

March 2012

Bar News

UPDATE FROM JUDGE ORLANDO, FAMILY COURT TWO

2011 was a busy year in Family Court, with 175 trials held between the two departments. This was a 36% increase in trials over 2010. There were 1333 issues added to family Court in 2011 and 1324 issues resolved. The good news is that 53% of the cases were resolved within 6 months of being added to Family Court and 90% are resolved within one year. In my department, of the cases appearing for trial, 72% had only one attorney or both parties were self-represented. Only 28% of the trials had two attorneys involved at trial. Judge Martin has joined Family Court. Please welcome her!

EARLY BIRD 9:00 a.m. START TIME FOR COMMISSIONERS SHOW CAUSE DOCKETS—PILOT PROJECT

The Superior Court Commissioners at the County City Building are available to start their morning show cause dockets at 9:00 a.m. where both parties/attorneys are present and ready. The pilot project began in late January and will be evaluated in a few months. We would appreciate your input during this project. Please forward any comments to Commissioner Lindsay or Commissioner Dicke. Thank You.

GUARDIAN AD LITEM TRAINING

GAL training is scheduled on the third Thursday of each month. March training is Thursday, March 15, 2012 at 12:00 pm – 1:00 pm in Courtroom 411 (Judge Orlando's Courtroom) County-City Building. Janice Pitt from DSHS will give a presentation on the Department's new Safety Model. This presentation is important for Family Court GALs as they are mandated reporters of abuse/neglect.

NEW JURY ROOM

PCTV segment on the new jury room can be viewed at <http://www.youtube.com/watch?v=HeEop5NsZiU>

COURT INFORMATION DESK VOLUNTEER PROGRAM

Pierce County Superior Court, District Court and Tacoma Municipal Court are seeking volunteers to work at the information desks on the 1st and 2nd floors of the County City Building. The goal of this project is to assist building visitors in finding what they need and to provide general information to anyone visiting the building. Volunteers are requested to make a minimum commitment of 5 hours per week. Volunteer service is contingent upon successfully passing a background check. The program was funded by a grant from the State Administrative Office of the Courts. If you are interested in this program or know of someone who might be, please contact Mary Madden at Pierce County Superior Court; (253) 798-2991 or email at mmadden@co.pierce.wa.us

The following is submitted by Judge Ronald Culpepper for possible inclusion in the Feb. Bar News:

WATCH PBS MONDAY, FEBRUARY 13, 2012

While Mississippi native Douglas Blackmon was Atlanta Bureau Chief for the Wall Street Journal he researched what was sometimes called “debt peonage”, sometimes “convict leasing”. He gave it a more direct and accurate title in his excellent book Slavery by Another Name, winner of the 2009 National Book Award and the 2009 Pulitzer Prize for general nonfiction. Brutal, forced unpaid labor did not end with the Emancipation Proclamation or the 13th Amendment; for thousands of African-Americans (and a few others) it continued well into the 20th century while the federal government and often the judicial system looked the other way.

The system of forced labor was fairly simple and operated with a veneer of legality. Usually young and poor African-Americans would be arrested on some minor charge, such as vagrancy “the crime of having no dough”. After an inevitable conviction, frequently by a local justice of the peace paid by “commission”, fines and court costs would be imposed. The now guilty, poor unemployed defendant would have no way of paying the legal financial obligations and face time in jail. However, the costs could be paid on the defendant’s behalf by a local farmer, turpentine distiller, logger or someone needing physical laborers and the defendant would now be bound to repay his obligations through his unpaid labor. Since it was criminal to default on these obligations, the debtor could be manacled and chained until his debt was paid and be beaten, whipped, or otherwise disciplined for refusing to work.

Although this system enslaved probably tens of thousands, Blackmon provides some particularly horrible examples. Green Cottenham, the 22 year old son of former slaves, was arrested for vagrancy in Shelby County, Alabama in March of 1908. He was swiftly convicted, fined, and looking at a year in jail. The county sold him the next day to the Tennessee Coal, Iron, and Rail Company, a subsidiary of J.P. Morgan’s U S Steel, the first billion dollar corporation. He labored in a mine near Birmingham until he was mistreated and worked to death. In his most interesting and provocative chapter Blackmon discusses the moral, ethical, and legal responsibilities of those who benefitted from the slave labor available to them, some of whom built fortunes on the backs of their slave laborers.

Slavery by Another Name is an excellent book and an important corrective to histories indicating slavery and injustice ended with the Civil War. PBS is presenting a documentary based on the book Monday, February 13th. Anyone interested in learning about this unhappy chapter in American history should tune in.