



## **American Judicature Society Strategic Plan Overview**

The American Judicature Society was established in 1913 as an independent, nonprofit, nonpartisan organization with the purpose of improving the administration of justice in the United States, and to increase public understanding of the justice system. For nearly 95 years, AJS has remained true to its mission “to secure and promote an independent and qualified judiciary and a fair system of justice.”

The Society maintains a broad constituency of more than 5,000 members, including lawyers, judges, social scientists and non-lawyer citizens. Headquartered in the Opperman Center on Drake University’s campus in Des Moines, Iowa, AJS serves as a national resource and clearinghouse for justice-related issues.

### **The Mission and Work of the American Judicature Society includes:**

- Promoting fair and impartial judicial selection based upon qualifications.
- Promoting improvements in the operation of the courts.
- Supporting an independent judiciary while promoting the highest standards of conduct and ethics in the courts.
- Increasing public understanding and appreciation of the justice system.
- Enhancing the role of the jury and promoting jury service.
- Building knowledge through empirical research on justice system issues.
- Utilizing science in a way that supports fair and equitable justice system outcomes.

**Unique Qualities of the American Judicature Society include:**

- *A diverse, nationwide membership base* comprised of lawyers, judges, and non-lawyer citizens that is governed by a volunteer board of directors and guided by a national advisory council. The mix of perspectives and insights is invaluable.
- *An independent, non-partisan nature.* AJS approaches issues vital to our nation's justice system without bias or predisposition whatsoever. Instead, the charge has always been to promote access to justice for all, an efficient process, fair results, and the independence and accountability of a qualified judiciary.
- *The ability – as an impartial entity – to convene and facilitate “citizens conferences”* across the United States, in partnership with other concerned individuals and organizations, to address important issues, such as access to justice, and to work with elected officials and others to establish judicial nominating commissions.
- *Nationally recognized expertise and resources in six principal areas of justice-related research and programming,* including:
  - Judicial Selection;
  - Judicial Ethics;
  - Judicial Independence;
  - Access to Justice, including Pro Se Litigation Assistance;
  - Jury Research and Innovation; and
  - Forensic Science and Public Policy.

The Society advances its mission through a wide range of **publications and programs**. The bimonthly reference journal, *Judicature*, published continuously since 1913, is a premier scholarly publication on issues relating to the administration of justice. The Society's quarterly newsletter, *Judicial Conduct Reporter*, analyzes the latest developments in judicial conduct, ethics and discipline. AJS also publishes *Judicatories*, a monthly electronic newsletter for members, and other substantive reports, studies and recommendations. The AJS website ([www.ajs.org](http://www.ajs.org)) includes sample curricula and other educational materials on the judicial branch of government.

## **Strategic Imperatives**

In furtherance of its mission, the AJS Board adopted the following strategic imperatives:

- Maintain and enhance the national identity of AJS (image, name recognition, compelling national presence);
- Ensure the relevance of the Society's work to constituents, justice system stakeholders and the public;
- Strive for national impact on specific goals relating to the improvement of the administration of justice;
- Engage a broad range of constituents, including the Board of Directors, National Advisory Council, Commission on Forensic Science and Public Policy, staff, membership, justice system stakeholders, and non-lawyer citizens;
- Develop stable and efficient resources, both financial and non-financial; and
- Maintain resiliency in the capacity to plan, respond, learn and implement new strategies.

The Board has resolved that, as the American Judicature Society moves forward, it will be critically important to evaluate all of what AJS does or may do against the organization's stated mission and against each of the strategic imperatives identified above.

Toward that end, specific goals, objectives and activities have been formulated into a Strategic Plan in furtherance of these imperatives. This Strategic Plan is designed to guide the Society's work for the next three to five years, with appropriate updates, revisions, and additional detail on measurable objectives to be added by a Strategic Planning task force in the future.

*Adopted by the American Judicature Society Board of Directors, May 18, 2007*

**American Judicature Society**

**Strategic Planning Committee, 2005-2007**

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## **THE VISION, MISSION, BACKGROUND, AND ACCOMPLISHMENTS OF AJS**

As we look forward, it is important that we first look back. The American Judicature Society was founded 94 years ago, in 1913. As recounted in Michael R. Belknap's history of AJS, "To Improve the Administration of Justice,"<sup>1</sup> the organization was established by lawyer-turned-newspaperman Herbert Harley with financial support from non-lawyer Charles Ruggles. The turn of the century backdrop was a reform movement known as Progressivism. The judiciary was under attack for allegedly unwise and in any event unpopular decisions. Theodore Roosevelt and others urged a public right to "recall" a judge's decision. Still others urged a public right to recall the judge himself (typically a "him" at that time). In short, the period was hauntingly reminiscent of the challenges to judicial independence that we face today.

As Belknap tells it, the basic concern of Roosevelt and other critics was the kind of decisions that the courts were rendering, rather than the procedures they were using. Thus, there was a perception on the part of some that "[t]he judiciary appeared to be biased in favor of big business and the wealthy and against the poor and the working class."<sup>2</sup> But procedural reform was clearly needed as well, as litigants and lawyers faced inconsistent procedures and inordinate delays. Moreover, judicial selection processes and standards varied throughout the country. The legal profession, largely at the prompting of Roscoe Pound, pushed to make the administration of justice more efficient and less costly.

Harley's idea was to establish an independent, nonpartisan organization which would emphasize improving the administration of justice. In an October 7, 1912 "circular letter" mailed to more than 250 lawyers, judges, and others, Harley built on previous personal interviews to set out his proposals for the organization and to gauge reaction. He acknowledged the improbability of ever having a uniform system of selecting judges, each judge with equal powers and equal compensation, or of having a uniform set of procedures for all state and federal courts. But he went on to urge:

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<sup>1</sup> Michael R. Belknap, "To Improve The Administration Of Justice, A History Of The American Judicature Society" (1992)(hereinafter "Belknap").

<sup>2</sup> Belknap at 8.

It is nevertheless true that the principles involved in the organization and operation of courts are identical in all states. A political principle operating in one state to make the judiciary independent will so operate in any other state, for such a principle is derived from and built upon human nature, practically the same in all states.

An organization formed to inspire administrative efficiency in one court will confer like benefits wherever the same social problems are presented.

The study of remedial law divides naturally into four parts:

- (1) The judges; their manner of selection, compensation, tenure, administrative and judicial powers.
- (2) The bar; its requirements for admission, ethics and scope of advocacy.
- (3) The organization of the courts.
- (4) Procedure, comprising pleadings and practice.<sup>3</sup>

Thus, for Harley the key would be procedural reform. As Belknap recounts from a speech delivered by Harley in 1913, “Abstract justice was important, but people disagreed about what was just, and the really essential thing was to ensure that (in Harley’s words) ‘the chance to do real justice [is not] foreclosed by some mere defect of machinery....’”<sup>4</sup> The procedural reforms, in Harley’s view, would “completely restore the courts to public confidence....”<sup>5</sup>

Back to the Circular Letter for a further sense of Harley’s vision of the organization and its work:

I submit that the right approach to the matter of energizing and elevating the administration of justice must be on a basis for broader than is afforded any state commission or bar association. It must combine the experiences of many diverse jurisdictions. It must be national in scope even as the work itself is national.

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<sup>3</sup> *Id.* 283.

<sup>4</sup> *Id.* 33.

<sup>5</sup> *Id.*

It must encompass three lines of endeavor: research, information of the entire bar, and direct application of accepted reforms.

An organization intended to perform a scientific work should itself be scientifically formed; that, is it should be so formed as to permit of the utilization of every available agency in terms of its highest efficiency. It should employ genius for research and talent for organization. It should bring about a reaction between academic and practical minds. It should employ a nucleus of experts who would engage meanwhile in no other work. It should apportion to its voluntary membership such work of discussion and criticism as can reasonably be expected of men who must regard this work, however dear to them, as an avocation.

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The association shall acquaint itself with the conditions involved in the administration of justice in the various states and tender its services in securing concrete enactment of programmes concerning improved procedure, reorganizing of courts, removal of the judiciary from politics, and germane matters.

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It is not proposed that the association should aim to impose a single, inflexible system upon all of the states. It should, on the contrary, investigate all suggested remedies, align them with incontrovertible experience, and serve as a clearing house of experience and ideas to legislatures and commissions.<sup>6</sup>

Replies to the Circular Letter were generally enthusiastic. With Ruggles' vitally important financial support, the organization was born as the "American Judicature Society to Promote the Efficient Administration of Justice." Harley sold his home and business in Michigan and moved to Chicago to become the organization's first secretary.

In the ensuing 94 years, AJS has been true to Harley's vision. In 1917, the Society released the State-Wide Judicature Act, which called for unified state courts. In 1922, Congress enacted legislation unifying the federal trial and appellate courts. Other early reforms proposed

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<sup>6</sup> *Id.* 288-90.

by AJS included the appointment of judges through merit selection (merit-based appointment rather than election), the establishment of judicial councils with the power to make rules of procedure, and the integration of state bar associations to give them control over the admission to practice and the discipline of lawyers.

AJS operates four special centers. The Elmo B. Hunter Citizens Center for Judicial Selection promotes judicial selection reform. The Center for Judicial Ethics assists state judicial conduct commissions and publishes material on judicial conduct and ethics. The Center for Judicial Independence promotes a judiciary that is free to render fair and just ruling according to law. The National Jury Center facilitates jury research and innovation.

AJS publishes *Judicature*, a bimonthly reference journal, as well as a quarterly newsletter, *Judicial Conduct Reporter*. AJS also publishes periodic reports, studies, and recommendations on topics ranging from judicial selection, to judicial conduct, to improving the jury system, to pro se litigation. Most recently, AJS has launched *Judicatories*, a monthly electronic newsletter for members. The AJS website ([www.ajs.org](http://www.ajs.org)) is updated frequently and is visited often by members and others.

The Society has convened numerous citizens conferences and symposia throughout the country, often partnering with other sponsoring organizations. In 2003, AJS held an unprecedented symposium to study and discuss ways of preventing wrongful convictions, DNA exonerations over the previous decade having revealed systemic flaws in the collection, preservation, testing and analysis, and presentation of evidence. The national symposium brought together law enforcement officials, prosecutors, judges, legislators, criminal defense attorneys, and victims' rights advocates. A notable result of the symposium was Arizona's program to educate police departments regarding the benefits of recorded interrogations. In 2004, AJS cosponsored a symposium for prosecutors and law enforcement officials regarding improvements in police investigative procedures to reduce wrongful convictions. Also in 2004, AJS participated in a conference addressing eyewitness identification techniques.



In 2005, AJS established the American Judicature Society Institute of Forensic Science and Public Policy and the Commission on Forensic Science and Public Policy to study the intersection of law and science. Scientists, social and applied, and legal scholars will bring an interdisciplinary approach to justice system reform and provide recommendations based upon high-quality, nonpartisan empirical research. Embracing the knowledge of science will help to address the underlying systemic defects that have allowed wrongful convictions in the criminal justice system and at times unreliable outcomes in the civil justice system.

Finally, in addition to its traditional research, publication, and educational activities, the Society has established an awards program that recognizes individuals and groups working for improvements in the justice system.

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Herbert Harley did get one thing wrong. In his 1912 “circular letter,” he predicted that the work of AJS could be accomplished in “not less than fifteen years nor more than twenty years.”<sup>7</sup> But history has demonstrated that the issues of concern to Harley remain very much the issues of concern to us today. We are grateful that the American Judicature Society, through so many dedicated and talented persons, has continued for almost 100 years to strive to fulfill Harley’s vision of a fair and efficient justice system. And we are excited about the rich opportunities -- today and in the future -- to build upon that legacy.

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<sup>7</sup> *Id.* 291.