

Court Review

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EDITOR'S NOTE

Most state court judges in the United States stand for election, whether it be one in which an opposing candidate can run or one in which an appointed judge stands for retention. Accordingly, questions concerning what judicial candidates can say during an election campaign are of great significance. At the end of its past term, the United States Supreme Court issued its first decision regarding the tension between the First Amendment and restrictions that have been placed by states on the speech of judicial candidates.

We asked two leading experts on judicial campaigns to write in response to that decision, *Republican Party of Minnesota v. White*. We are extremely pleased that they agreed to write for us in response to this decision and we think you'll find their views of interest. Both authors—Georgetown University law professor Roy Schotland and Washington lawyer Jan Baran—wrote Supreme Court amicus briefs in *White*, Schotland for the Conference of Chief Justices and Baran for the U.S. Chamber of Commerce. (For additional background on judicial campaign conduct and the First Amendment, see the *Indiana Law Review*, Volume 35, No. 3 (2002), which contains a series of papers presented at the National Symposium on Judicial Campaign Conduct and the First Amendment, held in November 2001 before the *White* case was accepted by the Supreme Court.)

In addition to this review of the *White* decision and its legal impact, David Rottman presents the results of an opinion survey of both judges and the general public regarding judicial campaign issues. While the public and the judges agree on many things, there are also some intriguing differences.

The issue also includes:

- Professor Charles Whitebread's annual review of all of the significant cases of the past term of the U.S. Supreme Court;
- A report from the CCJ-COSCA Problem-Solving Courts Committee, authored by Utah court administrator Daniel Becker and Michigan Chief Justice Maura Corrigan; and
- Another effort by legal writing professor Joseph Kimble, a prior *Court Review* contributor, to keep the key concepts of good writing in our minds, this time reviewing the drafting of the USA Patriot Act.

As you read the issue, keep in mind that we're happy to print letters to the editor or other contributions from readers. —SL



Court Review, the quarterly journal of the American Judges Association, invites the submission of unsolicited, original articles, essays, and book reviews. *Court Review* seeks to provide practical, useful information to the working judges of the United States, Canada, and Mexico. In each issue, we hope to provide information that will be of use to judges in their everyday work, whether in highlighting new procedures or methods of trial, court, or case management, providing substantive information regarding an area of law likely to be encountered by many judges, or by providing background information (such as psychology or other social science research) that can be used by judges in their work. Guidelines for the submission of manuscripts for *Court Review* are set forth on page 43 of this issue. *Court Review* reserves the right to edit, condense, or reject material submitted for publication.

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Letters to the Editor, intended for publication, are welcome. Please send such letters to *Court Review's* editor: Judge Steve Leben, 100 North Kansas Avenue, Olathe, Kansas 66061, e-mail address: sleben@ix.netcom.com. Comments and suggestions for the publication, not intended for publication, also are welcome.

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