

Education & Training

Federal Judicial Center
Annual Report 1999

Federal Judicial History

Research

assisting foreign
judicial systems

*“to further the development & adoption
of improved judicial administration”*

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a Message from the Director

Crime and commerce are rapidly becoming more international in scope. Assuming that trend continues, there will be a concomitant increase in the globalization of law, a concept which has until recently been more of a theoretical construct. This phenomenon is now beginning to affect what actually takes place in our courtrooms. Intellectual property rights, jurisdiction and venue related to Internet use, extradition, detention of foreign nationals, international terrorism, immigration, and contract disputes arising from foreign investments and joint ventures are among the obvious areas where international issues may arise. Because the world is not only getting smaller, but also moving faster, at least metaphorically, we can expect the effects of globalization of law to increase dramatically in the coming years, and we should be prepared for them.

Responding to the effects of globalization is directly relevant to the Federal Judicial Center's statutory responsibilities. In 1992, Congress amended the Center's mandate (28 U.S.C. § 620(b)) and authorized it "to cooperate with and assist agencies of the Federal Government and other appropriate organizations in providing information and advice to further improvement in the administration of justice in the courts of foreign countries and to acquire information about judicial administration in foreign countries that may contribute to performing the other functions set forth in this section."

That amendment recognized and explicitly approved of the Center's efforts in the international field. Since that time, the Center has explained the U.S. legal and judicial system or the process of education and research for the federal judiciary and its support staff in short briefings to almost 3,000 foreign visitors and in longer seminars for more than 350 visitors. Many of these activities assist international visitors who are anxious to stabilize the rule of law and promote judicial independence in their own countries. Foreign judges with those goals are intrigued by the concept of an agency like the FJC that is not just a "judicial school," but a true center for learning, teaching, and research on a wide range of issues relevant to the judicial branch.

Our shrinking world demands that we continue to assist colleagues from other countries, and not simply as an altruistic exercise. Such assistance helps promote international security and legal recourse, especially for those who travel outside our borders, physically or technologically, whether for personal, commercial, or governmental reasons.

More recently, globalization has created another challenge. In past years, the Center has not found it necessary to devote many resources in either research or judicial education to areas in which our laws intersect with the laws of others. The growing instances of such intersections have changed that. At a minimum, federal judges should be familiar with the major treaties and conventions that may be at issue in cases that come before them. We have long acknowledged the need for comity in respect to state–federal conflicts; we should now expand our horizons.

This larger perspective might encompass not only substantive judicial education but analysis of practices and procedures as well. Many of our counterparts in other countries are struggling with the same issues that we now confront—increasing dockets and decreasing resources, conflicts over jurisdictional borders, and more frequent disputes arising from both international commerce and international crime. We should learn what we can about how others are dealing with these common problems.

Federal courts are confronting not only the increasing effects of globalization, but the continuing challenges of science as well. The Center is designing two exciting new Federal Judicial Television Network programs that will help explain the sciences of recombinant DNA and other genetic engineering, epidemiology, and toxicology and also demonstrate how such scientific information is best used in courtroom proceedings, such as *Daubert* and *Markman* hearings. We also look forward to developing Web-based programs that will expand our use of distance learning into various areas, providing both judges and staff with the high-quality programs that are the hallmark of the Center and the additional benefit of maximum flexibility.

And so we enter a new year (a new century according to some). As the Chief Justice said in his year-end review of 1999, “FJC research and education helps the judicial branch deal with vexing policy questions created by modern litigation.” We will continue to do so. It will be a time of challenge for the Center and a time of personal excitement for me as I begin my first full year as director. I look forward to what lies ahead.

FERN M. SMITH

About the Federal Judicial Center

Statutory Mission

In 1967, Congress created the Federal Judicial Center “to further the development and adoption of improved judicial administration” in the courts of the United States. The Center’s statutory duties are codified at 28 U.S.C. §§ 620–629. They include providing orientation and continuing education for the judges and staff of the federal judicial system, performing research on court operations and procedures (particularly in support of Judicial Conference committees), and conducting programs to promote judicial federalism, assist foreign judicial systems, and study the federal courts’ history. This annual report, mandated by statute, describes the Center’s activities in furtherance of its statutory duties in calendar year 1999.

Governance

The Chief Justice of the United States chairs the Center’s Board, which also includes two circuit judges, three district judges, one bankruptcy judge, and one magistrate judge elected by the Judicial Conference, as well as the director of the Administrative Office of the U.S. Courts (*ex officio*). The Board oversees the FJC’s activities, and its members serve on standing committees on education and research and on Center advisory committees on judicial education programs.

In March 1999, the Judicial Conference elected Judge Robert M. Parker of the U.S. Court of Appeals for the Fifth Circuit and Judge William H. Yohn, Jr., of the U.S. District Court for the Eastern District of Pennsylvania to membership on the Center’s Board. They replace Judge Bruce M. Selya of the U.S. Court of Appeals for the First Circuit and Chief Judge Richard P. Matsch of the U.S. District Court for the District of Colorado, whose terms expired.

The Board appoints the FJC’s director and deputy director; the director appoints the Center’s staff. In April 1999, the Board selected Judge Fern M. Smith of the U.S. District Court for the Northern District of California to be the Center’s eighth director. All but one of its previous directors have also been federal judges.

Organization

The Center’s organizational structure reflects its primary statutory mandates and direction provided in the Board’s 1997 strategic plan. The Judicial Education and Court Education Divisions are responsible for planning and producing all education and training programs, including satellite broadcasts, video programs, and educational publications. The Research Division examines and evaluates current and alternative federal court practices and policies. This research not only assists committees of the Judicial Conference in developing policy recommendations but often contributes as well to Center

educational programs and products. The three divisions work closely with two units of the director's office—Systems Innovation & Development and Communications Policy & Design—in using print, broadcast, and on-line media to deliver timely education and training and to disseminate the results of Center research to judges and court staff. The Federal Judicial History Office, a part of the Research Division, develops innovative ways to help courts and scholars study and preserve federal judicial history, including a new Web site that will be available in early 2000. The Interjudicial Affairs Office, part of the Judicial Education Division, provides information to judicial and legal officials from foreign countries and assesses how developments in international law and law-related activities should be included in the Center's educational programs for federal judges.

Coordination Within the Judicial Branch

Numerous programs and projects described in this annual report involve coordination, cooperation, and consultation with the Judicial Conference and its committees, with the Administrative Office, and with the U.S. Sentencing Commission. At the request of the Center's Board and the Judicial Conference, and pursuant to the Center's strategic plan, the FJC and the Administrative Office have created an interagency coordinating committee. Its role is to assess education and training needs of the judicial branch, coordinate the agencies' respective educational activities, collaborate in the planning and formulation of specific programs, and respond to Judicial Conference committee requests in regard to education.

One high-profile collaborative effort has been the Federal Judicial Television Network (FJTN), a network of more than 250 satellite downlinks in federal courthouses across the country. FJC staff manage the network, which first began operating in April 1998. The Center's management responsibilities include coordinating broadcast schedules, obtaining satellite time, running broadcast equipment, and operating the teletraining studio in the Thurgood Marshall Federal Judiciary Building for all programs produced by the Center, the Administrative Office, and the Sentencing Commission. Administrative Office staff are responsible for coordinating the installation of downlinks in the courts and for managing the judiciary's contract for satellite and other telecommunications services. In 1999, the FJTN broadcast more than 1,400 hours of educational and informational programming (including rebroadcasts) from all three agencies. This figure includes 96 live broadcasts from the Marshall Building's studios, operated by the Center's television production professionals.

The Center also relies on advisory committees of judges, court staff, and others in planning and producing education programs and publications. These committees are listed on page 19.

Staffing & Appropriation

The Center's fiscal 1999 appropriation was \$17,716,000 and it employed 141 people at the end of 1999. Its fiscal 2000 appropriation is \$17,932,000.

1999 at a glance

In 1999 the Center

- provided 906 educational programs for more than 37,000 federal judge and court staff participants
- completed 23 major research and evaluation projects, continued work on 31 others, and responded to many other requests for short-term research assistance
- produced or updated 53 educational media programs for live or video-taped satellite broadcast or distribution on videocassette
- broadcast more than 1,400 hours of educational and informational programs from the Center and from the Administrative Office on the Federal Judicial Television Network (FJTN)
- completed 8 curriculum packages and training guides
- distributed almost 250,000 Center publications, including periodicals and catalogs of books, programs, and other services, as well as almost 1,400 audio, video, and multimedia programs
- answered some 2,000 information requests from judges, court staff, and others
- hosted seminars or briefings for almost 430 foreign judges and officials from some 70 countries

Education and Training

The Center's 1999 education and training programs reached more than 37,000 participants, as shown in the summaries on page 7.

Included in those summaries are 72 FJC broadcasts on the FJTN, accounting for more than 500 hours of educational programming (including re-broadcasts). Of these, 44 were live, interactive broadcasts in which judges and court staff at courthouses around the country could speak directly with program faculty in the broadcast studio. Other FJC broadcasts on the FJTN consisted of videotaped programs that the Center produced either in its television studios or at conferences and workshops; management seminars and teleconferences that the Center aired through an arrangement it made with PBS–The Business Channel; and a program produced by the National Institute of Corrections on assessing sex offenders for purposes of sentencing, supervision, and treatment.

In 1999, at least 88% of the participants in Center programs and in local training events based on Center materials and services used distance education methodologies. In addition to the Federal Judicial Television Network, such distance education programs consisted of an audioconference using telephone equipment, seven on-line conferences using computers with modems, and packaged training programs designed and produced by Center staff and delivered in the courts by court employees. Participants in distance education—almost 33,000—received training in their own courts and had minimal or no travel costs.

The actual number of participants in the Center's distance education programs is probably higher, because registration is not required for most FJTN broadcasts and exact attendance figures for these programs are not reported. In 1999 Center researchers developed a method to sample FJTN viewership on a fully random basis and thereby estimate at a high level of accuracy how many judges and court employees watch broadcasts and videotapes of programs broadcast over the network. The FJC is working with court personnel on site to gather viewership data and will begin reporting results in 2000.

Seminars & Workshops for Judges, Jan. 1-Dec. 31, 1999

	Number of Programs	Number of Participants
Orientations for newly appointed district judges	4	86
Orientations for newly appointed bankruptcy judges	3	35
Orientations for newly appointed magistrate judges	3	56
Conference for chief district judges	1	94
National workshops for circuit judges	2	46
National workshops for district judges	3	461
National workshops for bankruptcy judges	2	374
National workshops for magistrate judges	2	322
Special-focus workshops	12	305
In-court seminars	14	241
TOTAL	46	2,020

The Center also held four programs for 710 federal defenders and staff, and one program for 35 appellate conference attorneys.

Court Staff Education & Training Programs, Jan. 1-Dec. 31, 1999

	Number of Programs	Number of Participants
Seminars and workshops (national and regional)		
Clerks of court and clerk's office personnel	8	1,016
Probation and pretrial services officers and personnel	7	382
Personnel in several categories	15	441
TOTAL	30	1,839
In-court programs (programs using Center curriculum packages, training guides, and computer-assisted instructional programs)		
Clerks of court and clerk's office personnel	385	7,511
Probation and pretrial services officers and personnel	311	4,979
Personnel in several categories	69	3,062
TOTAL	765	15,552
FJTN broadcasts		
Clerks of court and clerk's office personnel	4	5,610
Probation and pretrial services officers and personnel	8	6,901
Personnel in several categories	38	3,960
TOTAL	50	16,471
Technology-based programs (audioconferences, videoconferences, on-line conferences)		
Clerks of court and clerk's office personnel	6	425
Personnel in several categories	4	377
TOTAL	10	802
GRAND TOTAL	855	34,664

Note: Figures reported for FJTN broadcasts include only registered viewers or viewers whose numbers can be counted through sign-up sheets or evaluation forms. Many more court employees have watched FJTN broadcasts and videotapes of programs, but their numbers are not reported because registration was not required for many FJTN programs.

Education Programs for Judges and Legal Staff

Orienting new judges to their roles and responsibilities has long been one of the Center's core functions, and this year 177 new judges participated in FJC judicial orientation programs. The Center also offers continuing judicial education programs to all judges. In 1999 such programs provided guidance on judicial ethics, examined current and emerging legal issues such as intellectual property and the challenges posed by new technology, described developments in human genetics and their implications for the federal courts, and reviewed other developments in federal law.

The Center also conducted a national sentencing policy institute for the Judicial Conference's Criminal Law Committee, in cooperation with staff of the Federal Bureau of Prisons, the Administrative Office, and the Sentencing Commission, and is planning another such institute for the summer of 2000. The Center offered two new seminars for court of appeals judges: a federal appellate jurisdiction program at Stanford University and a craft of judging program at the University of Notre Dame. It also conducted two mediation workshops for federal magistrate judges.

Attendance at seminars and workshops for judges and legal staff is reported in the table on page 7. In addition, several hundred judges, law clerks, staff attorneys, and defenders watched educational broadcasts on the FJTN. These included programs on the Alternative Dispute Resolution Act of 1998, developments in antitrust law, and bankruptcy organization and jurisdiction, and a Prison Litigation Reform Act update. The Center also broadcast its third annual review of the Supreme Court's term in July, shortly after the term ended, and its second national orientation program for judicial law clerks in September, shortly after new clerks began their clerkships, which included segments on ethics and writing.

The Center produces numerous manuals, monographs, and other educational publications for judges. In 1999, it published *Conducting Job Interviews: A Guide for Federal Judges* to help judges interview applicants for two key positions: court unit executive and law clerk. It also updated its *Benchbook for U.S. District Court Judges* and will distribute the revised version in early 2000.

The Center encourages state-federal judicial cooperation through joint educational programs on matters of common interest. One such seminar in 1999 examined basic issues of science that arise in litigation in federal and state courts.

Education & Training Programs for Court Staff

The Center provides executive team development training to judges and senior court managers, and practical education and training on critical job responsibilities to court managers and staff. Much of this training is delivered through distance education programs.

The FJTN featured programs to help probation and pretrial services officers supervise offenders and defendants. One new series helps officers deal with offenders with substance abuse problems; another examines guideline sentencing issues. A five-part pilot program, *Survival Spanish*, uses an easy-to-learn phonetic encoding system to help officers with no prior knowledge of Spanish in interviews, phone conversations, and field visits with Spanish-speaking offenders. A new edition of the Center's video magazine *Perspectives on Probation and Pretrial Services* informed officers about legislation and other matters of system-wide significance and spotlighted innovative practices in some offices that could be used in other districts. A companion video magazine for court personnel, *Court to Court*, received a "finalist" award in the national Telly Awards competition for non-network TV programming.

Educational programs for managers and supervisors included thirteen network broadcasts, several of which were interactive teleconferences from PBS–The Business Channel. A Center workshop for ADR administrators, judges, and court staff who direct or manage alternative dispute resolution in their courts was funded by the Hewlett Foundation. Several other workshops for managers and supervisors were collaborative efforts with the Administrative Office. These included programs on case-flow management for AO systems analysts who will be developing software for court use; technology management for teams of clerks of court and their systems managers; managing capital construction projects; and a program for bankruptcy administrators.

Another interagency collaboration resulted in the third program in the FJTN series on substance abuse mentioned above. *Advances in Drug Abuse and Addiction Research* featured Dr. Alan Leshner, director of the National Institute on Drug Abuse, a component of the National Institutes of Health.

At the request of the U.S. District Court for the Northern District of Ohio, the Center developed a Web-based tutorial to help attorneys learn how to file pleadings and other case-related materials through electronic means and to help court staff handle electronic case filings. The Northern District of Ohio is one of the prototype courts in the federal judiciary's project to introduce electronic case filing. The FJC's tutorial may serve as a template for other districts.

Among the new training products and guides released by the Center is a video-based packaged program to help clerk's office personnel understand what kind of assistance they can give to lawyers and the public without providing legal advice. Packaged programs, some of which are adapted from materials produced by vendors and other training organizations, include lesson plans and materials and are delivered in the courts by court employees who have training experience. Other such packaged programs and guides the Center produced in 1999 include the following:

- *Developing Court Employee Competencies*
- *Exit Interviews* (revised and reformatted to be a computer-based guide)
- *Foundations of Management* (six-month correspondence course with two versions: one for probation and pretrial staff, one for all court staff)
- *Handbook for Working with Mentally Disordered Defendants and Offenders* (updated)
- *Supervisor's Survival Kit* (audio program with workbook and computer disk)
- *Think Before You Send: Responsible E-mailing.*

FJC on-line conferences addressed communication and project management skills, case-flow management techniques, and the effect of technology on roles and responsibilities. A three-part audioconference enabled operations managers in district and appellate courts to share effective practices in case management.

Most court units have designated staff members to serve as court training specialists, in addition to their regular job duties. These specialists coordinate the delivery of local training programs that meet the specific needs of the court units. In 1999, the Center provided orientation for newly appointed court training specialists consisting of self-study assignments and videoconferences. Experienced training specialists participated in FJTN training programs, such as a broadcast on designing surveys to assess training needs.

Programs for Foreign Judicial Officials

The Center helps foreign judges and legal officials learn about the American court and legal systems in various ways, usually in coordination with other judicial branch, public, and private agencies. The Center conducted 5 seminars for 54 foreign judges in 1999, including judges from Russia, Mexico, and Scotland, and arranged a series of seminars to prepare Venezuelan public defenders for the implementation of that country's new criminal procedural code. The Center also conducted 78 briefings for more than 375 foreign judges and officials from some 70 countries.

Judges or legal scholars from Norway, Argentina, Korea, and Russia were in residence at the Center to study aspects of judicial procedures and administration under the Center's Foreign Judicial Fellows Program. Center staff also provided technical or other assistance in five foreign countries at the request of governmental or private organizations. The costs of all types of Center support for foreign judicial officials are met not by the Center's appropriated funds, but by grants to the Federal Judicial Center Foundation (see p. 18) or directly by cosponsoring organizations.

Research

The Center provides Judicial Conference committees with analyses of innovations, procedures, or problems in judicial administration that have system-wide implications. The Center initiates some research apart from committee requests, but in anticipation of emerging policy questions in need of analysis.

In 1999 the Center completed 23 research and evaluation projects, continued work on 31 others, completed 19 reports, and responded to more than 150 informal requests for research assistance from courts, Judicial Conference committees, federal and state government agencies, and others. The Center makes its research available within and outside the federal judiciary and, when appropriate, transmits reports of its research to the Judiciary Committees of both the House and the Senate.

In 1999, the Center had active research projects in the following areas.

Bankruptcy

The Center conducted an analysis of possible changes to the bankruptcy appellate process to help the Judicial Conference assess its response to proposed legislative changes. It also completed a survey of bankruptcy judges on attorney ethics issues that arise in bankruptcy cases.

Civil Litigation

Civil litigation projects included an examination of document-production burdens in employment and civil rights cases; an evaluation of a court-appointed experts demonstration project of the American Association for the Advancement of Science (AAAS); an assessment of the functions and roles of special masters appointed under Federal Rule of Civil Procedure 53; an analysis of district and appellate court practices that require disclosure of financial interests of parties in federal cases; and a study of problems created by the discovery of electronic documents and evidence in the federal courts.

The Center also provided the Judicial Conference's Civil Rules Advisory Committee and Working Group on Mass Torts with three extensive analyses of aspects of the mass torts phenomenon. These analyses formed a large part of the backup materials included in the group's report to the Chief Justice. For a separate Conference committee the Center analyzed the use of a national panel of court-appointed experts to examine science issues in the national breast implant litigation. The Center also initiated a study of the unique evidentiary issues that arise with various types of electronic evidence in the courtroom, a subject with both criminal and civil procedural implications.

Criminal Litigation and Offender Supervision

The Center conducted an evaluation of case-management-related tools to assist federal pretrial and probation officers in managing individuals on pretrial release supervision, as well as a study of five states' court procedures for court-ordered mental examinations of defendants in capital cases. The Center assisted the Federal Corrections and Supervision Division of the Administrative Office with its evaluation of the home confinement program, and it evaluated the Judicial Conference's Criminal Justice Act supervising attorney pilot project, in cooperation with the Administrative Office.

Appellate Processes

The Center conducted an analysis of case-management practices in the thirteen federal courts of appeals and an assessment of the caseload burdens in the U.S. Court of Appeals for the D.C. Circuit. The Center also completed its work for the Commission on Structural Alternatives for the Federal Courts of Appeals by preparing portions of the commission's working papers for publication, including reports and analysis of three surveys that the Center designed and administered and various other Center documents that analyzed aspects of appellate workload and procedures for the commission.

Judicial Resources

For the Judicial Conference's Judicial Officers Working Group, the Center examined how district courts request and use visiting judges.

Federal Judicial History

The Center carries out its statutory mandate to conduct, coordinate, and encourage programs related to the history of the federal judicial branch by making available the results of its own historical research, by preparing guides to judicial historical resources, and by advising judges and the courts on historical projects. In 1999, the Center completed a multiyear project to produce an extensive historical reference guide for presentation on its Web page. The Federal Judicial History site (on the World Wide Web at air.fjc.gov/history and on the judiciary's intranet on the DCN at air.fjc.dcn/history) includes a biographical database with the first complete list of life-tenured judges who have served on the federal courts since 1789. It will allow scholars and others to answer many questions about the men and women who have served on the federal bench and about the changes in the makeup of the federal judiciary over its more than 200-year history and in more recent times. The site also provides legislative histories of the federal courts and the federal judicial circuits, and presents historical notes and the texts of landmark legislation in the history of the organization and administration of the federal judiciary. The site offers reference guides to sources of federal judicial history, to encourage further research on the history of individual courts and on the careers of judges.

The Center is preparing a guide to the organization and operation of federal court history programs. It is working with existing court history programs to compile a review of the scope of existing programs and to help courts organize historical societies, conduct oral histories, sponsor exhibits and publications, and preserve the full range of records documenting the history of the federal courts.

In 1999, judges and their staffs continued to consult with the Center regarding the disposition of historically important records among judges' chambers papers. Center staff work with the National Archives and Records Administration to develop a record retention schedule that will ensure an accurate documentation of the business of the federal courts.

Educational Media Programs

For many years Center media programs—audiotapes and videotapes and, more recently, satellite broadcasts and interactive CD-ROMs—have provided education without travel. Some media programs complement training packages for in-court education. Others, accompanied by written materials, stand alone as self-instructional educational programs.

The Center's media catalog contains almost 1,100 audio and video programs, including audiotapes of workshops and seminars, Center-produced video programs, and some 530 commercially produced video programs. The Media Library loaned almost 2,000 copies of media programs to federal judges and judicial branch personnel on request and sent almost 1,400 copies of its media and multimedia programs directly to the courts for them to keep and use in local education and training programs. Many Center-produced media programs are made available to the public through the National Technical Information Service of the Department of Commerce.

In 1999 the Center produced the following programs on videotape, all of which were broadcast on the FJTN.

- *The Architecture of Antitrust*
- *Court to Court* (January, June, and October 1999)
- *Organization & Jurisdiction of the U.S. Bankruptcy Courts*
- *Orientation Seminar for Federal Judicial Law Clerks*
- *Perspectives on Probation & Pretrial Services* (April 1999)
- *Prison Litigation Reform Act Update*
- *Supreme Court 1998–99: The Term in Review*

Publications

Center publications include manuals for judges on aspects of litigation management, monographs and outlines on areas of substantive law, and newsletters and other periodicals for specific audiences on recent case law and case-management trends. They also include reports of the Center's empirical research and handbooks or other reference guides on federal court administration and history. The Center distributed almost 250,000 copies of its publications in 1999. Some 234,000 of these were catalogs of the Center's publications, media programs, and course offerings, including its semimonthly guide to FJTN broadcasts, *FJTN Bulletin*.

Some of these items are available on the Center's server on the J-Net (<http://jnet.fjc.dcn>) and on its World Wide Web page (<http://www.fjc.gov>). Many of the Center's publications are now listed, including a monograph on section 1983 litigation; the *Reference Manual on Scientific Evidence*; the *Manual for Complex Litigation, Third*; *Guideline Sentencing: An Outline of Appellate Case Law on Selected Issues*; and past and current issues of *Guideline Sentencing Update* and *Habeas & Prison Litigation Case Law Update*. New

titles are being added as they are published. Visitors to the Center's Web site can read descriptions of Center publications and obtain copies for download as Adobe Acrobat files for printing or reading.

For persons who rely on more traditional forms of computer-assisted research, more than fifty Center publications are available on the WESTLAW service, and more are being added. Several publications are reprinted by commercial publishers for sale to the public, including the *Manual for Complex Litigation, Third*, the *Reference Manual on Scientific Evidence*, the *Manual for Litigation Management and Cost and Delay Reduction*, and the *Chambers Handbook for Judges' Law Clerks and Secretaries*. The Government Printing Office also carries several Center titles in its public sales program.

Periodicals produced by the Center are

- *Bench Comment*—advisories on appellate trends in civil and criminal procedure
- *Chambers to Chambers*—descriptions of case and chambers management techniques, including a 1995–1996 series on managing federal death penalty litigation
- *The Court Historian*—a newsletter with information about court history programs
- *FJTN Bulletin*—descriptions of programs being broadcast by the Center, the Sentencing Commission, and the Administrative Office, broadcast schedules, and other news about the Federal Judicial Television Network
- *Guideline Sentencing Update*—summaries of recent decisions interpreting the Sentencing Reform Act and Sentencing Guidelines; a companion publication, *Guideline Sentencing: An Outline of Appellate Case Law on Selected Issues*, is a periodic cumulative outline that synthesizes the cases reported in *Guideline Sentencing Update*
- *Habeas & Prison Litigation Case Law Update*—a 1996–1998 newsletter that analyzed selected federal court decisions regarding the 1996 federal legislation on habeas petitions and prison litigation, to help judges and court staff implement the legislation during the first few years following its enactment
- *Special Needs Offenders*—a bulletin with information supplementing the Center's series of telecasts and training materials for probation and pretrial services officers.

Information Services

The Center maintains a specialized collection of books, journals, and published and unpublished documents on the work of the federal courts. Drawing from these, it serves as a national clearinghouse for information on federal judicial administration. Last year, the Center answered nearly 2,000 written or telephone requests for information from judges and court staff, libraries, government agencies, academic institutions, research organizations, bar groups, and the media.

Federal Judicial Center Foundation

The Federal Judicial Center Foundation is a private, nonprofit corporation established by Congress to receive gifts to support the work of the Center. By statute, the Foundation has sole authority to decide whether to accept gifts to support the work of the Center, and thereby to determine the suitability of would-be donors. The Foundation may not accept gifts earmarked for projects that have not previously been approved by the Center's Board, and the Center has sole control over the design and conduct of research or education programs supported by donations.

The Foundation is governed by a seven-person board appointed by the Chief Justice, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives. The members of the foundation's board during 1999 (there was one vacancy) were:

- Dianne M. Nast, Esq., Lancaster, Pennsylvania, *chair*
- Laurie L. Michel, Esq., Washington, D.C.
- Richard M. Rosenbaum, Esq., Rochester, New York
- Benjamin L. Zelenko, Esq., Washington, D.C.
- Charles B. Renfrew, Esq., San Francisco, California
- Marna S. Tucker, Esq., Washington, D.C.

Grants to the foundation provide important financial assistance for Center programs in specialized areas. Foundation gifts were used for the following purposes in 1999:

- A grant from the American Institute of Certified Public Accountants supported seminars to help judges analyze financial statements.
- A grant from the U.S. Department of State supported a seminar for judges from the Russian Federation on the role of the judiciary in the protection of intellectual property.
- A grant from the Hewlett Foundation supported a seminar for federal court ADR administrators.
- Undesignated funds were used to support one program for senior court managers and several of the Center's special focus judicial education programs.

Under a 1994 agreement between the Center's board, the foundation's board, and the Judicial Conference, the Center presents education programs for foreign judges and other legal officials to assist them in improving the administration of justice in their countries, and the foundation receives gifts designated for the Judicial Conference's use for this purpose. The Center and foundation boards and the Conference expanded the agreement in 1998 to include education programs for state and federal judges and other programs designed to improve the administration of justice. Foundation funds donated by the U.S. Agency for International Development and accepted pursuant to these agreements were used in 1999, at the request of the Agency for International Development, to support judges and court administrators traveling to Nigeria and providing technical assistance there.

Center Advisory Committees

Center advisory committees provide guidance on education programs and publications. Center Board members serve on each of the judicial education advisory committees as well as on the *Benchbook* committee and on the board of editors for the *Manual for Complex Litigation*. These groups, which typically meet by telephone conference or during other Center programs, had the following membership during 1999.

Committee on Appellate Judge Education

Judge Kenneth F. Ripple (7th Cir.), *Chair*
Judge Guido Calabresi (2d Cir.)
Judge Stanley Marcus (11th Cir.), *Center Board Representative*
Judge Robert M. Parker (5th Cir.), *Center Board Representative*
Judge Pamela Ann Rymer (9th Cir.)

Committee on Bankruptcy Judge Education

Bankruptcy Judge Elizabeth L. Perris (D. Or.), *Chair*
Chief Bankruptcy Judge James B. Haines, Jr. (D. Me.)
Chief Bankruptcy Judge David S. Kennedy (W.D. Tenn.)
Bankruptcy Judge Mary Davies Scott (E. & W.D. Ark.)
Bankruptcy Judge A. Thomas Small (E.D.N.C.), *Center Board Representative*
Professor S. Elizabeth Gibson (University of North Carolina Law School)
Francis F. Szczebak (Administrative Office of the U.S. Courts), *ex officio*

Committee on the *Benchbook* for U.S. District Court Judges

Judge A. David Mazzone (D. Mass.), *Chair*
Judge William O. Bertelsman (E.D. Ky.)
Judge Edward C. Prado (W.D. Tex.)
Judge Louis L. Stanton (S.D.N.Y.)
Judge William H. Yohn (E.D. Pa.), *Center Board Representative*

Committee on District Judge Education

Judge David W. McKeague (W.D. Mich.), *Chair*
Judge Garrett E. Brown, Jr. (D.N.J.)
Judge James C. Cacheris (E.D. Va.)
Chief Judge Jean C. Hamilton (E.D. Mo.), *Center Board Representative*
Judge William T. Hart (N.D. Ill.)
Judge Thomas F. Hogan (D.D.C.), *Center Board Representative*
Chief Judge Paul A. Magnuson (D. Minn.)

Committee on Magistrate Judge Education

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