

## *Court Receives Donation of History*

In a ceremony at the Louisiana Supreme Court, Chief Justice Pascal F. Calogero, Jr., on behalf of the Court, was presented a rare copy of the French Civil Code of 1804 by Richard F. Knight, who was Louisiana's third Judicial Administrator serving from 1958-1960. The volume was inherited by Knight 20 years ago.

About 70 percent of the Louisiana Civil Code of 1808, which is the basis of modern day Louisiana civil law, was derived from the French Civil Code of 1804, also known as the Code Napoleon.

"This rare and beautiful volume will hold a place of honor in the Law Library of Louisiana located in the Supreme Court Building, and it will eventually have a home in the legal history museum planned for the restored Royal Street Courthouse," said Chief Justice Calogero.

Knight is a partner of the Mandeville law firm Talley, Anthony, Hughes & Knight. He had just graduated from Louisiana State University's law school, where he served as Editor-in-Chief of the Louisiana Law Review, when he was appointed to the position of Judicial Administrator of the Louisiana Supreme Court.

According to Knight, "The contents of this prized volume are the most important source of Louisiana Law. The title page of the rare first edition bears an illustration of justice holding her scales and the imprint 'Paris, de L'Imprimerie de la Republique. An XII —1804.' The book is in excellent condition as a result of the acid-free paper-making processes that were used prior to the mid-nineteenth century."

The gift will be added to the Law Library of Louisiana's impressive collection of rare books which is particularly rich in early Louisiana material.



*Louisiana Supreme Court Chief Justice Pascal F. Calogero, Jr. (l) receives a rare copy of the French Civil Code of 1804 from Mr. & Mrs. Richard F. Knight.*



*The title page of the Civil Code of France (1804), which was the basis for a large portion of the articles in the Civil Code of Louisiana.*



*A rare first edition of the French Civil Code, familiarly known as the Code Napoleon, holds a place of honor among the other rare publications at the Law Library of Louisiana.*



## C O R N E R

C O L L I N S



Hugh M. Collins, Ph.D.  
Judicial Administrator

There are two court managed programs that are new to the Judicial Administrator's Office — Court Appointed Special Advocate (CASA) Assistance Program and the Truancy Assessment and Service Centers (TASC) Assistance Program.

During the 2001 Regular Session of the Louisiana legislature, the Louisiana Supreme Court was asked to administer, and accepted responsibility for, \$3.6 million in federal TANF (Temporary Assistance to Needy Families) funds for expansion of CASA programs. CASA is designed to assist courts in fulfilling their duties and responsibilities to children brought before them by advocating for the timely placement of children in permanent and safe homes. The Judicial Administrator's Office has been working with the Louisiana legislature, the Department of Social Services and the Division of Administration to ensure compliance with federal and state requirements relative to TANF funds.

Additionally during the 2001 Regular Session, the legislature expanded the number of pilot sites for TASC. The Louisiana Supreme Court was given programmatic and fiscal responsibility for TASC and was appropriated \$1.1 million in federal TANF funds and \$2.785 million in state general funds. The TASC initiative is designed to identify, assess and provide community-based services to at risk children in kindergarten through grade six. The TASC Assistance Program is currently active in 11 judicial districts in Louisiana.

We, in the Judicial Administrator's Office, are proud to be doing this important work to help improve the lives of families and children in Louisiana.

## Court Establishes Judicial Campaign Oversight Committee

Chief Justice Pascal F. Calogero, Jr. announced that the Louisiana Supreme Court has established a **Judicial Campaign Oversight Committee**. With this step, Louisiana joins seven other states (Alabama, Georgia, Michigan, Nevada, Ohio, Oklahoma and South Dakota) with a committee that engages or has engaged in some form of judicial campaign oversight. A copy of the resolution and rule establishing the Judicial Campaign Oversight Committee is available on the Louisiana Supreme Court web site at [www.lasc.org](http://www.lasc.org).

According to Chief Justice Calogero, "the purpose of this committee is to serve as a resource for judicial candidates, to assist in educating judges and judicial candidates about ethical campaign conduct, and to help deter unethical judicial campaign conduct. The public will benefit from the creation of a Judicial Campaign Oversight Committee since it will help judges and candidates comply with the high standards of ethical conduct required by the Louisiana Code of Judicial Conduct."

The Judicial Campaign Oversight Committee will consist of 15 members appointed by the Supreme Court and will be comprised of sitting or retired judges, lawyers and citizens who are neither lawyers nor judges. One of the judge members will be designated by the Supreme Court to chair the work of the Committee.

The Judicial Campaign Oversight Committee's primary function is educational as it will sponsor "how to" seminars and serve as a resource to answer candidates' campaign-related questions. The Committee will not have enforcement power or disciplinary authority as does the Judiciary Commission, a constitutional body empowered to review al-

legations of judicial misconduct. The Committee will be in a position to respond to complaints and may issue public statements but only when 2/3 of the members believe clear and convincing evidence has been provided of a violation of the limited Canons, or partial Canons, of the Code of Judicial Conduct specifically enumerated in the rule.

The Judicial Campaign Oversight Committee is expected to be in place to provide assistance to judges and judicial candidates for the 2002 campaign season. The elections for many district court judges, appellate court judges and one supreme court justice are scheduled for this Fall.

In closing, Chief Justice Calogero said, "The establishment of a Judicial Campaign Oversight Committee is a step forward for the judiciary in our legitimate governance of judicial campaigns and is a step taken in the best interest of the system and of the public."

### Judicial Campaign Oversight Committee

Father M. Jeffery Bayhi  
Herbert A. Cade  
Dr. Christopher Cenac  
Barry Erwin  
Dr. Norman C. Francis  
Harry S. Hardin, III  
Retired Judge Graydon K. Kitchens, Jr.  
Margaret A. "Peggy" LeBlanc  
Retired Justice Harry T. Lemmon  
Lynn M. Luker  
Dr. Romell J. Madison  
John B. Scofield  
Retired Judge Fred C. Sexton, Jr.  
Retired Judge Melvin A. Shortress  
Christel C. Slaughter, Ph.D.

## Lemmon Honored by Loyola School of Law

Retired Louisiana Supreme Court Justice Harry T. Lemmon received the 2002 St. Ives Award, presented annually to a Loyola School of Law graduate who has volunteered services to the law school or the university, maintained the highest standards of the profession, and furthered the mission of the alumni association. The award, named after the patron saint of lawyers, was presented at a January 11 ceremony.



Louisiana Supreme Court Chief Justice Pascal F. Calogero, Jr. (l) presenting the 2002 St. Ives Award to Retired Justice Harry T. Lemmon.



## Louisiana Supreme Court Re-Launches Web Site

The Louisiana Supreme Court has announced the re-launch of its web site, [www.lasc.org](http://www.lasc.org). The Court's new web presence incorporates new search engine capabilities, links to other courts statewide, maps of judicial districts, a section on judicial clerkships, and links to important court-managed programs such as the Louisiana Protective Order Registry and Families In Need of Services, and other Louisiana judicial agencies.

"We as a Court feel the new web site is a positive step in giving the judicial branch of government in our state a strong presence in our computer-based society," said Justice Catherine D. "Kitty" Kimball, chair of the Court's web site committee. "We felt it was imperative for our web site to evolve technologically, creating additional avenues for judges, legal professionals, and citizens to stay informed on the Court's actions."

The re-launched site, which went online in January, has already shown an increase in traffic, more than doubling the number of visitors per day.

The designers believe that the improved site will make it easier for users to find information in fewer steps. There is a consistent layout for easier navigation. Using mouse-over menus, users can locate information on the left side navigation bar. The information used most frequently by attorneys is located at the top of the page. Cases may still be retrieved in chronological order using the news releases. The case search feature allows you to search topically. Information from the Law Library is also available including the Library's GLAS @ccess online public access catalog, and helpful research guides.



INNOVATIONS

### Judge & Sheriff Start Parenting Program

10th Judicial District Court Judge Rick Harrington has teamed with Natchitoches Parish Sheriff Victor Jones to announce the creation of a parenting program at the Natchitoches Parish Detention Center designed to transition incarcerated fathers to their families and the community.

The program, "Long Distance Dads," is a 12-week course that promotes responsible fatherhood and fosters stronger relationships between inmates and their children. At the heart of the program is a character based support group and curriculum that assists incarcerated fathers in developing essential skills in order to become more involved, loving and supportive fathers.

"Essential to the success of the program has been recognizing that many of the inmates were raised by their mothers and grandmothers," said Judge Harrington. "Absent fathers are pervasive in their social histories. Without a father figure to emulate, basic fathering skills such as self-discipline, nurturing, and consistency, are foreign concepts for many men in prison."

The program was originally founded at the State Correctional Facility at Albion, Pennsylvania, and was a creation of the National Fatherhood Initiative and the Pennsylvania Department of Corrections. The program is facilitated by trained peer leaders in 12 weekly sessions in a small group format.

For more information on the program, contact 10th JDC Judge Rick Harrington at 318-357-2210.

**CYBER COURTS**

**Louisiana Supreme Court**  
[www.lasc.org](http://www.lasc.org)

**Rules for Louisiana District Courts**  
[www.lasc.org/rules/dist.ct/index.asp](http://www.lasc.org/rules/dist.ct/index.asp)

**Louisiana District Attorneys Association**  
[www.ldaa.org](http://www.ldaa.org)

**Judicial Interest Rate**  
[www.lsba.org/Legal\\_Library/judicial\\_interest\\_rate.html](http://www.lsba.org/Legal_Library/judicial_interest_rate.html)

**Municipal Codes**  
[www.municode.com](http://www.municode.com)

**The Virtual Chase: Legal Research on the Internet**  
[www.virtualchase.com](http://www.virtualchase.com)



## *Drug Courts In Louisiana: A New Beginning*

*By Cary Heck, Ph.D., Louisiana Supreme Court Drug Court Program Office (SCDCO)*

### *History of The Drug Court Movement*

Drug and alcohol addiction is a problem that has grown in scope dramatically over the past three decades. During the decades of the 1980s and 1990s the problems associated with drug and alcohol abuse were considered by many to be the paramount public health issue facing the United States (U.S. Department of Justice, 1997, *1997 Drug Use Forecasting: Annual Report on Adult and Juvenile Arrestees.*). Practitioners within the criminal justice system became increasingly frustrated with the inability of the system to handle offenders with addiction problems. Drug courts were devised as a means for effectively using the resources of a community to fight the problem of drug and alcohol addiction.

The first identified drug court was established in Dade County, Florida in 1989, as an experiment in problem solving. The design was premised upon the ability of a judge, with the help of all the justice system stakeholders, to supervise individuals who needed services. These services combine both treatment and educational components with the ability of a supervising judge to award incentives and sanctions based upon the performance of the clients while in treatment. Treatment is community based and drug court participants are required to meet with the judge

on a regular basis to review progress. Drug court clients are tested regularly and are required to attend varying levels of treatment based upon the individual need of each client.

*The Louisiana Legislature has supported drug court funding and the Supreme Court is delighted to be part of this growing movement for the betterment of our state.*

Many substance abuse professionals felt that the idea of coerced treatment (as this approach has been called) would not be effective. However, results have shown in dramatic fashion that individuals who participate in drug court programs re-offend at rates much below those who get more traditional court sanctions (Research on Drug Courts: A Critical Review, 1998). This success has led to a mushrooming of drug courts around the country. There are now drug courts in 49 states as well as the District of Columbia, Guam, Puerto Rico and in several Tribal Courts.

Louisiana has been at the forefront of the movement. We now have over 30 drug courts in the state. The Louisiana Legislature has supported drug court funding and the Supreme Court is delighted to be part of this growing movement for the betterment of our state.

### *History of Louisiana Supreme Court Involvement*

Since July 1, 2001 the Supreme Court of the State of Louisiana has been distributing and monitoring state general fund and federal Temporary Aid to Needy Families (TANF) dollars for juvenile and adult drug courts throughout the state. In addition to disseminating funds, the SCDCO is responsible for providing technical assistance to drug courts on programmatic and fiscal issues as well as documenting and evaluating the drug court program on a statewide basis.

Louisiana drug courts are doing good for the people of the State. They encourage the educational and personal betterment of clients whose lives have often been stalled by the addictions that they face. We at the Louisiana State Supreme Court Drug Court Program Office feel honored and privileged to have a part in this growing force in modern jurisprudence. And, if you visit a drug court graduation in your community, we are sure that you too will be moved by the faces of those who complete the program. For the participants graduation is not the end, but a new beginning.

*Research has shown impressive savings for taxpayers and the benefits to communities are visible in reduced arrest rates and higher employment rates among drug court graduates.*



# 10 KEY FACTS ABOUT DRUG COURTS IN LOUISIANA

Currently, SCDCO is serving 31 drug courts throughout Louisiana. This number includes three new courts, which have been authorized and are in varying stages of development around the state. Additionally, there are 5 other judicial districts applying for Supreme Court funding. The SCDCO provides monthly fiscal disbursements for the continued operation of these courts as well as technical support on both fiscal and programmatic issues.

The 31 drug courts in Louisiana are now serving approximately 2,088 clients. This is an increase of 125 clients since July 1, 2001 or 6%. Of these clients 1,823 are adults and 265 are juveniles. Additionally, we are in the process of allocating approximately 130 new slots with plans to have these in place prior to the end of fiscal year 2002.

Based upon our allocation process the average annual cost to the State of Louisiana for each of these clients is \$4,500.00 per adult and \$5,625.00 for each juvenile. Conservative estimates for costs of incarceration suggest that these people would be costing the State over \$25,000 a year if they were held in custody. Thus, conservatively the savings to the State is in excess of \$42,000,000 per annum. (Some estimates suggest that the cost of incarcerating juveniles is closer to \$45,000 a year.)

Since July of 2001 there have been approximately 317 graduates of the Louisiana drug court programs. Graduation follows a rigorous program that lasts at least a year and includes graduated sanctions and incentives for maintaining treatment and court requirements.

Of the 1,955 clients in drug court programs on July 1, 2001, 286 were terminated from drug court programs and 33 withdrew prior to completion. Those who violate the terms of the program are remanded to serve their initial sentences.

Of those who have graduated since July 1st, 2001, only 24 have been charged and convicted of additional criminal activity. For every 1 graduate who re-offends, 13 have remained free from additional entanglements with the criminal justice system.

Louisiana has drug courts located in all parts of the State. They range from large courts in Orleans and Jefferson Parishes to smaller courts in Leesville and Oak Grove. Both urban and rural communities can, and do, take advantage of drug court programs. Drug Courts serve all parts of Louisiana society.

The Louisiana Drug Court information management system is currently being developed to assist courts in case management while providing tools for statewide evaluation and reporting. We hope to have this system operational by the end of calendar year 2002.

Louisiana is at the forefront nationally in the development of drug courts. The Louisiana Drug Court Professionals organization provides a plethora of training for drug court professionals on a variety of subjects. Members of this organization serve on national policy boards and mentor new courts from around the United States.

A recent survey of drug courts showed that 51.8% of drug court participants are African-American and 46.5% are white. Approximately 75% are male with the average age being 28.



## Hedges Hosts Student Groups at 22nd JDC

22nd Judicial District Court Judge Patricia Hedges recently hosted groups from Clearwood Jr. High, Lake Castle North Private School and First Baptist Christian School at the 22nd JDC in Covington. The students had the opportunity to witness court in session, with some viewing civil matters and others seeing criminal motions.

"I think it's important for students to see the part of government that very few people really see the behind the scenes," said Judge Hedges. "We tell them how the court works, that judges listen to both sides of the story, and each side has to prove their point. We always teach them that our government really is for the people, by the people, and of the people and witnessing it firsthand allows students to see that."

In discussion with the students both in chambers and in the library, Judge Hedges spoke about the importance of the judicial system in seeing that justice is guaranteed by the Constitution to be available to everyone, the checks and balances between the three branches of government, the hierarchy of the different courts in the state, and various aspects of civil, criminal and juvenile matters that come before the court.

"I also think it's important to bring a global aspect into it," said Hedges, "that in our country, we are judged by our peers. I've witnessed in other countries that a person stands accused with a presumption of guilt, rather than a presumption of innocence. I think it's important that they know how lucky they are to live in a country that has the best system of government in the world."

## CASA Expands into Vermilion Parish



Photo by Abbeville Meridional

An orientation breakfast was held to kickoff the expansion of CASA into Vermilion Parish. Pictured are (seated, from left) Heather Blanchard of CASA of Acadiana, 15th JDC Judge Byron Hebert, Jennifer Purgahn of CASA of Acadiana; (standing, from left) 15th JDC Judge Durwood Conque, and CASA of Acadiana staff and administrators Shane Raley, Joy Miguez, Kristi Lumpkin and Kiley Cusimano.

## Justice Weimer Assists Students in Community Reading Challenge



Photo by Thibodaux Daily Comet

Louisiana Supreme Court Justice John L. Weimer reads to a group of students at Thibodaux Elementary School to help kick off "Read With Me: The 2002 RIF Community Reading Challenge."

## Ginsburg Speaks at Loyola Law School

U.S. Supreme Court Justice Ruth Bader Ginsburg spoke to a group of Louisiana law students and legal professionals, including Louisiana Supreme Court Chief Justice Pascal F. Calogero, Jr. and retired Justice Harry T. Lemmon, at the 14th Annual Judge Robert A. Ainsworth Jr. Memorial Lecture at Loyola Law School. The lecture, titled "Four Louisiana Giants in the Law," focused on four legal professionals who made an impact on the Louisiana Legal System - Judah Benjamin, Judge John Minor Wisdom, Judge Alvin Rubin, and Judge J. Skelly Wright.



Photo by New Orleans Times-Picayune



## *Supreme Court Passes Law Day Resolution for State Judges*

### *Law Day Resolution*

To urge and request judges of the State of Louisiana to dedicate the month of May 2002 to reaching out to schools to provide students with an opportunity to learn about the law, the role of a judge and the court system from members of the judiciary.

**WHEREAS**, May 1<sup>st</sup> is annually recognized as Law Day in the United States; and

**WHEREAS**, members of the judiciary and legal community across the nation traditionally mark the occasion by initiating and participating in educational programs designed to help elementary, middle and high school students understand our system of law; and

**WHEREAS**, in keeping with the Law Day theme, the Louisiana District Court Judges' Association passed a resolution at the 2002 Spring Judges' Conference supporting district court judges engaging in law related education in the form of opening their courtrooms to students or going into classrooms to teach; and

**WHEREAS**, the Louisiana District Court Judges' Association has produced a handbook for judges entitled *Judges in the Classroom*, to provide a guide to assist judges in leading classroom discussions with middle and high school students; and

**WHEREAS**, the Louisiana Supreme Court Community Relations Department stands ready to provide judges with program support for outreach efforts to students and schools of all levels; and

**WHEREAS**, all judges have a unique ability to educate young people about our legal system and respect for the law;

**NOW, THEREFORE, BE IT RESOLVED**, that the Louisiana Supreme Court hereby urges and requests judges of the State of Louisiana to dedicate the month of May 2002 to reaching out to schools to provide students with an opportunity to learn about the law, the role of a judge and the court system firsthand from members of the judiciary.



## IPSO FACTO... Judge Drew, Group Judged on Talent

George Orwell predicted in the book *1984* that "Big Brother" would be watching. Perhaps he was referring to the thousands of people who have watched 2nd Circuit Court of Appeal Judge Harmon Drew and the Harmon Drew Super Group perform their brand of music. It was in 1984 that Judge Drew was elected to the Minden City Court bench. From an early age, Drew led bands through high school and Louisiana State University as he earned his undergraduate and Juris Doctor degrees. During this time, Judge Drew honed his skills on the keyboard while interacting with fans. In 1972 he formed his Harmon Drew Super Group, which he still leads to this day.



### IT'S A FACT:

The Harmon Drew Super Group was inducted into the Louisiana Music Hall of Fame on April 21, 2002 in Lafayette, Louisiana, joining many Louisiana music legends.

■ **Justice John L. Weimer** received the Louisiana Crime Victims Coalition Judge of the Year Award. The LCVC was established to recognize people around the state who are deemed "justice-friendly."

■ **Retired Louisiana Supreme Court Justice Harry T. Lemmon** was honored by the Louisiana Bar Foundation as a Distinguished Jurist for 2001 at the Foundation's 16th Annual Fellows Dinner.



■ **Orleans Parish Civil District Court Judge Madeleine Landrieu** was presented with the 2002 Michaelle Pitard Wynne Professionalism Award by the Association for Women Attorneys. The award is presented annually to an individual who best exemplifies the courtesy, professionalism, and integrity displayed by the late Federal Magistrate Michaelle Pitard Wynne during her lifetime.



■ **East Baton Rouge Family Court Judge Luke A. LaVergne** was a guest speaker at the U.S. District Court in Baton Rouge at a program and reception honoring Black History Month. Judge LaVergne, a retired Air Force captain, spoke on "Patriotism, Pride and Valor: African-American Participation in America's Armed Forces."

■ **24th JDC Judge Fredericka "Ricky" Wicker** was elected to serve on the board of directors for the Louisiana Center for

Law and Civic Education. Judge Wicker is also on the board of directors of the Pro Bono Project.



■ **Retired Orleans Parish Traffic Court Judge Oliver Delery** was recognized by the Louisiana State Bar Association for his 50 years as a member of the organization.



■ **14th JDC Judge Patricia Minaldi** was selected to be one of two "pacesetters" at the Southern Women in Public Service Conference sponsored by the Stennis Space Center for Public Service. She is one of two women to be recognized "for their outstanding dedication and service as leaders at all levels."

■ **Louisiana Supreme Court Chief Deputy Clerk Theophile A. Duroncelet** was sworn in as U.S. Marshal for the Eastern District of Louisiana on March 25, 2002. In his position, Duroncelet will serve 13 parishes in protecting federal judges, transporting federal prisoners, tracking down fugitives and protecting endangered federal witnesses. Duroncelet served as Louisiana Supreme Court Chief Deputy Clerk of Court since 1996 after serving for four years as Clerk of Orleans Parish Juvenile Court.

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This public document was published at a total cost of \$2418.00. 5000 copies of this document were published by the Louisiana Supreme Court Judicial Administrator's Office, 301 Loyola Avenue, New Orleans, Louisiana as the quarterly newsletter of the judiciary of the State of Louisiana under the authority of the Judicial Budgetary Control Board.

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