

Your Investment in the Judiciary

By Richard T. Boyette, DRI Immediate Past President



“This presentation and symposium was first rate. ■ Another good, well-balanced program. Thanks. ■ I have attended both years. Thanks for another excellent program. All aspects are beautifully organized and run. And the program was substantively meaty. ■ Thanks to everyone for a great program. This is my second year and I already look forward to next year’s program. ■ The Symposium was well organized; your staff is terrific; and the program is fair and objective. ■ This was one of the best-organized and informative seminars that I have ever attended, keep up the good work. ■ The outstanding speakers made us more aware of our role in the development of the essential elements of justice. ■ The judges and justices who didn’t go are all envious.”

This is a sampling of comments from judges who have attended and participated in the first two judicial symposia presented by the National Foundation for Judicial Excellence (NFJE). (See page 6 for a report on this year’s symposium, which took place on July 8.) Now in its second year of existence, the NFJE has been characterized as the most significant initiative that DRI has ever undertaken for the benefit of the defense bar and the civil justice system. The NFJE has presented two high quality judicial education programs to State Supreme and Appellate Court Justices and Judges. Last year, the topic was expert evidence. This year’s symposium dealt with privileges, confidentiality and protective orders, and threats to judicial independence. A total of 138 judges attended this year’s symposium. Seventy of those were second time attendees. Twenty-six were members of their state’s Supreme Court (or equivalent court of last resort), and 29 were their court’s Chief or Presiding Judge. In all, judges from 44 states have attended the two symposia. By any measure, the NFJE is a rousing success.

The NFJE was founded by authorization of the DRI Board of Directors in October 2004. It is a 501(c)(3) charitable corporation, having as its mission to support a strong, independent, responsive judiciary by providing educational programs and other tools that enhance and ensure judicial excellence and fairness for all engaged in the judicial process. It is managed by an independent Board of Directors elected annually by the members of the corporation. (See below for a list of NFJE leadership.) The members of the DRI Board of Directors sit as the members of the NFJE. Thus, DRI, as an organization, will remain vitally interested in

insuring that the NFJE remains true to its mission.

DRI has provided the initial financial support for the NFJE. To maintain its charitable status, however, the NFJE must become self-supporting—which is to say that it cannot continue to rely upon DRI for the bulk of its support. To that end, the NFJE board has undertaken a multi-faceted fundraising effort. The officers and boards of both the NFJE and DRI are committed to annual individual contributions to the NFJE. A number of DRI member law firms have made generous, multi-year commitments of support. We have reached out to the corporate community and have received generous contributions from the Product Liability Advisory Council (PLAC) and the Civil Justice Reform Group (CJRG). And we have received contributions and pledges from the state defense organizations of Maryland, Indiana, Texas, North Carolina, Ohio, West Virginia, Michigan and Kansas. These contributors recognize the importance of a defense bar effort to provide balanced, quality education to the judiciary.

From the beginning, NFJE was envisioned as an effort of the defense bar. It is the only organization of its kind providing judicial education that is run by defense lawyers. If it is to succeed, it must have the financial support of the grass roots defense bar—that is to say, the 22,000 plus members of DRI. In order to facilitate that support, DRI has agreed to include a voluntary contribution to the NFJE on individual DRI members’ renewal statements, on an “opt-out” basis. A voluntary contribution of \$25 appears on each dues invoice. If you support the mission of the NFJE, if you believe that it is worthwhile for judges from your state to be exposed to high quality, balanced programming on such topics as expert evidence, attorney client privilege and protective orders, and other topics to be presented in the future, then please be sure, at a minimum, to include your \$25 contribution with your dues payment. And if, as is the case in many firms, your dues statement goes directly to your bookkeeper, without ever crossing your desk, please make sure that it is returned to you to make your contribution. And while contributions in excess of \$25 are welcome, if every DRI member contributes the minimum, NFJE can meet its goal of self sufficiency and look for ways to expand its programming beyond one annual symposium. This small investment will, over time, contribute to the quality of decision making and enhance fairness and balance in the courts, to the benefit of all participants.