

Rural Courts: Expanding the Discussion?

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I applaud the National Center for State Courts for initiating the Distance Learning Education Forum on rural courts. Isn't it astonishing that 79% of the counties in the United States are rural and so little attention has centered on the courts that serve these counties? Perhaps not, since most public policy initiatives have traditionally focused on urban area problems. In this article I will add to Don Cullen's list of rural court issues, itemize some strengths that exist in rural courts, and suggest some future actions.

Rural Court Issue:

- ***Lack of Service*** -- Few will disagree that training, technology, funding and geography are prime areas for attention. Another common issue in rural courts is *lack of services*. Many rural counties do not even have medical care while mental health and substance abuse services are not even considerations. Foster homes are limited. Specialized group homes may be hours away from clients and their families, and many counties do not have their own jails, much juvenile detention facilities. Citizens who live in rural areas often drive many miles just to have access to the court. They are then expected to drive back to court when rehabilitative services are ordered.

Rural Court Strengths:

- ***Adept Rural Judges and Court Administrators*** -- While it is indeed necessary to document and deal with the problems that face rural courts, it is important to note the strengths that are unique to courts in non-urban areas. Many rural judges and court managers are adept at finding answers to the issues that face them. A judge in Nebraska, for example,

instituted a program using volunteer bailiffs to assist people who are appearing in court -- helping them find courtrooms, directing them to payment areas and helping court staff with the flow of paperwork. Another project that is part of the Nebraska Court Improvement Project involves Family Group Conferencing, a process that uses extended family members within a multi-county rural area to forge solutions for children facing out-of-home care such as in abuse and neglect cases.

- ***Rural courts are community-centered***--There are, no doubt, numerous examples of creative endeavors that are tailor-made for rural courts. One of the touted virtues of family courts is that the same judge works with all members of a family who might appear in court for different offenses. This is not new in a rural court! Another strength of rural courts is the sense of community that often cannot be duplicated in a busy urban venue. Anyone who has grown up in a small town is very aware that nothing you do occurs in isolation. Young people who are tempted to violate the law are likely to do so at the risk of being observed by a family member, neighbor or teacher. These are strengths that need to be exploited, and many rural courts have done just that.

Rural Court Issue:

- ***Solving our own problems***-- It is most important that the discussion of rural problems and any solutions thereto come from rural court themselves. It is far too common that programs are designed for urban courts and then "cut to fit" rural areas. Technology has certainly evolved that way in many instances. Not surprisingly, this often is not successful. Rural courts are unique and the experts from those courts should be constructing the solutions.

Suggestions for the Future:

- ***Annual rural court symposium***-- Perhaps the discussion in the Education Forum could lead to annual rural court symposia, where judges, clerks and court administrators could gather to share solutions and advocate changes that are truly appropriate for the rural courts.
- ***Showcase technology***-- It may also be time to design a showcase of technology that is geared to rural court issues. Many of the problems associated with geography can be, if not solved, at least tempered by the use of technology tools that are readily available in urban centers, but not as prevalent in rural areas. Electronic filing may be convenient for urban lawyers, but it could be a real asset for lawyers who must drive 60 miles from their office to the courthouse. Video arraignments may be made to order for courts where the defendants are housed in a regional jail one or two hours away from the courtroom. Judges who travel a circuit could expedite case scheduling by viewing their calendar in other counties through the court's computer system.

This dialogue is a good first step toward addressing issues of rural courts. I hope the real experts will enthusiastically join in the discussion.