

HIGHWAY TO JUSTICE

WINTER 2021

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

JUDICIAL STRESS WITHIN THE JUSTICE SYSTEM: WHAT CAN JUDGES DO?

By Brian L. Meyer, Ph.D.
Psychology Program Manager,
Community-Based Outpatient Clinics,
Central Virginia VA Health System
Henrico, Virginia

“Unfortunately, we are not able to unhear or unsee the things we see and hear in the courtroom. There is no button to turn off the effects of this when you go to bed at night.”
Anonymous judge, quoted in *Judicial Edge*, 10/20/2017

Even prior to the advent of COVID-19, judges faced enormous stresses in their courtrooms, including being exposed to traumatic stories and images, the worst impulses and behaviors in people, and their effects on the most vulnerable among us. Such exposure can result in secondary/vicarious traumatization and high levels of emotional distress that can increase anxiety and depression. They can also evoke symptoms of post-traumatic stress such as intrusive images, nightmares, withdrawal and isolation, feelings of helplessness and hopelessness, irritability, anger, insomnia, and increased use of alcohol. Surveys indicate that 45-63% of judges experience some symptoms of secondary traumatic stress. These stresses add to the already-considerable pressures on judges, particularly at a time of increased threats to judicial safety, both inside and outside the courtroom.

Unfortunately, there are obstacles to judicial self-care. Surveys indicate that neither secondary traumatization nor self-care are taught in many law schools. Research has also shown that judges may feel the need to be perfect role models and are reluctant to admit their own suffering. This is exacerbated by judicial isolation from most peers except for occasional judicial conferences. For all of these reasons, judges are reluctant to engage in assistance programs, especially if those programs include others who are not judges.

Then came 2020, with all of its attendant stresses: COVID-19, economic recession, racial injustice protests, and a contested national election with a politically and socially divided electorate. COVID-19 alone changed court and judicial processes, including such fundamentals as being in a courtroom with all parties, judicial ability to read defendants and attorneys at close

range, and a new need to master unfamiliar technologies. Even where hearings took place in courtrooms, social distancing and mask wearing often resulted in alterations in behavior and anxiety that altered the ability of judges to practice in the way to which they had become accustomed. Adhering to legal requirements for a speedy trial became a trial in itself.

So what can judges do to manage the increased stress and distress, especially their own, at a time of great pressure on themselves and the courts? Here are 10 research-proven ways for judges to reduce their professional stress and personal distress:

1. **Start a gratitude journal.** Write down three specific things for which you are grateful at the end of each day. Do this for at least 21 days without repeating any. If you do, research shows that the antidepressant effects of focusing on what you are grateful for is as strong as taking an antidepressant for 14 months. This is an activity you can do with your whole family. One conference attendee told me that she did this with her husband and children on large pieces of paper on their hallway walls. After three weeks, she said they were happier and got along better, and the children were fighting far less often.
2. **Focus on what you can control.** Most of us think we can control far more than we actually can. The pandemic has shown us otherwise. We create problems for ourselves, and often with others, when we try to control what we cannot. Try this instead: take a piece of paper and fold it vertically in half. At the top of one column, write “Things I can control”, and at the top of the other, write “Things I can’t control.” Fill out the page and keep writing until you have exhausted everything you can think of, using as many pages as you need to. Then cut the page in half at the fold and throw away the list of things you can’t control. Now focus on the list of things you can control, and make changes where needed to decrease your level of stress.
3. **Practice Mindfulness Meditation every day.** Take as much care of your mind by meditating as you do your body when you exercise. Mindfulness meditation has been shown to have many

continued, page 2

Highway to Justice is a publication of the American Bar Association (ABA) supported by a grant from 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 E. Axel at neilaxel49@gmail.com with a copy to the staff liaison, kennedy.green@americanbar.org. Please contact Ms. Green for editorial guidelines.

The deadline for submission of articles for the Spring issue is February 24.

JUDICIAL STRESS WITHIN THE JUSTICE SYSTEM: WHAT CAN JUDGES DO?

continued from page 1

mental benefits, including relieving anxiety, improving mood, reducing stress, and enhancing focus and concentration. It also has physical benefits, including improving heart function, increasing energy levels, enhancing digestion, reducing chronic pain, and improving sleep, which improves so many other things (irritability, mood, energy, etc.). People who practice Mindfulness meditation for 20-45 consecutive minutes daily for a minimum of eight weeks also develop a sense of equanimity that allows them to weather stress without reacting strongly to it. Try starting with a book like Jon Kabat-Zinn's *Mindfulness for Beginners* or an app like Calm or My Life.

4. **Plan at least one pleasant activity every day.** Make a list of all the pleasant things you like to do or would like to do. Take long walks. Do a puzzle. Watch the sun set. Listen to beautiful music. Bake pies, cookies, and cakes. Make art. Dance. Read a good book. Laugh. If you think about it, pleasant things usually do not just happen to you. If you don't plan something pleasant to do each day, that day is much more likely to be unpleasant. Besides, it will give you another thing to be grateful for.
5. **Confide in one person.** Everyone needs one person in whom to confide; otherwise, they hold onto whatever pressures are building inside, like a volcano. At some point, that pressure needs to be released. There are many people who can fulfill this role in your life: a family member, friend, military service buddy, priest/minister/rabbi/etc., mentor, doctor, therapist, or someone else. If you don't have one, start working on developing one; if you need one right now, then find a religious figure or get a psychotherapist. Helpers are out there if you allow yourself to be helped.
6. **Limit your exposure to negative news on screens.** This means televisions, phones, laptops, computer screens, and tablets. Most media news you see is negative (plus weather, sports, and one nice story at the end of the program). Doomscrolling may feel urgent, but it also feels bad, and you are likely to do it all over again tomorrow. If a picture is worth 1,000 words, a video is worth 10,000 or more, and the negative content we ingest becomes what we feel. You can stay aware of important news: try reading more and watching less.
7. **Look for silver linings.** You may be able to work from home now, saving yourself the time and money it takes to commute to and from work. Your dog, if you have one, is much happier (but your cat, if you have one, may or may not be). Think of all the animals who now have a loving home. Pollution plummeted, the Himalayas became visible, and Venice's canals cleared. Sea turtle births boomed. Couples donated their wedding meals to people who can't afford enough food. New sea coral beds have been planted. Find the silver linings in all of this that make you happier.
8. **Practice yoga.** Like meditation, yoga has many physical benefits, including decreased back pain, improved heart health, increased energy, decreased arthritis pain, better sleep, and improved strength, balance, and flexibility. It also has many mental health benefits, including increased relaxation, decreased stress and anxiety, and brighter moods. For those who prefer movement in their self-care, yoga is an excellent activity in which to engage. Try gentle yoga to start. No age is too old; you can even do chair yoga.
9. **Connect with other people daily.** One of the worst features of the pandemic has been how it isolates people from each other. Judges are already in roles that can make them feel isolated, and COVID-19 has exacerbated the problem. Be creative about seeing your friends. If the weather is nice, engage in a socially distanced walk or discussion. Try scheduling virtual lunches with other judges. Make FaceTime or Zoom calls rather than telephone calls so that you can see your friends and family. Use this opportunity to get to know your neighbors better by talking over your fences. Watch films simultaneously with friends and text each other while doing it or set up a call afterwards to talk about the movie. Plan group Zoom calls with other judges to talk

JUDICIAL STRESS WITHIN THE JUSTICE SYSTEM: WHAT CAN JUDGES DO?

continued from page 2

about the latest appeals and changes in laws. Make sure you talk with at least one friend or family member with whom you do not live each day.

10. **Do hopeful things.** Engage in activities that aim towards a brighter future. Plan a vacation, or re-plan one that got cancelled. Carry something that inspires you. Put a happy picture on the home screen of your phone. Plant a garden; in winter, grow indoor plants. Let yourself dream about a better future. Watch a hopeful movie or read a hopeful book. Try growing a bonsai. Connect with young children frequently.

Two final hints: start at least one of these activities in the next four days. Research suggests that if you don't start within that time period, you will forget and won't start at all. To make sure it becomes a habit, do the activity every day for at least three weeks; that's how long it takes to develop a new habit. When we are under stress, we need to be kinder to ourselves. The time to start is now.

Brian L. Meyer, Ph.D., is a clinical psychologist and the Psychology Program Manager for the Community-Based Outpatient Clinics of the Central Virginia VA Health Care System. He is also a national speaker on trauma, substance abuse, stress management, and a variety of court-related issues.

THE PROMISE OF PRE-TRIAL INTERVENTION PROGRAMS

*By Honorable John S. Kennedy
Court of Common Pleas, York County, PA (retired)
ABA Regional Judicial Outreach Liaison, Region 2*

"An encounter with the criminal justice system provides a valuable opportunity to intervene in an individual's life by identifying the clinical needs of substance abusers and then confronting them with the consequences of their own drug and alcohol use."¹

In many jurisdictions an impaired driving arrest, and the initial stages of its resulting criminal proceeding, are often missed opportunities to intervene and address underlying substance use problems. Early intervention can be the key to successful prevention and treatment and yet crowded court dockets and trials often lead to lengthy delays between arrest and conviction. That is what was occurring in my jurisdiction before we developed our Target 25 Initiative.

The story of our program began in 2007, when a man appeared before me for a probation violation. He was placed on probation for a theft conviction and the primary violation for his appearance was his excessive use of alcohol. As I read his probation report, it scared me. I noticed he had committed four impaired driving offenses in less than a year. His blood alcohol content readings were between .354 and .527. Drugs were also found in his system.

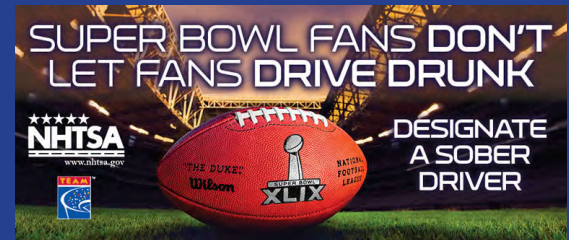
My first question was: how could this have happened? So, I decided to see if this man's case was an isolated incident or a systemic problem. I started reviewing the impaired driving cases that came into my courtroom and I asked my colleagues on the bench to do the same. What our initial review showed was that about 25% of

continued, page 4

Dates to Remember

February

Fans Don't Let Fans Drive Drunk



March

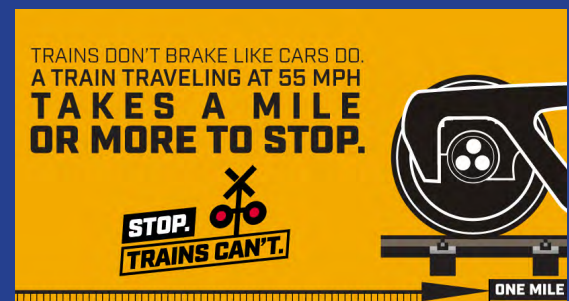
St. Patrick's Day – Impaired Driving

Buzzed Driving is Drunk Driving



Rail Grade Crossing Campaign

Stop. Trains Can't.



Introducing: *The Tribal Traffic Safety Bulletin*

The American Bar Association Judicial Division's Judicial Outreach Liaison and Judicial Fellows Program is producing a new publication: *The Tribal Traffic Safety Bulletin*. This newsletter will be shared twice a year, and will feature pieces written by Judicial Outreach Liaisons, Judicial Fellows, judges, and other program stakeholders. The newsletter will be focusing on highway safety matters in native lands. The Judicial Outreach Liaison and Judicial Fellows program is producing this newsletter because of the increased interest in impaired driving, seatbelt use, and motor carrier safety issues on native lands. We are excited to share this new way for our team to communicate news and other information our valued partners and stakeholders on this topic.

If you are interested in being on the listserv, please reach out to Project Manager, Kennedy Breanne Green at kennedy.green@americanbar.org.

Be on the lookout for our first edition, to be published in late Winter 2021.

THE PROMISE OF PRE-TRIAL INTERVENTION PROGRAMS continued from page 3

people charged with a DUI were charged with another DUI shortly after the offense that first brought them to our courtrooms.

We undertook a review of our system, specifically the arrest and pretrial procedure. What we found was a system that we nicknamed "Catch and Release." Far too often, an individual would be stopped for DUI, his or her blood would be drawn and the blood sent out of town for testing with no charges filed until the results returned, sometimes weeks or months later. In the meantime an intervention opportunity was missed and the offender continued to misuse substances placing themself and the public in danger. This process occurred regardless of the prior record of the offender.

Working with law enforcement, prosecutors, defense attorneys and other stakeholders, we formed a work group to study how DUI offenses are processed and to create more effective procedures in impaired driving cases. Thus in 2011 we started the Target 25 Initiative. We came up with a procedure that required law enforcement check the record of the individual detained for impaired driving. If there was a record of a prior DUI in the last ten years, the driver was placed in custody and charged under our general impairment section of the statute while awaiting toxicology results.

Pennsylvania law allows arrests if a defendant is a danger to himself or others. We believed we had adequate reason to show that the driver was a danger to themself and the public. First, we knew statistically that an offender had a 25% re-offense rate within weeks of a second offense. Additionally, the offender already completed highway safety education and alcohol classes as a result of his or her prior DUI. Then, we contacted our lab and they agreed to prioritize the blood test results of these offenders. In doing so, we cut the turnaround time for lab results from 6 to 8 weeks to approximately 7 days. This allowed us to receive test results early enough to amend the charges at the preliminary hearing of the offender.

Next, we created a protocol to have the offender seen by a judicial authority within 6 hours of arrest where bail conditions, including alcohol monitoring and drug testing, were imposed. We required a drug and alcohol evaluation to be completed by a licensed provider. If the evaluation recommended no counseling, then the bail conditions could be removed. Additionally, once any recommended counseling was completed, the monitoring conditions could end. In these instances, I don't recall any evaluation that did not require counseling. What we found was that by the time of sentencing, 75% of these offenders were already engaging in counseling.

At the same time, we changed our sentencing practices. We stopped using incarceration for any sentence that mandated 30 days or less of confinement. Instead, we used house arrest combined with alcohol monitoring. We modified the sentencing system to emphasize treatment instead of punishment. We also used the system to fast track people into our DUI treatment court.

Creating an early intervention in these cases effectively identified and treated impaired drivers who had substantial substance use and mental health needs. The time between DUI arrest and case adjudication was lengthy and in most DUI cases, the defendant returned to the community to await trial. Recidivism data shows that high-risk impaired driving offenders continue to drink and drive and commit more DUI offenses while awaiting trial. Our experience convinced us that interventions attached to pretrial release conditions and programs helped prevent subsequent DUI offenses.

The Target 25 Program succeeded in many ways in the first few years of the program (2012-2014). Impaired driving crashes decreased in York County by 17% and impaired driving cases decreased by 22%. The number of repeat DUI offenders dropped from 25% to 12%. Only 4% of Target 25 participants were rearrested while in the program and more than 100 veterans connected with services while on supervised pretrial release.

The ABA Judicial Outreach Liaison (JOL) Program

The JOL program began in 1998 as part of the ABA Judicial Division's outreach efforts to provide trial judges with access to current and evidence-based practices that would assist them in their work on the bench. The program consists of two National Judicial Fellows and Regional and State Judicial Outreach Liaisons (JOLs) throughout the country. Judicial Fellows and JOLs are active or retired judges who work to improve the administration of justice in impaired driving and other traffic safety matters through education, communication, community outreach activities and collegial and ethical collaboration with judges, and traffic safety stakeholders, locally, regionally, and nationally.

While remaining independent and impartial, the JOLs and Judicial Fellows serve as a resource for the judiciary and other members of the highway safety community. This assistance takes the form of peer-to-peer judicial education, court case interpretations, guidance, and acting as a liaison between the judiciary and the highway safety community. The JOLs and Judicial Fellows help supplement and support on-going efforts by judicial educators around the country to provide essential information to judges in a number of important areas including evidence-based sentencing practices for at-risk populations, DUI Treatment Courts, and reliable substance use and mental health assessments.

Through the work of the American Bar Association JOL Program, judges throughout the country can gain a broader foundational understanding of the issues that they face in handling their fast-paced traffic-related dockets.

Currently 32 active and retired judges serve as JOLs and Judicial Fellows around the country, covering 47 of the 50 States, the District of Columbia, Native Nations, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa and the Commonwealth of the North Mariana Islands.

This program is supported by a grant from the National Highway Traffic Safety Administration.

THE PROMISE OF PRE-TRIAL INTERVENTION PROGRAMS continued from page 4

Today, Target 25 is a nationally-recognized supervised bail program that compliments DUI courts and other impaired driving sentencing programs. It uses alcohol monitoring and drug testing to keep DUI offenders from using substances and re-offending while out on bail. Any repeat, high-BAC, or aggravated DUI offender is eligible for the Target 25 program. The process we created for Target 25 includes the following:

- Upon arrest, a DUI suspect's criminal history and driving record in the last 10 years is requested from the Sheriff's Department to identify prior or pending DUI arrests/convictions.
- In custody, a bail officer administers a risk assessment tool to determine the defendant's risk level and criminogenic and/or treatment needs.
- The district judge arraigns the DUI defendant with Target 25 bail conditions imposed to include supervision under an adult probation officer and required use of a continuous alcohol monitoring bracelet to actively track alcohol consumption during pretrial release.
- A preliminary hearing takes place within 38 days of the DUI arrest. Charges can be amended during this time based upon toxicology results in the case.
- The Sheriff's Department notifies the District Attorney's Office of DUI arrests in the Target 25 program.
- The District Attorney's Office conducts a screening process to determine which individuals are eligible for placement in the DUI court and then refers them to probation. Sentencing recommendations are made for defendants who are ineligible.

Target 25 is funded from a variety of different sources including the Pennsylvania Department of Transportation, and the National Highway Traffic Safety Administration (NHTSA) that provides funding for the county's DUI Court. Blood testing and analysis is paid for by the district attorney's office. However, participation in the Target 25 program is paid for by the defendant including costs associated with alcohol monitoring and drug testing. Special arrangements are made for indigent offenders.

To date, Pennsylvania has implemented Target 25 programs in Lancaster, Berks, Butler, and Washington County, and Missouri's Warren County has implemented a program that follows the Target 25 model. There has been widespread interest in the program which has garnered national recognition with awards from the Governors Highway Safety Association, NHTSA and Responsibility.org.

For questions on the program, or how to evaluate your system for improvements feel free to contact Judge Kennedy directly at jskennedy17402@gmail.com

1. Responding to Substance Abuse: The Role We All Play (1999).

JUDICIAL DIVISION ANNOUNCES NEW TRAFFIC SAFETY SEMINARS FOR JUDGES: ESSENTIALS OF IMPAIRED DRIVING TRAFFIC SAFETY: A SIX-PART SERIES

Traffic cases, particularly impaired driving cases, form the backbone of much of the work of judges in courts of limited jurisdiction. Now, with the assistance of data, research, and technology, we know far more about impaired drivers, the nature of the offense of impaired driving, and how to reduce the likelihood of impaired driving recidivism. Evidence-based practices now give courts the tools to more effectively address the substance use of impaired drivers and improve sentencing outcomes by identifying and addressing addiction, psycho-social needs and behavioral issues that contribute to recidivism.

This new program, developed by the ABA's Judicial Outreach Liaison program, is intended to be a one-day program with six (6) modules. These modules will address the role of judges in handling impaired driving cases, the nature of impaired driving, and how to incorporate evidence-based practices in the areas of pretrial release and sentencing. The program is available to State and local judiciaries and judicial educators through the ABA and through the Regional and State Judicial Outreach Liaisons. The program's 6 modules include:

1. Impaired Driving Offenses and Their Impact on Communities
2. Alcohol and Drug Impaired Driving: Is There a Difference?
3. The Role of the Judge in Impaired Driving Cases
4. Evidence-based Pre-Trial and Sentencing Practices to Reduce Recidivism: Screenings & Assessments
5. Sentencing Impaired Drivers
6. The Promise of DWI Courts

For more information, or to learn how you can bring this judicial education program to your State, contact Project Manager, Kennedy Breanne Green at kennedy.green@americanbar.org or contact your State or Regional Judicial Outreach Liaison.

The American Bar Association's Judicial Division would like to thank the Curriculum Committee for creating this program. The Curriculum Committee is comprised of its Chair Judge Phyllis McMillen (Region 5 Judicial Outreach Liaison, Michigan), and its members Judge Richard Vlavianos (Region 9 Judicial Outreach Liaison, California), Judge Laura Weiser (Texas State Judicial Outreach Liaison), Judge Kevin Holbrook (Kentucky State Judicial Outreach Liaison), Judge Leon Burns (Tennessee State Judicial Outreach Liaison), and Judge Neil Edward Axel (Judicial Fellow, Maryland).

Contact Info

To learn more about judicial outreach in your State and Region, please contact one of the following:

Judicial Fellow:

Hon. Neil E. Axel: neilaxel49@gmail.com

Tribal Courts Fellow:

Hon. J. Matthew Martin:
abajudicialfellow@gmail.com

Regional Outreach Liaisons:

Hon. Brian L. Burgess, Judicial Outreach Liaison, Region 1 (Maine, Massachusetts, New Hampshire, Vermont, and Rhode Island): Brian.Burgess@vermont.gov

Hon. John S. Kennedy, Judicial Outreach Liaison, Region 2 (Connecticut, New Jersey, New York, Pennsylvania, Puerto Rico and Virgin Islands):
JSKennedy17402@gmail.com

Hon. A. Robinson Hassell, Judicial Outreach Liaison, Region 3 (North Carolina, Kentucky, Virginia, West Virginia, Maryland, Delaware, District of Columbia):
judgehassell@gmail.com

Hon. Phyllis McMillen, Judicial Outreach Liaison, Region 5 (Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio):
mcmillen008@gmail.com

Hon. Chaney W. Taylor, Jr., Judicial Outreach Liaison, Region 7 (Iowa, Missouri, Arkansas, Kansas, Nebraska):
ctaylorjol@gmail.com

Hon. Scott E. Pearson, Judicial Outreach Liaison Region 8 (CO, ND, SD, NV, UT, and WY): seplaw@outlook.com

Hon. Richard A. Vlavianos, Judicial Outreach Liaison, Region 9 (Arizona, California, Hawaii, Pacific Territories):
rvlavianos@comcast.net

Hon. Mary Jane Knisely, Judicial Outreach Liaison, Region 10 (Montana, Idaho, Oregon, Washington, Alaska):
maryjaneknisely@gmail.com

State Judicial Outreach Liaisons:

California: Hon. Rogelio Flores:
eljuezflores@gmail.com

Indiana: Hon. Earl G. Penrod:
penrodinjol@gmail.com

Kentucky: Hon. Kevin Holbrook:
KevinHolbrook@KYCOURTS.NET

Louisiana: Hon. Jules D. Edwards III:
jules.edwards.iii@gmail.com

Maine: Hon. John David Kennedy:
david.kennedy@dirigosafety.com

Maryland: Hon. Marc Rasinsky:
rasinskym@yahoo.com

Michigan: Hon. Patrick Bowler:
pcbowler@gmail.com

Minnesota: Hon. Shaun R. Floerke:
shaunfloerke@gmail.com

Missouri: Hon. Casey Clevenger:
Casey.Clevenger@courts.mo.gov

Montana: Hon. Laurie McKinnon:
LMcKinnon@mt.gov

New Mexico: Hon. Kevin L. Fitzwater:
kevin.fitzwater2@gmail.com

New York: Hon. Thomas J. Carr:
tjcarr@nycourts.gov

Oklahoma: Hon. Rodney (Rod) Ring:
joloklahoma@gmail.com

Oregon: Hon. Eric Bergstrom:
ericbergstrom084@gmail.com

Pennsylvania: Hon. Michael Barrassé:
mbarrassé@gmail.com

South Carolina: Hon. W. Mattison Gamble:
mgamble@sumtercountysc.org

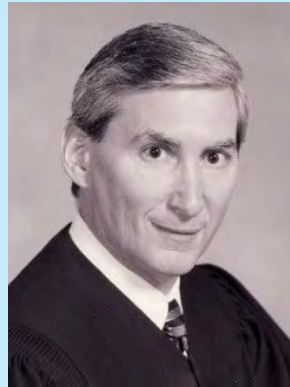
Tennessee: Hon. Leon Burns:
leonburns@gmail.com

Texas: Hon. Laura Weiser:
lweiser@yourhonor.com

Virginia: Hon. Gordon Wilkins:
gordonwilkins@outlook.com

Washington: Hon. Scott Bergstedt
scott@bergsteadtlaw.com

American Bar Association Judicial Fellow Judge Axel Receives 2020 NHTSA Public Service Award



Judge Neil Edward Axel was recently honored by the National Highway Traffic Safety Administration (NHTSA) with their Public Service Award. Judge Axel was appointed to the District Court of Maryland in 1997, where he served as the Judge-In-Charge of Drug and DUI Treatment Court programs and served as the Co-Chair of Maryland's Judicial Conference Committee on Problem Solving Courts from 2005 to 2012. He joined the ABA's Judicial Outreach Liaison and Fellows Program (the Program) first as a Judicial Outreach Liaison for Region 3 in 2011, and then became the Judicial Fellow in 2017. Judge Axel was given this NHTSA award for his commitment to expanding judicial education nationally and his efforts in expanding the reach of the ABA Program across the United States. Due to his methodical

work and diligence, the American Bar Association has been able to more than double the Program's size. Under his tenure, the Program has hired 10 new State Judicial Outreach Liaisons and 3 new Regional Judicial Outreach Liaisons. Additionally, Judge Axel facilitated and contributed to the creation of the Best Practices Guide for Implementing a State Judicial Outreach Liaison Program, a comprehensive guide to continue encouraging the proliferation of Judicial Outreach Liaisons across the United States.

Minnesota State Judicial Outreach Liaison Judge Floerke Receives 2020 Visionary Award



Judge Shaun R. Floerke, who joined the Judicial Outreach Liaison and Fellows Program in July 2020, was honored by the Center for Alcohol and Drug Treatment (CADT) with their annual Gary P. Olson Visionary Award. Judge Floerke was awarded this honor for his stewardship of his DWI Court program, which he has presided over since 2008. This court, the South St. Louis County DWI Court, has also notably been designated as one of four DWI Academy Courts by the National Center for DWI Courts. Upon bestowing the award to Judge Floerke, Gary P. Olson, retired CEO of CADT and for whom the award is named, shared that a documentary "No Losers" featuring Judge Floerke, which focused on supportive housing for alcoholics, served as the inspiration for Olson to build similar facilities all over the United

States. The current CEO of CADT, Tina Silverman said of Judge Floerke, "[h]is contributions regionally and nationally are remarkable, yet it's [his] compassion and [his] belief in people's ability to change that stand out the most."

REMEMBERING PEGGY

JURIST - EDUCATOR - MENTOR - FRIEND - VISIONARY

*Judge Rogelio Flores
California Judicial Outreach Liaison
Santa Maria, California*

*Judge Richard Vlavianos
Judicial Outreach Liaison, Region 9
Stockton, California*



Peggy Fulton Hora was a true giant, a visionary and one of the best judicial educators that we have ever seen. Sitting at a computer and staring at the screen, it is difficult to wonder what to write about our dear friend, the late, great Peggy Hora. She was truly a force of nature. When you first ventured into the world of drug courts and collaborative justice, Peggy Hora's name was mentioned wherever you went. She was part of creating the second drug court in the United States and helped found the

National Association of Drug Court Professionals. Someday, you think, I'm going to meet this great person, who is so much more than a colleague. It is an intimidating thought, kind of like a novice guitar player meeting Eric Clapton.

When you finally met her, whether it was at trainings for the National Drug Court Institute in Washington or teaching a course for the National Judicial College, you found out that she was actually chill! She always reminded you that it's ok to have fun and enjoy life while doing the serious duties of being a judicial officer or providing judicial education. She was all-business, however, when it came to working on strategies to improve the lives of those suffering from drug dependency, alcoholism, and mental illness.

Over the years, it was easy to reach out to her for advice regarding your career, and any issues that arose in any of the treatment courts that you had the honor of presiding over. She was so much more than a friend. She was a mentor, an advisor, and a confidant. Peggy would even cover your calendar while you were teaching or on vacation. When she would ask you how you would handle an issue, you would be filled with pride. It was like an amateur musician counseling a virtuoso!

Judge Peggy Hora became even a more important figure after she left the bench. She was a guide, a guru, a teacher, and an advisor about all the topics we face in the world of collaborative justice. And she was funny. Going out to dinner with a group of colleagues was made even more enjoyable because Peggy was there and filled the room with her joy and love of life (of course, she recommended the restaurant because she always knew the best).

Peggy also had a fulfilling retirement. She was the Region 9 Judicial Outreach Liaison for the ABA which meant that she was responsible for Hawaii, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands in addition to California and Arizona. As if that wasn't enough, she became a "Thinker In Residence" for the Australian justice system. She also founded the Justice Speakers Institute along with Judge Brian MacKenzie and David Wallace. All who met and worked with Peggy quickly realized that when they grew up, they wanted to be Peggy Hora.

Finally, Peggy's passion for taking the hope of the drug court movement to our brothers and sisters in so many different parts of the world should inspire us all. While these justice-centered courts might be an American phenomenon, they are working to tackle a problem that knows no boundaries.

Thank you and well done, amiga! We're going to miss you!

UPCOMING NATIONAL JUDICIAL COLLEGE COURSES

Parties Formerly Involved in the Justice System Because of Substance Use Disorder: A Panel Discussion

January 19, 2021

2:00 p.m. Eastern

[Register here](#)

Attendees will hear from persons who experienced collateral impacts from Court interventions, and will learn the current best practices for screening, assessing, and treating substance use disorders, with an emphasis on opioids and medically assisted treatment interventions which improve outcomes.

Handling Traffic Cases Webinar Series

Access to Justice Issues in Traffic Cases

January 20, 2021

12:00 p.m. Eastern

[Register here](#)

Controlling the Courtroom (Self-Represented Litigants/ Sovereign Citizens) & Docket/Case Management

January 27, 2021

12:00 pm Eastern

[Register here](#)

Handling Traffic Cases Webinar Series: Impaired Driving 2021: An Overview

February 3, 2021

12:00 pm Eastern

[Register here](#)



THE NATIONAL
JUDICIAL COLLEGE

DRE Qualification, Protocol, & Admissibility in Impaired Driving Cases

February 10, 2021

12:00 pm Eastern

[Register here](#)

Commercial Motor Vehicles / CDL Masking

February 17, 2021

12:00 pm Eastern

[Register here](#)

Toxicology Essentials in Impaired Driving Cases

February 24, 2021

12:00 pm Eastern

[Register here](#)

Sentencing to Reduce Recidivism

March 3, 2021

12:00 pm Eastern

[Register here](#)

DON'T FORGET

Resources for responding to the COVID-19 pandemic:

- **Sample set of Frequently Asked Questions (FAQs) guidance by Substance Abuse and Mental Health Services Administration (SAMHSA) on COVID-19 and Opioid treatment Programs**
<https://www.samhsa.gov/sites/default/files/sample-otp-covid-19-faqs.pdf>
- **SAMHSA's COVID-9 Guidance for Opioid Treatment Programs**
<https://www.samhsa.gov/medication-assisted-treatment>
- **Drug Enforcement Administration's Guideline on Use of Telemedicine While Providing Medication Assisted Treatment (MAT)**
<https://www.samhsa.gov/sites/default/files/sample-otp-covid-19-faqs.pdf>
- **Up-to-Date Information for the Substance Use Disorder Treatment field from SAMHSA**
<https://www.samhsa.gov/>
- **Centers for Disease Control and Prevention**
<https://www.cdc.gov/>

Valuable resources for traffic court judges can be found at:

- **National Highway Traffic Safety Administration**
www.nhsta.gov/risky-driving
- **American Bar Association/Judicial Division/NCSCJ**
www.americanbar.org/groups/judicial/conferences/specialized_court_judges/NHTSA.html
- **Highway to Justice - Archives**
www.americanbar.org/groups/judicial/publications/judicial_division_record_home/highway-to-justice/
- **National Judicial College**
www.judges.org
- **Governors Highway Safety Association: Alcohol Impaired Driving**
www.ghsa.org/issues/alcohol-impaired-driving
- **AAA Foundation for Traffic Safety**
www.aaafoundation.org/
- **National Center for State Courts**
home.trafficresourcecenter.org/
- **National Center for DWI Courts**
<https://www.dwicourts.org/>