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S. 384	Feb. 2, 1983	S893-94

Action:
Introduced by Mr. Heflin

By Mr. HEFLIN:

S. 384. A bill to aid State and local governments in strengthening and improving their judicial systems through the creation of a State Justice Institute; to the Committee on the Judiciary.

STATE JUSTICE INSTITUTE ACT

Mr. HEFLIN. Mr. President, I rise to introduce the State Justice Institute Act. The State Justice Institute Act would establish a nonprofit national institute to provide technical and financial assistance to State courts. The need for such an Institute was well established during extensive hearings held on this legislation both in the 96th Congress and 97th Congress. This legislation has passed the Senate and the House Subcommittee on Courts. Additionally, Civil Liberties and the Administration of Justice has unanimously approved the measure.

There are several important reasons for providing financial assistance to State courts. First, State courts share with the Federal courts the awesome responsibility of enforcing the rights and duties of the Constitution and laws of the United States. However, in recent years the workload of our State courts has significantly increased due to a number of factors, including decisions of the U.S. Supreme Court, wide-

reaching social legislation by Congress and a diversion of cases from the Federal courts. It has been determined that State courts decide approximately 95 percent of all law suits tried. It is, therefore, appropriate and necessary that the Federal Government provide financial and technical assistance to State courts to help alleviate many of the administrative problems which these actions at the Federal level have exacerbated. This legislation would help insure that our State courts remain strong and effective.

A second reason for providing financial assistance to State courts is the problem of crime in this country. It has long been my belief that if we are to significantly reduce crime, the Federal Government must share the responsibility of improving the administration of justice with State and local governments. The State Justice Institute would be immensely beneficial to State and local governments in their attempts to control crime and in their efforts to streamline the administration of justice once a criminal has been apprehended.

The third reason has to do with the changing role of judges, generally. Earlier in this century there was much argument as to whether or not a judge's function included an obligation to see that cases in their courts moved toward disposition in a regular and efficient manner. Today, however, problems of adminstration have taken their place along side problems of adjudication as primary responsibilities of judges. Nearly everyone has come to acknowledge that today's judges have a duty to insure that their cases do not simply languish on the docket, but instead are moved to a conclusion with as much dispatch and economy of time and effort as practicable. This, along with a heightened interest in continuing legal education, generally, has resulted in thousands of judges attending intensive orientations of refresher courses offered by such organizations as the National Judicial College, and the American Academy of Judicial Education.

The concept of a State Justice Institute has been endorsed by such organizations as the Conference of Chief Justices, the Appellate Judges Conference, and the Council of the American Bar Association's Division of Judicial Administration.

I was encouraged last year when the State Justice Institute Act received wide, bipartisan support in both the House and the Senate and I am pleased that it has done so again this year. I urge my colleagues on this committee to give favorable consideration to this legislation.

Thank you Mr. Chairman.