

Adult Education Center Moves to New State-of-the-Art Building

A larger space and updated technology are just two of the many benefits students will enjoy when visiting the Adult Education Center's new location in Mesa. The Frank X. Gordon Adult Education Center, which is supported by the Maricopa County Adult Probation Department and receives grant funding from the Arizona Department of Education, moved to the Southeast Justice Center in March and is now open to any member of the community.

"We offer Adult Basic Education, GED test preparation and English as a Second Language (ESL) classes as part of our services. We also have a workforce coordinator at that location and people can make appointments to work on their resume and their interviewing skills," said Adult Education Program Manager Kristi Wimmer. "We also have a digital literacy program for people who need to build computer and internet skills, including courses on how to be safe on the internet, how to not be a victim of a scam online. It's a free program available for all students."

The FXG Adult Education Center was previously located inside the Mesa Adult Probation office but recently moved to the new Southeast Justice Center facility along with four Justice Courts.

"We went from having one large, one-size-fits-all classroom with computers and all the students were in one room classroom, which was challenging. Now we have two separate spaces, we have a classroom space and we have a computer lab/tutoring space," Wimmer said.

Wimmer hopes that the new and more public-facing location will translate to more students not only being aware of the program but also registering for their classes. The Frank X. Gordon Adult Education program offers in-person classes on Mondays and Wednesdays from 9:30 a.m. to 7:30 p.m. to make it convenient for any student who wishes to further their education.

"It was hard to find us before, and it wasn't that easy for people to seek out, especially people from the community, sometimes even the justice-involved individuals themselves. But in this new building, we are in the public area of the courthouse. So, anyone going to Family Court, anyone going to the Justice Courts or any of the other areas, they will be walking by our classrooms and seeing our signs and knowing that our resources are available," Wimmer said.

On their first visit, students ages 16 and older are typically given an education assessment to help teachers obtain a better understanding of the student's needs and identify possible areas of improvement. The program's state-certified teachers provide students with the support and guidance they need to move forward with their life goals.

The FXG Adult Education Program services are connected to workforce and/or college and career training through an established seven-year partnership with the Smart Justice Program from ARIZONA@WORK, Maricopa County. The ARIZONA@WORK Smart Justice Program is a specialized team of career and workforce advisors who support and work specifically with justice-involved individuals to address specific obstacles individuals face when job searching.

During the last year, 337 individuals began the program registration process, with 172 of those completing registration testing/orientation and attending at least 12 hours of instruction.

The Adult Education Center in Mesa is now located inside the Southeast Justice Center at 222 E. Javelina Avenue.

For more information, call the Frank X. Gordon Education Center at 602.506.0055 or visit fxgeducationcenter.com. ■

Housing Stability

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outreach and engagement they used in developing this approach and the urgency with which the work will move forward."

Arizona is already recruiting participants. Utah recruitment will begin after the project secures funding for a Utah launch. Organizations interested in participating in the HSLA Initiative training should reach out to info@innovation4justice.org. i4J will hire HSLA project leads for both states. Applicants interested in i4J's project lead positions in Arizona can apply now at arizona.csod.com (search Project Lead, i4J).

"This is a totally new service model for both states, and the first to be authorized in two jurisdictions," said Cayley Balser, i4J's community-engaged research operations lead who co-led the HSLA Initiative. "It has the potential to change the delivery of legal services nationwide by creating a new, sustainable tier of civil legal service providers within social service communities."

Studies have shown that tenants who receive legal services are more likely to experience successful outcomes than those who go without, but the access to justice gap in

this country means that 92% of low-income Americans don't receive the civil legal help they need. While unauthorized practice of law (UPL) restrictions in most states mean that lawyers alone can provide these types of legal services, Arizona and Utah are leading the way when it comes to UPL regulatory reform.

"Vitalyst is pleased to join other philanthropic partners in supporting the Housing Stability Legal Advocate (HSLA) certification program. It takes a collective effort to serve Arizona's most vulnerable groups, and as the housing supply continues to tighten for so many, we need to ensure that evictions do not create legal barriers for people looking for basic housing. The HSLA program will allow community members to receive the legal help they need from trusted advocates," said Suzanne Pfister, President and CEO, Vitalyst Health Foundation.

"Keeping people in their homes results in better outcomes for the tenants and their families, and avoiding evictions also saves communities the downstream costs of eviction-related social services," said Butler. "The i4J team is pleased to have the opportunity to co-create new legal service models that will make a difference to lives and communities in both Arizona and Utah."

Q&A

LAWYER LIABILITY AND ETHICS



Dispute Among Federal Circuit Judges Highlights Issues With Aging



Joseph Brophy

An unusual dispute among judges from the Federal Circuit led to Judge Pauline Newman suing her fellow judges for barring her from hearing or deciding cases and for attempting to force Judge Newman to submit to medical testing to determine whether she has a physical or mental disability that prevents her from discharging her duties. You can file this column under "getting old sucks."

Judge Newman is 95 years old. Depending on who you ask, she is unable to complete her work in a timely fashion, has memory problems, exhibits bouts of paranoia and is abusive to court staff. Judge Newman disputes these claims. In March 2023, a three-judge special committee of the Court of Appeals for the Federal Circuit was appointed to investigate Judge Newman. When the committee attempted to question Judge Newman, she invoked the 5th Amendment right to remain silent. The committee ordered Judge Newman to submit to a neurological evaluation and neuropsychological testing to determine whether she suffers from a disability and removed her from sitting on any future panels. She refused to undergo testing or to provide her medical records for review.

Apparently the judge is a believer in the old adage: "the best defense is a good offense." On May 10, 2023, she sued each member of the three-judge committee and the entire judicial council of the Federal Circuit in the United States District Court, District of Columbia. Judge Newman alleges that the Federal Circuit's actions violate Article III of the Constitution (federal judges may only be removed by impeachment), the First Amendment (unlawful prior restraint), the Fifth Amendment (removal without due process) and the Fourth Amendment (unlawful search arising out of the ordered medical testing). The Honorable Christopher Cooper drew the short straw and will be presiding over this fiasco. Best of luck, judge.

While a longer life is generally regarded as a blessing, there is a case to be made that people were physically not meant to live into their 90s and beyond. The body breaks down, but often it long outlasts the mind. It calls to mind Andy Rooney's quip: "It's paradoxical that the idea of living a long life appeals to everyone, but the idea of getting old doesn't appeal to anyone." When this happens to senior government leaders, there

are real world consequences. A very recent example is Senator Diane Feinstein's extended absence from the Senate. Her apparent cognitive issues have caused delays in the appointment of federal judges.

The lifetime tenure of federal judges exacerbates the problem of aging and job performance. Lifetime tenure addresses the important issue of trying to immunize judges from the pressures of politics. However, it is the product of a time when people died around age 60 and no one made it to 95. Judge Newman's situation raises an uncomfortable question: in a profession where lifetime tenure is the rule, how many federal judges are suffering from the kind of physical or cognitive impairment that impacts their ability to perform their duties? Who, if anyone, is monitoring this problem?

In the years leading up to her death, Justice Ruth Bader Ginsberg's capacity to serve was the subject of much debate. Justice William Douglas stayed on the bench for ten months after a debilitating stroke before retiring in 1975, resulting in his colleagues informally agreeing to nullify any decision in which he was the deciding vote. Justice Thurgood Marshall at times did not have control of all his faculties in his last years on the court. Justice Hugo Black was suffering from memory problems when he left the bench before dying of a stroke two days later.

The list above is a substantial fraction of a small sample of judges (Supreme Court justices) from the last 50 years. We know about the issues those justices have because of their high-profile positions. It would be naïve to think that Judge Newman's situation is not far more common in the lower courts than what is reported. The problem spilling out into the open because of Judge Newman's lawsuit is what is unusual.

One would be hard pressed to find anyone who believes that courts in general and the federal courts in particular move quickly enough. It is not unusual for a federal court to take over a year to rule on a motion. There is a very real human cost to that kind of delay. Perhaps what appears likely to be an ugly fight over Judge Newman's situation will prompt Congress and the judiciary to consider how widespread is the problem of judges remaining on the bench beyond their capacity to serve and whether changes need to be made to address it. ■

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The HSLA Initiative joins the Licensed Legal Advocate Initiative and the Medical Debt Legal Advocate Initiative to become i4J's third project advancing access to justice for low-income communities through reform of UPL

restrictions. Outcomes from these projects are positioned to shape a national conversation supporting scalable and effective community-based solutions for common civil justice problems. ■