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*Youth: Initiatives,
Concerns, and Policies*

*Continuation of this issue
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www.openworld.gov*

Message From Open World Program Manager Lewis Madanick

I am pleased to introduce the Summer 2004 *Open World Alumni Bulletin*, which focuses on Open World's rule of law program. Open World has conducted a specialized rule of law program for prominent Russian jurists since summer 2001.

To help design the specialized rule of law program, Open World conferred with the Russian Federation Council of Judges and the Judicial Department (the national policymaking and administrative bodies of Russia's federal court system), and the International Judicial Relations Committee of the U.S. Judicial Conference (the IJRC). The Russian Council of Judges and the IJRC had already established a strong mutual working relationship, opening the door for a well-designed exchange program that would contribute to Russia's development of a legal system more consistent with the country's democratic goals.

The heart of the weeklong program that Open World sponsors is individualized, professional hosting by U.S. federal and state judges. Each host judge plans and participates in an intensive, one-week program for a small group of judicial delegates. Participants not only see the role a judge plays in the U.S. court system, but also observe the integrity and respect accorded to judges and the rule of law in the United States — all while getting a hands-on, working understanding of U.S. judicial procedures. Typical delegation activities include observing court proceedings; sitting in on law school classes; visiting jails and interviewing prisoners; and participating in roundtables with U.S. judges on such topics as judicial ethics, case management, court administration, and the conduct of jury trials, which Russia has begun reintroducing nationwide.

Open World has expanded its rule of law programming to include judicial administrators, prosecutors, defense attorneys, and legal educators. All told, 76 U.S. federal and state judges have hosted some 700 delegates from 74 of Russia's 89 regions in 65 communities in 43 U.S. states. We have seen strong ties develop between participating U.S. and Russian jurists. Seventeen sister-court relationships between U.S. and Russian judicial bodies have been established or strengthened through Open World's work, and many U.S.



Lewis Madanick

host judges have visited their colleagues in Russia.

We hope that the partnerships forged and knowledge gained during the Open World rule of law exchanges have given Russia's judicial leaders valuable tools as they develop Russia's legal system. Among the changes these leaders are involved with are the reintroduction of jury trials, the institutionalization of the concept of judicial independence, and movement toward an adversarial system that considers a defendant innocent until proven guilty. The contributors to this issue of the *Open World Alumni Bulletin* are in the forefront of Russia's judicial reform movement, and each author brings special insight to the discussion of rule of law issues. We are interested in hearing your views on the issues raised in the following pages, and encourage you to post your comments at

www.openworld.gov/phpBB2/?lang=1.

Lewis Madanick
Program Manager
Open World Leadership Center

Respect for the Law Should Be Nurtured

Nadezhda Vetiorets
Novoaltaysk, Altay Kray
Chair of the Novoaltaysk City Court
Open World 2002 (Rule of Law)
Host Community: Boise, Idaho
Host Organizations: Rotary
International/Rotary Club of Boise

Discussing the issues of juvenile delinquency and drug abuse is fashionable now in Russia, as is calling on society to fight these evils. The troubles are blamed on the passivity of the schools, law enforcement, and the authorities. You don't hear much discussion about concrete projects to solve these problems. In this situation, the experience of activists who have succeeded at keeping youth off the streets and off drugs is especially valuable.

In 1999 the Public Law Academy was established at Novoaltaysk City Court of Altay Kray, a region in southwestern Siberia. High school and vocational students study the basics of civil, family, criminal and labor law; judicial procedure; and forensic science. The academy has a special curriculum developed with the City Department of Education. At the end of each course the participants take an exam; during the summer they have an internship with the Novoaltaysk Police Department, the prosecutor's office, and the

court. Moreover, the young people are actively involved in community work.

In response to the lack of legal knowledge among the city's population of 73,000, the academy aims to educate young people so they have the necessary knowledge of the law. "Our goals are to keep teenagers off the streets; to bring them up so that they are not indifferent to their community and so that they will be able to address the drug abuse problem, alcoholism, and the crime rate; and to prepare a pool of future police officers and court staff," says Open World alumna Judge Nadezhda Vetiorets, the project's initiator and coordinator.

In 2002, through the Open World Program, Judge Vetiorets met with her Idaho counterparts, including Chief U.S. District Judge B. Lynn Winmill, her delegation's host judge. While studying the American judicial system, Judge Vetiorets mainly focused on projects to educate youth on legal issues, as this was similar to her work back in Novoaltaysk. "I was pleasantly surprised to see how much time, effort and means the Americans spend on work with youth. I saw that many projects designed to disseminate legal knowledge to young people are being implemented in the United States. The programs are funded so that it is possible for qualified specialists to teach

teenagers in well-equipped premises using the necessary literature," the judge says.

"I gained a lot from my trip to the United States," she continues. "First of all, these are interactive forms of work with youth. We have in the past carried out business games and roundtable discussions, but now we conduct them much more often. During my visit to the States I participated in a role-play game with the chief judge of the circuit court, a prosecutor and a defense lawyer. I was surprised at seeing how naturally they acted. It is almost impossible to make our lawyers 'play.' However, participants in our courses were happy to take part in this kind of educational exercise."

The academy students not only receive new knowledge, but they also conduct projects for schoolchildren and teenagers. The ideas for some of them appeared as a result of Judge Vetiorets' participation in the Open World Program. For example, a special reception room for children and youths younger than 20 was created. Children often come with employment problems; cases of domestic violence and violence at school are also registered there. The judicial consultants, judicial assistant and academy students confidentially advise children free of charge.

City schools regularly hold a "Themis Day." (Themis was the Greek goddess of justice and law.) Together with judges, the students make

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Founded by the U.S. Congress in 1999, the Open World Program has enabled nearly 8,000 citizens from all of Russia's 89 regions, Lithuania, Ukraine, and Uzbekistan to see the U.S. democratic process in action and to exchange ideas with their American counterparts, thereby building mutual understanding between Eurasia and the United States. The Open World Program is conducted by the Open World Leadership Center, an independent legislative branch agency, in cooperation with the U.S. Department of State and other U.S. executive and judicial branch agencies.

To sign up for free electronic program bulletins or to be removed from mailout lists, please visit www.openworld.gov. In Russia, the *Bulletin* is mailed to alumni without access to e-mail.

Juvenile Justice: Not to Punish, but to Assist

Nodar Khananashvili

Moscow

Head of the Legal Advice Department

No to Alcohol and Drug Abuse

Foundation

Open World 2002 (Rule of Law)

Host Community: Raleigh, N.C.

Host Organizations: Academy for

Educational Development/International

Visitors Council of Research Triangle

Park

It is well known that the protection of children's rights leaves much to be desired in Russia. In spite of the great number of laws and the Russian Federation's support of the United Nations' convention on children's rights, the situation with child neglect, child homelessness, juvenile drug abuse and juvenile crime remains, to put it diplomatically, unsatisfactory. One of the most obvious reasons for these problems is the widespread abuse of children's rights in Russia.

The No to Alcohol and Drug Abuse Foundation (NAN Foundation), where I have worked since 1991, promotes improvement in children's rights protection in the Russian Federation. From our point of view, the central element of this improvement ought to be the creation of an effective system to defend the rights of juveniles. That is why it was very important and timely for me to learn about the American experience in this sphere.

Lately, many Russian specialists have been saying that Americans are rejecting the juvenile justice system founded in 1899. During my trip to the United States under the Open World Program rule of law theme, I saw for myself that this

is not the case. In the United States they are evaluating their past experience and switching to a system that aims at close cooperation with minors and their families and uses nonrepressive technologies and practices in working with minors.

We had a chance to learn about the work of the [North Carolina] Department of Juvenile Justice and Delinquency Prevention. It was important for me to learn that the juvenile justice system is actively operating. It is mainly based on social work with a minor and his/her family. The American experience in juvenile justice is valuable, as the U.S. judicial system is not only focused on taking care of everyday business, but is also flexible enough to consider improvements on a continual basis.

A partnership between Russian and American juvenile courts would be very beneficial.

Even though in Russia work is under way on amendments to the Federal Constitutional Law "On the Judicial System of the Russian Federation," the prospect for juvenile courts and juvenile justice as a whole is still unclear.

It is vitally important for society not only to have legal tools for intervening in a child's life and the life of his/her family, but also tools for child protection. It is important to know that those who violate a child's rights (or who refuse to assist a child whose rights they know are being violated) will appear before a judge. Society should not delay responding to this issue. Hence, the courts need to pay more attention to preventive measures.

However, no matter how frequently we make judges go through trainings, such courses cannot substitute for an actual juvenile court. I am not speaking about new facilities and equipment, but about the capacity of a judge to concentrate fully on cases involving minors. Just as pediatricians deal with child health, juvenile courts should deal with juvenile cases.

The historically repressive nature of our thinking is reflected in the courts' tendency to automatically hand down the most severe penalty. Out of six types of punishment imposed on minors — fines, deprivation of the right to be involved in some specific activity, compulsory work, community service, arrest, imprisonment for a definite period — the last type of punishment is most actively imposed.

to its spirit, the essence of which is maintaining justice and social stability. On the one hand, punishment must make the child realize how bad his offense was. On the other hand, it should encourage the minor to make amends. This is a very challenging task given that judges are overloaded with work and do not have rehabilitative tools and resources at their disposal.

One of the characteristics of a well-informed court decision is the systematic approach taken to the decision-making process. The systematic approach consists not only in determining whether somebody is guilty, but also in understanding the roots of the behavior. Within the juvenile justice system, a whole group of new social work professions for Russia should be established. These social work professions include social street work-



Nodar Khananashvili

er, social family worker, and a special person for liaison with the Commission on Juvenile Affairs and with other federal and local agencies. Hence, we should think about how social workers can protect minors and assist them and their families in solving their problems.

It's really absurd when politicians say something like "We don't have money for this." It means that the country does not have money for its future, which is as inept as Louis XV's saying, "Après moi, le déluge" ("After me, the flood").

Specialists at the NAN Foundation calculated that we need 60 million rubles to introduce the juvenile justice system in Russia. This level of expenditure seems ridiculously low in comparison with current budget expenditures for fighting child neglect, child homelessness, juvenile drug abuse, juvenile crime, and other forms of antisocial behavior.

However, if we go about establishing a juvenile court system the way new administrative structures are traditionally created (regardless of whether it is an interdepartmental or independent structure), the effectiveness will be minimal. The situation demands new thinking about how the government can quickly bring about policies to determine what social services need to be provided, what the mission of these social services should be, and how and by whom they should be provided.

In conclusion, I'd like to say that the Russian judicial system should take into consideration the American model of social work with minors and their families. A partnership between Russian and American juvenile courts would be very beneficial. The Russian system must switch from a repressive to a rehabilitative paradigm, and the American experience can be an indispensable model for this transformation.

It Is Prestigious to Be a Juror

*Sergey Sotnikov
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Court
Member of the Council of Judges of the
Russian Federation
Open World 2004 (Rule of Law)
Host Community: Miami, Fla.
Host Organization: American Councils of
International Education**

You get one image of America and its system of legal procedure from reading books and magazines, and you get an entirely different perspective when you can see the work of your overseas counterparts with your own eyes. My “opening to the world” came in March of this year. More than 40 Russians from different regions of our country — Lipetsk, Krasnoyarsk, Moscow, Kalmykia — went to the United States on the Open World Program to learn about the principles and experience of the American judicial system. For me this trip was a way to deepen my knowledge. Communication with professionals always stimulates self-development. I expected not only to share ideas and experience with my American counterparts but with Russian colleagues as well. Making contacts was an important motive for my participation in the program.

The most interesting topic for me was the work of the jury in the United States. In Kamchatka, the jury system has been working successfully since its establishment on January 1, 2003. Of course we had a lot of problems with organizational procedure, such as having a special courtroom, a jury room, jury selection and so on. Besides, there is still much discussion going on about the issue of whether jurors can fulfill some court functions without having any legal education. Some people think that those who are not lawyers do not have the knowledge and understanding of the peculiarities of legal proceedings necessary for jury service.

Acquaintance with the work of the jury in the States made me believe that a lot depends on the prosecution. Jurors judge according to the facts based on evidence presented in court. It is important for the evidence to be legally obtained. Thus, the prosecution must work thoroughly while collecting evidence.

In spite of the fact that jury trials have a long history in the United States, we in fact still aren't drawing on this experience. The modern Russian

jury trial is based on the historical experience of our country. Between 1862 and 1864, Alexander II initiated judicial reforms that instituted jury trials in the Russian Empire. In 1917, the institution of the jury was abolished. During Soviet times the court played a punitive role controlled by the executive branch. There was no place for the jury trial in this system.

Today judicial reform in Russia is necessary first of all to realize the intent of the first article of the Constitution, which declares Russia to be a democratic country based on the rule of law, whose

*The American judges perceived us as equal;
we spoke one and the same language.*

government values and defends the rights and freedoms of the individual and the citizenry. Since 1993, jury trials have been implemented in nine regions of the Russian Federation. The Criminal Code that became effective on July 1, 2002, institutionalizes trial by jury in the rest of Russia.

It was interesting for us to compare what types of cases are tried by jury in Russia and the United States. In Russia about 50 offenses can be tried by jury under Article 31 Part 3 of the Criminal Code. They include such offenses as first-degree murder with aggravating circumstances, terrorism, hostage-taking, and banditism. The U.S. Constitution provides that any criminal case may be tried by jury if this is demanded by the defendant. Moreover, juries try specific categories of civil cases. For example, [in some states] in a divorce suit a jury decides custody of children and the division of property.

In Florida we visited several courtrooms that were used for making films. Cinema is one of the ways to form public opinion about the court system and legal procedure as a whole. To my mind, the work of the jury is shown almost like it is in real life.



Judge Rosemary Barkett and Judge Sergey Sotnikov

Differences in historical traditions and legal principles influence the work of Russian and American jurors. It was important for our delegation to see these differences with our own eyes and discuss them with our American counterparts.

During my stay in the United States, I really liked what I saw of the way Americans respect the law. To be a juror is prestigious in the States. For any American citizen, serving as a juror is a meaningful life event. Everyone realizes they are legally responsible and feels they act on behalf of the community and state — that is why they are honored to fulfill their civic duty. Such an attitude is in the process of formation in Russia.

If we reject the concept of the court as a punitive institution, we have to develop conciliatory procedures in both civil and criminal cases. Moreover, the American experience shows that, for example, bail is no less effective than pretrial detention. Unfortunately, Russian courts use it very rarely.

I have lots of positive impressions of the trip to the United States. The American judges perceived us as equal; we spoke one and the same language. As a result of our contacts American judges are visiting Russia more often. For the first time two judges from the United States have visited Kamchatka, even though the distance from Moscow to our region is more than 9,000 kilometers [5,592 miles]. Currently we are planning a trip by two of our judges to the States. It is always important for professionals to make contacts and have a chance to communicate with colleagues.

**Editor's footnote: Eleventh Circuit Judge Rosemary Barkett and U.S. Bankruptcy Judge A. Jay Cristol of the Southern District of Florida served as the delegation's host judges.*

Sakhalin-Oregon

In May 2003, Open World selected seven delegates to travel to Oregon as part of a program designed to enhance the existing Sakhalin-Oregon Rule of Law Partnership. The delegation from the Russian Far East (where Sakhalin is located) consisted of judges, defense attorneys, prosecutors and legal educators. They spent a week in Salem, Ore., attending what was billed as the “Sakhalin-Oregon Justice College,” a special program held at the law school at Willamette University (the oldest university in the American West). This program has received the warm endorsement of the Oregon Supreme Court.

Oregon Supreme Court Justice Paul J. DeMuniz, Chairman of the Sakhalin-Oregon Rule of Law Partnership, and his colleague Justice W. Michael Gillette played a key role in organizing the visit. A special focus of this exchange was the jury-trial process, as jury trials have recently been reintroduced throughout the Russian Federation and there is great demand for information on how they are conducted.

More than 20 U.S. judges and lawyers from around the state were recruited to participate as volunteer faculty. A five-day curriculum (May 19 to May 23) covered such topics as judicial independence, professionalism, ethics, voir dire (part of the jury selection process during which potential jurors are questioned to determine their objectivity) and closing statements. One of the program’s highlights was a mock jury trial conducted in two languages before a bilingual jury, with a mixture of American and Russian judges and attorneys as key players. (The case involved a murder prosecution of a jealous college student whose rival fell, or was pushed, to his death from the rooftop of a university building after a night of carousing. The jury found the jealous college

student not guilty.)

Everyone involved in this exchange learned a great deal from his or her counterparts. The Russian judges and legal professionals will also remember their stay with their home hosts, many of them prominent Oregon judges and lawyers. Defense attorney Alexander Vasilyuk won his first “jury trial” and is now eager to try a case in front of a real jury in Sakhalin. Vasilyuk even became a member of the Oregon Criminal Defense Lawyers Association. He says that this exchange has been a life-changing experience for him and

We hope that our relationship with the legal community of Sakhalin will continue to grow and become a permanent part of our legal culture in Oregon.

one that will affect his future practice. Justice DeMuniz had the following comment: “We hope that our relationship with the legal community of Sakhalin will continue to grow and become a permanent part of our legal culture in Oregon.”

A social event was planned for nearly every evening in order to allow the Russian participants to interact informally with as many members of the Oregon legal community as possible. With the help of a team of translators and Russian “facilitators,” everyone involved was able to communicate freely. All had a wonderful time comparing cultures, sharing experiences, and trying out a little of each other’s language.

The program did not stop when the week in Oregon



Lecture for Russian lawyers

ended. The Russian delegation took home a set of materials that included 15 videotapes of the mock jury trial and all of the lectures and demonstrations presented during the program.

Upon their return to Russia, equipped with the knowledge they obtained during this trip and volumes of training materials, all delegates were eager to share their experience. Delegation members Nadezhda Rodimtseva, Deputy Chair of the Sakhalin Regional Court, Alexander Vasilyuk, the defense attorney, and Alexander Masterkov, a professor of law

at Sakhalin State University Law School, put together a three-day training program for their colleagues in Sakhalin, developed a course on jury trials for the law school, and prepared a newsletter for Sakhalin lawyers and a TV program for the general public.

As a follow-up to this program and as part of its efforts to support the goals of the Sakhalin-Oregon Rule of Law Partnership, Open World brought a delegation of four representatives from law faculties in the Russian Far East to Oregon in April 2004 and expects to welcome another delegation of judges and legal professionals from that region in fall 2004. The April 2004 delegates examined the jury-trial system and indicated that they would work on strengthening the jury support centers that have been established in their region to educate people about the importance of the public’s role in the judicial process. The delegates also plan to create a textbook for law students that will focus on jury trials.



Russian judges in Oregon

Youthfulness Is Not a Drawback in a Judge

*Valeriy Velikanov
Dzerzhinsk, Nizhny Novgorod Region
Judge, Dzerzhinsk City Court
Open World 2003 (Rule of Law)
Host Community: Los Angeles, Calif.
Host Organization: Friendship Force
International*

Valeriy Velikanov was a second-year college student in the law department at Nizhny Novgorod State University, and was working as a legal adviser on civil cases for a nongovernmental organization, when the head of this organization was killed. The murder remained unsolved. The deceased was the mother of a close friend, and Velikanov thought he should start working in the prosecutor's office in Dzerzhinsk, a city 240 miles east of Moscow and 32 miles from the regional capital, Nizhny Novgorod. He began his career there in August 1994. He had not been hired earlier as he was told that he should be at least a fourth-year student. His early employment gave him the work experience required to qualify for a judgeship. In 1996 he graduated from the law department of the university with honors and entered postgraduate school.

Until 1998 Velikanov worked as a senior investigator in the city prosecutor's office and at the same time worked on his thesis on the investigation of murder cases and how they are tried in courts. While working on his thesis he came to the conclusion that preliminary investigation in Russia, unlike in the United States, is really preliminary yet sometimes drags on for an unreasonably long time. Velikanov made up his mind to become a judge to determine whether a person is guilty or not.* Because whatever the laws states, an investigator and prosecutor gather evidence to prove a person guilty, and they sometimes reject without reason evidence that would acquit a suspect.

In October 1998 Valeriy Velikanov appeared before the judicial qualifying collegium of Nizhny Novgorod Region, which recommended the young lawyer for the position of judge on the Dzerzhinsk City Court. The judges — they were all over 40 years old — could not understand why such a young person wanted to serve as a judge.

Nevertheless, the regional qualifying collegium agreed to recommend the young lawyer, and in March 1999 Boris Yeltsin signed a decree appointing Valeriy Velikanov a judge. In May 2000, Judge Velikanov defended his thesis and became a doctor of jurisprudence. At that time, he and the vice chair of the regional court were the only two judges in the region to have this degree. Perhaps this is why Judge Velikanov was one of the regional judges selected to participate in a seminar held by the American Bar Association's Central

A Russian judge should first of all change himself, and how he conducts court proceedings, and only after that demand that the citizens of the country respect him.

European and Eurasian Law Initiative in Kirov city, in east central European Russia, in June 2000. The seminar, which was devoted to the Criminal Code of the Russian Federation, was his first opportunity to learn about the basic principles of American justice and to get acquainted with American judges. It was then that Judge Velikanov realized that the main problem with Russian justice is the personnel, not the system. The judges who had gotten accustomed to deciding cases in accordance with a phone call from the local committee of the Communist Party would never be able to administer justice.

A conversation with Supreme Court Justice Stanislav Razumov convinced Judge Velikanov that change is possible. The authority of a judge

and judicial power can and must be high. A judge should be independent and impartial. Since Russia did not have such judicial traditions and many regions still do not have them, one cannot demand that a community respect judges and the judicial system. If the community knows that the judge is independent, objective, and legally literate, the court is respected much more.

In 2000, while attending an international workshop in Prague, Judge Velikanov met Judith Chirlin, a judge from California. In a surprising coincidence, upon arriving in California for his 2003 Open World visit, Judge Velikanov learned that the hosts who welcomed him were Judge Chirlin's relatives and that he would be meeting with Judge Chirlin herself a day later.

Judge Velikanov said that the Open World Program allowed him to observe American judges on the bench. While visiting courts and meeting

American judges, he was most impressed by the role of a chief judge in administering justice. In Russia the chief judge of a court is simultaneously a judge, the head of the court staff and an administrator. That is why one of the first steps of judicial reform was to free them from administrative work.

In the United States a chief judge does not influence the process of distributing cases among judges; a computer usually does this work. This experience should be applied to judicial practice in Russia, the judge thinks.

Judge Velikanov is sure that a Russian judge should first of all change himself, and how he conducts court proceedings, and only after that demand that the citizens of the country respect him as he pronounces sentence and makes a decision in behalf of the country.

**Editor's footnote: Russia did not reinstitute jury trials on a nationwide basis until 2001, and trial by jury remains limited to serious criminal cases.*

Happy Anniversary!



Open World colleagues celebrate with the program's co-founder, Dr. James H. Billington, far left.

On Friday, May 21, 2004, the Open World Program marked its fifth anniversary. Program managers and staff from 1999 along with current Center staff celebrated the occasion with Open World co-founder Dr. James H. Billington. Over the course of these years the program has achieved impressive results:

- Nearly 8,000 leaders from Russia, Lithuania, Ukraine, and Uzbekistan have visited 1,254 communities in the United States
- Nearly 3,600 families have hosted program participants in their homes
- More than 1,040 participants have visited the United States on the rule of law theme

We thank all program alumni for making this anniversary possible and hope that participation in the Open World Program opens new horizons for you!

Open World Hosts Rule of Law Alumni Conference in Saratov



American judges at the Saratov conference

More than 50 alumni of Open World's rule of law program and the three U.S. judges who helped design it took part in a major legal conference in Saratov, Russia, April 22–24. U.S. District Judges Michael Mihm of Illinois and Paul Magnuson of Minnesota and U.S. Bankruptcy Judge Sidney Brooks of Colorado joined prominent judges, lawyers, and law professors from across western Russia at the Open World-hosted alumni event.

Entitled "Contemporary Aspects of Judicial Administration in Russia and the United States," the conference explored both practical and philosophical judicial issues, covering everything from case management to ethics. And for the three attending American judges, who have served on a number of occasions as Open World hosts, the conference presented a special opportunity to learn more about the judicial reforms the Russian participants are implementing.

Open World chose Saratov as the conference site because this centuries-old city on the Volga is home to some of the rule of law program's most

involved alumni and the capital of the judicially progressive Saratov region. Not only did the region conduct Russia's first jury trial since prerevolutionary days, it has also taken the lead in reintroducing justices of the peace. Active Open World alumni in Saratov include faculty of the distinguished Saratov State Academy of Law, leading judges from the courts of general jurisdiction, and several judges of the Saratov Commercial Court, who enjoy a sister-court relationship with the federal bankruptcy court for Colorado thanks to Open World and Judge Brooks, their U.S. host.

The conference's opening day kicked off with a well-attended press conference, welcoming remarks from two vice rectors of the law academy and Saratov Commercial Court Chair Alexander Baranov, and an insightful overview of Russia's judicial system by Saratov Regional Court Vice Chair Rima Volosat'ykh. Day two featured lively breakout sessions on the adversary system, plea bargaining, and bankruptcy law, each co-moderated by one of the U.S. judges and a Russian colleague.

A wide-ranging plenary session on ethics highlighted the conference's closing day. Judge Mihm spoke about judicial accountability; Judge Brooks about the role of ethics in maintaining positive public perceptions; and Judge Magnuson about corruption's damaging effects on society.

On the topic of ethics, one Russian participant stressed that the American judges raised issues during the conference that "we rarely, if ever, raise when left to ourselves." Yet as Judge Brooks noted afterward, "While ethics and corruption still loom as a big problem in Russia, the judges at the conference discussed the problems and the consequences of such influences candidly."

The conference schedule included the kind of hands-on, practically oriented trainings that are a hallmark of Open World's alumni outreach program. Said Judge Brooks of the role-play workshop he ran for commercial court judges, "I think the Russian judges ... found it full of unexpected insights as they played the roles of arbitration manager, bank lender, trade creditor, employee representative, and others in a mock creditors' meeting."

Many alumni at the conference commended the Open World Program overall and the positive outcomes from the thousands of delegate exchanges. Vice Rector Alexander Demidov of the Saratov State Academy of Law commented that the Open World Program "provides Russian judicial authorities the possibility of acquainting themselves with the judicial practices in the United States, the ability to develop and maintain professional contacts with their American colleagues and further their professional mastery of legal concepts."

Open World's program coordinator at the U.S. Embassy in Moscow, Alexander Khilkov, said after the Saratov event, "Alumni activities are an important component of Open World. We are trying to enhance the value of the U.S. experience with follow-up thematic events in Russia that provide continuing opportunities for civic, political, and judicial leaders to learn from each other."

Continued from page 2

presentations on different legal issues. Academy students organized the conference "About the Problems of Juvenile Delinquency and Drug Abuse," during which they discussed the results of a survey of about one thousand young people of the city. According to the findings, half of the respondents who were 14-15 years old first used alcohol and drugs with their friends of the same age; many of them first tried alcohol when they were 10 or 12. The students of the Public Law Academy identified the basic cause of the current situation as "Adults are not paying attention to children's upbringing." This is true not only for families, but also for schools and NGOs: "In big

cities with poverty problems, adults do not have time for children because they must earn a living," the students noted.

One hundred and fifty students are trained in the academy every year. It is a big program for Novoaltaysk. Moreover, the students spread this legal knowledge and the principles of law-abiding behavior among their friends. In Judge Vetiorets' opinion, young people studying at the Public Law Academy at Novoaltaysk City Court will not commit crimes and will warn their friends against doing wrong.

According to Open World alumna Irina Perova, Deputy Head of the Novoaltaysk Committee on Youth Affairs, the academy is "a specific example of how we can change young people's lives by not being indifferent. Strength of character manifests itself not only in applying our qualifications in our area of expertise, but in understanding and doing something about community problems. The less we wait and complain about the difficulties, and the more we work on developing civil society, the faster our region will develop."

The Fulbright Senior Scholar Exchange Program 2005–2006

The Fulbright Program awards grants to Russian scholars in the humanities and social sciences interested in conducting research or lecturing at an American university.

Conditions for participation:

- Candidates should know English well enough to fulfill their proposed projects.
- Candidates must be Russian citizens and have at least a kandidatskaya degree.
- Duration of the grant: from three to eight months.

Rule of law is included in the list of competition disciplines.

Application forms may be requested from info@fulbright.ru or picked up in the Fulbright Office in Moscow.

The deadline for applications is **Oct. 15, 2004**.

Applications should be sent by post (not e-mail) or brought in person to the following address:

125009 Moscow
Tverskaya Str. 16/2, building 3
Institute of International Education Fulbright Program
tel: (095) 935-83-53
fax: (095) 937-54-18
e-mail: fulbright@fulbright.amc.ru

Russian Competition for the Best News Articles on Elections

Competition for the Best Articles About the 2004 Presidential, Regional, and Local Elections and Election Law Issues

The Central Election Committee of the Russian Federation and the Russian Union of Journalists



Russian judges attend Open World orientation in Washington, D.C., in July 2004

are conducting a competition for the best Russian articles about the election of the president of the Russian Federation, elections at the national, regional and local levels, issues of local governance, and issues regarding election laws.

Competition rules:

Materials should be aimed at furthering the development of democracy and open and transparent elections in Russia; educating Russian citizens on election laws and election procedure; encouraging citizens to exercise their right to vote more actively; or promoting informed decisions at the polls.

Journalists who publish articles within the period of the competition (**from Jan. 1 to Dec. 31, 2004**) are eligible. Materials are nominated by regional, Moscow, and St. Petersburg members of the Union of Journalists; by newspaper and magazine editorial boards; TV and radio companies; other news agencies; and regional electoral committees. Published materials, audiotapes and videotapes may be sent to the **Secretariat of the Russian Union of Journalists, 119021, Moscow, Zubovskiy boul., 4, until February 2005**.

A commission established by the Central Election Committee and the Russian Union of Journalists will announce the results of the competition on **March 1, 2005**.

The winners will be awarded with special prizes:

- one first prize;
- three second prizes;
- five third prizes;
- five incentive prizes.

If a prize is awarded to a group of authors, the sum will be distributed among the members of the group in accordance with Article 1059 Part 2 of the Civil Code of the Russian Federation.

The prizes are awarded by the Central Election Committee based on the decision of the commission.

Award winners will receive their awards at a celebration attended by representatives of the Central Election Committee, the Russian Union of Journalists, and the mass media.

Russian Union of Journalists
<http://www.ruj.ru/>

Rule of Law Online Resources for Russia

■ The Russian Supreme Court site (www.supcourt.ru) has some useful English-language documents. A good schematic of the structure of Russia's judicial system can be found at www.supcourt.ru/en/rj.htm.

■ The Russian Constitutional Court's website (<http://ks.rfnet.ru>) provides some information and decisions in English. Some regional constitutional courts also have websites, but they are usually in Russian. Information on regional constitutional courts with websites will be provided upon request by Open World Program Officer Ilona Tservil at Ilona_Tservil@ao.uscourts.gov.

■ For a good overview of Russia's commercial courts, please see www.arbitr.ru/eng.

■ Most regional courts' websites only provide addresses, working hours, and contact information. One exception is the website of the Ulyanovsk Regional Court (www.scourt.vens.ru), which offers detailed information (in Russian) on its decisions and administrative activities. The Ulyanovsk region is located in southern European Russia.

■ The local court with the most informative website is the Moscow District Court in the city of Tver, 100 miles north of Moscow. Its Russian-only site, at www.mossud.tver.ru, provides all court decisions since 2000 and downloadable forms for complaints, claims, and various civil actions.

■ The website of the Centre for Russian and East European Studies (CREES) at the University of Toronto has links to a variety of information sources on Russia's legal system (www.utoronto.ca/crees/creesweb/links-russia.html). The director of CREES is Peter Solomon, a noted expert on the Russian courts and the co-author of *Courts and Transition in Russia: The Challenge of Judicial Reform*.

■ Law Library Research Xchange (LLRX) periodically publishes electronic documents that review legal systems in many countries around the world. To access Russia-related material and links, please see www.llrx.com/comparative_and_foreign_law.html#Russia.

■ The online *East European Constitutional Review*, published by New York University School of Law at www.law.nyu.edu/eecr, is a great resource on legal reform and rule of law issues in Russia. The Open World Leadership Center strongly urges that hosts of rule of law delegations read the articles in the "Reforming Russia's Courts" feature in Volume 11 (www.law.nyu.edu/eecr/vol11num1_2/index.html).

■ New York University School of Law has links to many websites of interest at www.law.nyu.edu/library/foreign_intl/russia.html.

■ Columbia Law School established the Public Interest Law Initiative (PILI) in 1997, with the support of the Ford Foundation, to advance human rights principles by assisting the development of a public interest law infrastructure in Central and Eastern Europe, Russia and Central Asia. PILI promotes the development of new institutions, primarily in the area of clinical legal education and access to justice, and supports the adoption of new legal strategies in areas such as discrimination and freedom of association. PILI's informative website is at www.pili.org.