffic courts for judges to allow a CDL holder to attend an alcohol treatment class, perform community service, go to a traffic school, or serve probationary time without further incident and keep his or her CDL privileges intact. This is not permitted for commercial drivers and is expressly prohibited in Federal law at 49 United States Code (U.S.C.) § 31311(a)(19). By passing this statute, Congress intended to prohibit

both conviction masking and deferral programs by requiring every state to keep a complete driving record of all violations of traffic control laws (including CMV and non-CMV violations) by any individual to whom it has issued a CDL, and to make each such complete driving record available to all authorized persons and governmental entities having access to such record. This provision provides that a State may not allow information regarding such violations to be masked or withheld in any way from the record of a CDL holder.¹

The purpose of this law is to ensure that licensing authorities have an accurate picture of a CDL-holder's driving history. The increased penalties for multiple violations work to disqualify unsafe drivers. The only tool courts have in determining the severity of a driver's pattern of traffic violations is through the official driver history. If that history is artificially distorted one time, or over and over again, the next prosecutor or judge will never know, neither will an SDLA contemplating further licensing action. When confronted with defense counsel arguing against the imposition of penalties or the reporting of convictions, prosecutors and judges should keep in mind the prohibition against masking is not an arbitrary rule. This legislation was passed as a strict safety measure intended to keep the most dangerous offenders off the roads.

The Motor Carrier Safety Improvement Act of 1999 requires the withholding of certain Federal Highway Aid funds from the States found to be in substantial non-compliance with Federal regulations, including the prohibition on masking convictions. Allowing CDL-holder's convictions to be deferred, dismissed, or otherwise go unreported to the SDLA and, therefore, CDLIS, is masking. These penalties may potentially amount to millions of dollars. Additionally, the Federal government has the authority to prohibit non-compliant States from issuing CDLs.

The prohibition on masking does not prevent plea bargaining or dismissal of charges. Prosecutors and judges should consider carefully the purpose of entering into a plea agreement that would result in a

reduction or dismissal of the charged offense, or allowing any type of diversion or deferral. Prosecutorial and judicial discretion may always be exercised to support constitutional rights. Sometimes, the charges are not factually or legally supportable. Plea negotiation under these circumstances is not prohibited. Reducing CDL violations or other masking actions taken for the sole reason of avoiding potential impact on a driver's license, however, acts to contravene the intent of Federal and State safety regulations and is prohibited.

The FMCSA was established within the United States Department of Transportation with the mission of preventing commercial motor vehicle-related fatalities and injuries. The FMCSA establishes standards for CDL licensing, studies ways to make CMV traffic safer, and has the authority to enforce important safety and operational regulations on motor carriers. The FMCSA works with Federal, State, and local enforcement agencies, the motor carrier industry, labor safety interest groups, and others on enforcement and safety programs.

In recent years, FMCSA developed strong partnerships with a variety of court stakeholder groups to increase awareness of Federal regulations and provide technical assistance and resources to strengthen appropriate court action.

The **National Judicial College** (<http://www.cdresources.org/>)

Grant funding to the National Judicial College provides for an on-line website highlighting every State's state specific statutes, regulations, and some applicable case law. Those who adjudicate cases involving a CMV driver or CDL-holder can join a 'list-serve,' a free service which facilitates a national exchange among judges, administrative law judges, and hearing officers handling CDL and commercial vehicle cases and issues.

The National Judicial College provides year-round training that is both State specific, as well as informative on Federal regulations. This training is aimed at traffic court judges, magistrates, and hearing officers who currently handle CMV-related cases.

The **National Center for State Courts (NCSC)** (<http://www.ncsc.org/Topics/Court-Management/Commercial-Driving-Resources/Commercial-Driving-Resources.aspx>)

The National Center for State Courts (NCSC) is an FMCSA grant recipient engaged in outreach, research, and technology initiatives in the court community to help achieve expectations for safer highways. NCSC provides information on its website in support of that goal.

When a commercial driver is convicted of certain offenses, the state-of-conviction driver licensing agency must update their own driver records or notify the state-of-record driver licensing agency of a conviction of an out-of-state driver through CDLIS. The main focus of the NCSC CDL effort is to assist courts in making the technological connection to the SDLAs.

Through a separate FMCSA grant, NCSC hosts the Commercial Driving Resource Center. The purpose of the Commercial Driving Resource Center website is to assist in reducing the number of crashes and fatalities involving commercial vehicles by increasing outreach to the court community so that cases involving CDL holders and operators can be properly adjudicated and timely notifications made to the various SDLA.

CONTACT INFO

To learn more about programs offered by NHTSA, please contact one of the following:

Judicial Fellow:

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abajudicialfellow@gmail.com

Judicial Outreach Liaisons:

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DID YOU KNOW? COMMERCIAL DRIVER'S LICENSE CASES AREN'T JUST FOR TRAFFIC COURT continued from page 4

National District Attorneys Association / National Traffic Law Center (NTLC)
(http://www.ndaa.org/ntlc_commercial_vehicles.html)

The NTLC benefits prosecutors, judges, law enforcement officers, and others in the justice system. The mission of NTLC is to improve the quality of justice in traffic safety adjudications by increasing the awareness of highway safety issues through the compilation, creation and dissemination of legal and technical information, and by providing training and reference services.

Through a financial grant from FMCSA, NTLC provides a variety of both in-person and on-line training. In addition to the training, NTLC provides two significant resources to assist in proper and timely case management of CDL related cases:

- CDL Quick Reference Guide is a one page (front and back) document that can be accessed through the website link. Laminated hard copies are also available on request. Police officers, prosecutors, judges, court staff, and other safety professionals will find the CDL guide a great first stop for their CDL questions. The Guide provides basic definitions and information related to commercial driver licensing as it relates to the criminal court system.
- Commercial Drivers' License Monograph serves as a basic primer for prosecutors and other traffic safety professionals who handle cases relating to commercial drivers' licenses and commercial motor vehicles. It explains basic federal regulations and industry terminology. The monograph includes information about which offenses impact CDL status and the importance of pursuing convictions and accurate and prompt reporting. An excellent stand-alone desk reference, this monograph also works as a student manual for National Traffic Law Center's newly developed CDL Basics Training Curriculum.

For information on Federal regulations and commercial vehicle related research, visit FMCSA's website (<https://www.fmcsa.dot.gov/>). For specific questions related to CDL questions, contact FMCSA's Commercial Driver's License Division at CDLCompliance@dot.gov.

Endnotes

- 1 145 Conf. Rec. H. 12870-12874 (1999).

DATES TO REMEMBER

April

National Distracted Driving Awareness Month
U Drive. U Text. U Pay.

National Enforcement Mobilization



May

Motorcycle Safety Awareness Month

Share the Road With Motorcyclists and Scooter Riders

Bicycle Safety Month

Share the Road with Bicyclists

Cinco de Mayo
IMPAIRED DRIVING

Buzzed Driving Is Drunk Driving



June 14

National Enforcement Mobilization

OCCUPANT PROTECTION

Click It or Ticket



Fourth of July

Impaired Driving

Drive Sober or Get Pulled Over
Buzzed Driving Is Drunk Driving



June 18

National Ride to Work Day

Share the Road With Motorcyclists and
Scooter Riders



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DON'T FORGET

Valuable resources can be found at:

- **National Highway Traffic Safety Administration**
<http://www.nhsta.gov/Impaired>
- **American Bar Association/Judicial Division/NCSCJ**
http://www.americanbar.org/groups/judicial/conferences/specialized_court_judges/NHTSA.html
- **Highway to Justice - Archives**
http://www.americanbar.org/publications/judicial_division_record_home/judicial_division_record_archive.html
- **National Judicial College**
www.judges.org
- **Governor's Highway Safety Association: Impaired Driving Issues**
<http://www.ghsa.org/html/issues/impaireddriving/index.html>
- **AAA Foundation for Traffic Safety**
<https://www.aaafoundation.org/>
- **National Center for State Courts**
<http://www.ncsc.org/>



JUDGE EARL PENROD COMPLETES TENURE AS ABA JUDICIAL FELLOW



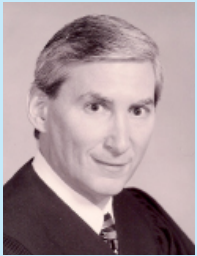
Judge Earl Penrod will retire as the ABA's Judicial Fellow, having served with great distinction since 2012. During his 6 years of service, he has been a prolific lecturer, a leader on highway safety issues, and a spokesperson for the American Bar Association on these issues around the country. He will be succeeded by Judge Neil Edward Axel, a Senior Judge of the District Court of Maryland.

Judge Penrod served as a judge of the Gibson County Superior Court in Indiana for 35 years until his retirement in late 2017. He teaches for the National Conference of Specialized Court Judges (NCSCJ) of the American Bar Association. Judge Penrod has served as a presenter

for the National Association of Women Law Judges and the National Association of Administrative Law Judges and has been a member of the faculty at the National Judicial College since 2003. He has been the recipient of numerous awards and recognition for his dedication to improving justice and making our highways safer through effective evidence-based courtroom practices.

Last month, Judge Penrod was honored by his colleagues, the Regional and State Judicial Outreach Liaisons (JOLs), at a dinner during the JOLs joint meeting in San Diego. Although he will be greatly missed as the Judicial Fellow, Judge Penrod will continue his work on the judiciary's role in promoting highway safety by serving as the Judicial Outreach Liaison for the State of Indiana.

MARYLAND JUDGE SELECTED AS ABA JUDICIAL FELLOW



Judge Neil Edward Axel, Senior Judge of the District Court of Maryland has been selected as the next American Bar Association Judicial Fellow effective April 1, 2018. Judge Axel will succeed Judge Earl Penrod who served as Judicial Fellow since 2012.

Although born and raised in New York, Judge Axel has been a Maryland resident throughout his professional career and has lived for the past 39 years in Columbia, Maryland. He graduated from Syracuse University with a Bachelor of Science Degree in Business Administration before attending law school at American University's Washington College of Law.

Following 22 years in private practice, Judge Axel was appointed to the bench as an Associate Judge of the District Court of Maryland where he has served since 1997. He retired from full-time service in 2013 but continues to sit as a senior judge throughout Maryland. From 2005 to 2012, Judge Axel also served as the Judge-In-Charge of Drug and DWI Treatment Court programs and served as Co-Chair of Maryland's Judicial Conference Committee on Problem Solving Courts. Among

the many other judicial committees on which he has served, Judge Axel served as a member of Maryland's Special Committee to Review the ABA Revised Code of Judicial Conduct, the Judicial Institute of Maryland and the Commission on Judicial Disabilities' Judicial Inquiry Board.

In 2016, Judge Axel received the American Bar Association Judicial Division's Franklin N. Flaschner Award for Judicial Excellence, Character and Leadership. In 2005, he was recognized by the Maryland State Bar Association with its Judge Anselm Sodaro Judicial Civility Award presented annually to one judge whose courtroom demeanor best exemplifies the highest ideals of civility and courtesy.

Judge Axel has been a member of the faculty of the National Judicial College since 2013, and has been actively involved throughout his judicial career as a presenter of judicial education programs in Maryland and nationally.

Judge Axel has been married for 41 years to Valerie Axel and they are the proud parents of two wonderful adult children, and one beautiful granddaughter.

JUDGE A. ROBINSON HASSELL APPOINTED ABA JUDICIAL OUTREACH LIAISON



North Carolina Judge A. Robinson (Robby) Hassell has been selected to serve as the ABA Judicial Outreach Liaison for NHTSA Region 3 effective March 1, 2018. Judge Hassell is in his tenth year on the Superior Court bench in North Carolina where he has presided as a Special and Emergency Judge in over fifty counties in regular jury and nonjury sessions of criminal and civil superior court. He previously served for over ten years in

traffic, juvenile, family, criminal, civil, and other courts as an elected District Court Judge in Guilford County, having received an initial appointment in the mid-1990's.

Prior to his judicial service, Robby was an assistant Public Defender and private practitioner handling family law and civil litigation. In addition

to being a certified Superior Court Mediator, he is also a member of the Bars of the U.S. Supreme Court, North Carolina, and U.S. District Court, M.D.N.C. He has served in positions of leadership in the American Bar Association as well as the North Carolina and Greensboro Bar Associations and is currently a Fellow of the ABA Foundation. He has also served by appointment on statewide commissions tasked with equal access to justice and judicial and professional issues.

Robby is a graduate of Phillips Exeter Academy, UNC, and UNC School of Law. He is married to Eloise McCain Hassell, an attorney, mediator, and award-winning Senior Lecturer at UNCG. They are the proud parents of two daughters, Molly and Bayly.

75TH ANNIVERSARY TRAFFIC COURT SEMINAR



Left: Hon. John Kennedy, Hon. J. Matthew Martin, Chair of Traffic Court Committee, Col. Tara Osborn, Chair of NCSCJ, Hon. Earl Penrod, Cheronne Mayes, Staff, ABA, and Hon. Ronald Ramsey, Sr.

The ABA convened its 75th Anniversary Traffic Court Seminar at the Westgate Hotel in beautiful San Diego during the first week in March. This program, chaired by ABA Tribal Court Fellow, J. Matthew Martin, featured internationally known speakers such as Kimberly Pappillon, Robyn Robertson, and Erin Holmes as well as fresh voices like Judge Ron Ramsey, whose talk, “Individualized Justice in Traffic Court— Putting the Judge Back in the Judging Business,” brought down the house. Sessions included the latest on toxicology, technology and therapeutic courts, both for offenders as well as for avoiding judicial burnout. The keynote speaker, Deborah Hersman, President and CEO of the National Safety Council, outlined an audacious coalition plan to eliminate roadway fatalities by 2050, the Road to Zero. As always, participants enjoyed the opportunities to engage with each other in various social settings and to learn collaboratively. Planning is already underway for the 2019 ABA Traffic Court Seminar to be held in Washington, DC next spring. If you are interested in presenting a session during next year’s event, please contact Cheronne Mayes at cheronne.mayes@americanbar.org.

LIFESAVERS NATIONAL CONFERENCE ON HIGHWAY SAFETY PRIORITIES



The largest gathering of highway safety professionals in the U.S.

Henry B. Gonzalez Convention Center – San Antonio, TX – April 22-24, 2018

NATIONAL JUDICIAL COLLEGE NHTSA 2018 TRAFFIC RELATED WEBCASTS



To register for any of the webcasts, go to: www.judges.org, Courses, Webcasts.

- 1. April 11, 2018**
10:00 – 11:00 Pacific
Topic: Marijuana and Impaired Driving
Faculty: Ms. Deena Ryerson (OR) and Hon. Mary Jane Knisely (MT)
- 2. May 2, 2018**
10:00 – 11:00 Pacific
Topic: The elderly driver: best practices in addressing impairment
Faculty: Selma Sauls (FL)
- 3. June 6, 2018**
10:00 – 11:00 Pacific
Topic: The DRE: Benefits and limitations of DRE testimony.
Faculty: TBD
- 4. August 14, 2018**
1:00 – 2:00 Pacific
Topic: The role of the judge in drug-impaired driving cases
Faculty: Hon. Neil Axel