

New York Courts Host Nation's First Jury Summit

THE 37TH-FLOOR SKY LOBBY OF TIMES SQUARE'S MARRIOTT MARQUIS HOTEL was bustling as New York State Chief Judge Judith Kaye welcomed guests to the "first-ever-in-the-history-of-the-world" Jury Summit this past January 31st. Hosted by the New York courts and the National Center for State Courts, the three-day conference drew close to 400 people, some 100 judges alone—including several chief justices and a jurist all the way from Seoul, South Korea—200 court clerks and administrators, plus a mix of jurors, attorneys, federal court officials and academics.

They came from far and near to exchange ideas and spark further progress in jury systems around the country and beyond the fifty states, discussing topics from how to select a fair jury to allowing jurors to take notes and question witnesses.

A Busy First Day

At one of several back-to-back panel discussions on jury service the first morning of the conference, New York Chief Administrative Judge Jonathan Lippman gave judges and court officials from around the country pointers on how to turn recommendations for jury improvements into reality. Judge Lippman, who over the past several years has helped implement numerous jury reforms throughout New York—including better pay and facilities for jurors, and reductions in average terms of service—guided those looking to make changes in their home state to start out with very specific goals and hash out all the issues. "See things from the juror's perspective," added Judge Lippman.

NYC Mayor Pays Tribute to Jurors

Rudolph Giuliani, the first and only New York City mayor to serve to verdict on a jury—three years after New York State lifted its automatic jury exemption for mayors in 1996—joined the Summit for lunch that afternoon. Taking the podium, Mayor Giuliani recalled his days as U.S. Attorney in New York's Southern District. Mr. Giuliani said he admired



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Chief Judge Kaye presents Mayor Rudolph Giuliani with a Jury Summit 2001 T-shirt.

the jurors for their dedication, and also informed those in attendance that he favors the practice of permitting jurors to submit questions to witnesses during the trial. "As a lawyer, you want to know what jurors are thinking. If they ask questions, you're getting an important piece of information. I think it's a good idea," he said.

Before calling it a day, the Summit guests observed a mock jury selection—pondering the difficulties of determining juror impartiality—and examined Hollywood's portrayal of jurors, judges, lawyers and court personnel, voting "gavel up," "gavel down" or "reserve decision" on scenes from "The Juror," "Inherit the Wind" and other films.

Panelists Place Emphasis on Juror Education, Feedback

The following morning much of the talk centered on communicating with jurors and educating the public about the jury system. Former teacher Emil Zullo, who helps manage a New York State mock trial competition for high school students, provided tips on working with schools and community groups in preparing youngsters with the skills needed to be good citizens. "Teacher training is essential. Teachers are fascinated by the subject matter," Mr. Zullo said

continued on page 2

JURY SUMMIT continued from page 1

at one point during the discussion. He also advised court administrators to get the word out to employers on the value of jury service.

Later in the day Frederic Block, a federal judge in New York City, shared some inventive trial techniques during a panel discussion on jury trial innovations. "Jurors feel good if they believe they're part of the process," Judge Block told them. To this end, the judge requests that lawyers in his courtroom rise when jurors enter. Additionally, Judge Block stands right in front of the jury box when charging the jury, an approach he says enhances eye contact and overall communication with jurors.

Judy Chirlin, a Los Angeles judge who sat on Judge Block's panel, said juror feedback is key. Judge Chirlin said that she initiated the publication of a guide explaining the deliberation process to jurors after a juror asked her how to get started in deliberations. "Asking for feedback empowers jurors and can result in change," she commented.

Jury Service Beyond the Fifty States

At a talk on jury systems around the world on the final day of the Summit, Satoru Shinomiya, who practices law in Japan, told attendees of his hopes for his country to bring back the jury system. Japan held jury trials from the late 1920s to the mid-1930s, until the rise of militarism. The country suspended its jury trial statute at the start of the second world war because there weren't enough eligible males available for jury service. "Now people want change," Mr. Shinomiya said.

"Jury Systems Around the World" panelist Richard Lempert, a professor of law and sociology and an expert on the jury in Japan, predicted the Japanese will introduce either a mixed trial system, combining a panel of judges and lay "assessors," or bring back the jury system. His reasoning: Japan's populace feels the present conviction rate, at around 98 percent, is too high. Additionally, there has been a rise in the number of Japanese lawyers who have been educated in America and lean toward restoring the jury system in Japan.



Annie King Phillips, a Washington, D.C., native and veteran juror, took part in several Jury Summit panel discussions.

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Mr. Lempert and fellow panelist Neil Vidmar, a law professor and psychologist, along with G. Thomas Munsterman, director of the National Center for State Courts' Center for Jury Studies and one of the coordinators of Jury Summit 2001, provided their expertise on the jury system to a special council appointed by the Japanese government to make recommendations for judicial reform. "I hope this great summit and your great system encourage the council and Japanese people to revive the jury in

Japan," Mr. Shinomiya said with emotion.

Toward the close of the conference Mr. Munsterman joined Chester Mount, the New York courts' director of Jury and Data Services, to host a discussion on developing a national jury Web site, a place where court administrators and others could share their ideas and experiences. The two offered thoughts on site content, format and maintenance, querying those in the audience for ideas. Suggestions included starting chat rooms, creating annotated bibliographies on a host of jury-related subjects, and posting information that could serve as educational aids for teachers and others.

What's Next?

For former Michigan Chief Justice Elizabeth Weaver, the creation of a juror Web site, using New York's site (www.NYJUROR.com) as a model, is a definite next step.

Calling the summit "an inspired idea," Kentucky Chief Justice Joseph Lambert is planning a "mini jury summit" for the state's annual bar conference this summer. The discussion will focus on enhancing the juror experience and making jury practices throughout the state more consistent. And with a nationwide jury Web site in the works and prospective locales for Jury Summit 2002 already being bandied about, we can look forward to ongoing discourse on improving jury service in New York and throughout the country, and to the reforms such dialogue will likely spawn. ♦



Satoru Shinomiya with Jury Summit panelist Steven Zeidman, executive director of the Fund for Modern Courts, an organization dedicated to court reform.

Courts' Children's Centers Give Toddlers A Head Start

Walk into any of the Children's Centers now located in 28 courthouses around the state, and you'll find a cheery space filled with toys and board games, colorful posters and plenty of books—books that children can read while visiting the center as well as an age-appropriate, brand-new book for each youngster to take home.

The new books, donated by leading children's book publisher Golden Books Family Entertainment, Inc., are part of the Children's Center Literacy Project, the nation's first court-based literacy program. The donated titles are "The Ghost's Dinner," which teaches preschoolers about colors, "The Lion King," an adapted version of the Disney classic, and "Disney's Tarzan Amazing Adventures," containing puzzles, mazes and other fun, educational activities for 7-to-12-year-olds. Also, a curriculum—comprising storytelling, musical, arts and crafts and other activities relating to the story lines of the donated titles—was devised for the Children's Centers.

With recent studies showing that many children enter school unprepared to read, Chief Judge Judith Kaye is especially elated about the new literacy initiative at Children's Centers statewide and highly appreciative of Golden Books' generous gift of 40,000 books. Says Judge Kaye, "The courts' network of Children's Centers, where thousands of New York children who accompany their parents to court spend time, provide a perfect opportunity to start a child on that essential road to literacy."

The first of the courts' Children's Centers opened in 1994, providing drop-in day care for those who needed a safe place to leave their children



Chief Judge Kaye reads to preschoolers during a recent visit to one of the courts' children's centers.

while making court appearances. The idea for the statewide network of day-care centers came from the Permanent Judicial Commission for Children, an alliance of judges, legislators, child advocates and academics devoted to addressing the needs of children in New York's courts.

The centers, operated by not-for-profit organizations—including the YWCA, Volunteers of America, the Salvation Army and Safe Horizon—are staffed by trained personnel and volunteers. In addition to offering litigants quality care for their children, the Children's Centers help link needy families to housing, medical, food and other essential programs.

On an unseasonably balmy February morning at one of the courts' more heavily trafficked Children's Centers—located in Manhattan Family Court—five children create valentines for their loved ones. "Do you know how to write Happy Valentine's Day?" a day-

care worker asks the youngest ones in the group, as she looks around the table to see who needs assistance. "Make sure it's pretty for your mommy, daddy, anyone you love." Like most of the crafts the children do here, this project combines art with word recognition.

The valentines turn out beautifully, some angels, some hearts, all decorated with glitter and lots of TLC. Once finished, the youngsters have a snack and prepare for reading time, when they'll receive their new books. Since today's group is a particularly active one, the child-care workers suggest to the youngsters that they explore the books on their own, asking questions if they need help.

"Our kids spend an average of two to three hours here," says Jacqueline Scroger of Genesee County's Children's Center, which provides child care for clients of the area's Family, Criminal, Civil and County Courts. Ms. Scroger

continued on page 8

Community Spirit Alive and Well at Brooklyn Court

WHEN THE RED HOOK COMMUNITY JUSTICE CENTER—the nation's first multi-jurisdictional community court—opened its doors last June in this troubled part of Brooklyn, long afflicted by poverty, drug abuse and other quality-of-life problems, area residents, schoolchildren in particular, were extremely curious about their newest neighbor. “Because Red Hook is a residential neighborhood, unlike the business areas where you find most other courts, we ended up with a lot of kids coming here to see what’s going on,” says Lieutenant Sean Egan, whose 17 court officers have since become very much enmeshed in these children’s lives and the community overall.



Harold Johnson, a court officer from the Red Hook Community Justice Center, assists a youngster with his homework.

middle-schoolers hauling book-filled backpacks arrived at the court, ready to tackle their latest school assignments. It’s a relaxed, friendly atmosphere, with everyone on a first-name basis, but the youngsters know the rules: settle down and finish your work, then you can socialize.

While some of the children confide in the officers, discussing school-related and other problems, all the youngsters insist on showing their latest test results and report cards to their mentors. Lieutenant Egan tells of one older boy who had a serious reading problem. “One of my

officers is working with him after hours, and already the boy’s grades have improved,” he says.

Court Officers Reach Out to Area Youngsters

Although somewhat intimidated at first by both the new, state-of-the-art facility and its uniformed officers, the youngsters were quickly befriended by Mr. Egan and his team. “The next thing you know, kids from the block and surrounding neighborhood are dropping by the court throughout the summer. Something quite special has happened here. It’s really amazing,” says Mr. Egan.

The Justice Center’s Red Hook Public Safety Corps—part of the nation’s AmeriCorps service program—formed a summer baseball league for local youngsters, with Lieutenant Egan’s officers and other court staff coaching the league’s nearly 200 young players.

The Red Hook officers also got youngsters from the area to participate in a local bicycle race, spending their own money to buy new bikes for those who made it to the finish line. And when the children began returning to school in the fall, Mr. Egan and his crew made a deal with them: the youngsters could still stop by the courthouse, but they would have to finish their homework first.

Many of these 8- to 14-year-olds started showing up at the court to do their homework, with the officers, one a former English teacher, taking turns reviewing the youngsters’ assignments and otherwise providing guidance and assistance.

On a blustery winter afternoon, around four o’clock, several

Playing Santa to Needy Families

As if their coaching and mentoring activities weren’t keeping the Red Hook officers busy enough during their “off” hours, last fall Officers Rachel Anderson and Robert Buscemi came up with the idea of throwing a Christmas party for needy families in the community.

After locating 10 families who couldn’t afford to have a Christmas this past year, Ms. Anderson and several other officers got a wish list from the families’ combined 48 children and started a toy drive, with gifts and monetary donations pouring in from court employees and local businesses. “We didn’t expect the response from the community and staff. We raised a lot of money,” says Officer Anderson.

The officers used most of that money to purchase gifts for the children, confronting crowds of Christmas shoppers on evenings and weekends to scout for toys and other items requested by the youngsters. The remaining money paid for party decorations and entertainment, including a magic show, with food donated by local restaurants. Despite all the hard work, Ms. Anderson is already planning next year’s celebration. “It’s a labor of love,” she says.

Going Beyond the Call of Duty

With all this going on, Lieutenant Egan’s officers also managed to lend their green thumbs to Red Hook’s commu-

Bronx Museum Invites Jurors In for Free Tour

NOON IS APPROACHING ON A SUNNY, bright Thursday as 200 or so jurors pass their downtime in the Bronx Supreme Court's jury assembly room. Some are reading, others chatting and a few, donning earphones, enjoy their latest CDs.

Suddenly they're interrupted by an announcement from Lynn Pono, Public Relations and Outreach Coordinator for the Bronx Museum of the Arts. Standing at the front of the lengthy room, Ms. Pono invites the jurors on a free tour of the fine arts museum—located just blocks away from the courthouse—complete with a complimentary light lunch.

An Offer Few Can Refuse

The tour will begin at about 12:35 p.m., Ms. Pono informs them, assuring the jurors they'll be back at the courthouse in time for the start of the court's afternoon session. Those interested in taking Ms. Pono up on her offer are directed to a corridor just outside the assembly room, where they wait before boarding the yellow-and-black school bus that will shuttle them to and from the museum.

"What's to eat?" calls one juror to Alexander Campos, the museum's director for marketing and communications. Moments later, the more than 50 jurors who opt for the tour-and-meal deal are handed brown bag lunches as they enter the standing-room-only bus.

Attracting A Cross-Section of Locals

The once-a-month tour, instituted in September 1999 following a successful, one-time run some years earlier, is



A visitor to the Bronx Museum of the Arts viewing one of the museum's special exhibits.

made possible with support from the National Endowment for the Arts and assistance from The Bronx Tourism Council, the Office of the Bronx Borough President and the borough's county clerk's office. The tour is offered to jurors on a first-come-first-serve basis on the third Thursday of each month.

"It's a way to simultaneously attract new visitors and Bronx residents to the museum," says Mr. Campos, adding that many Bronx locals aren't aware that a fine arts museum exists in their own backyard. In fact, outside of the Bronx schoolchildren who make up nearly half of the museum's annual visitors—a total of 17,690 people visited the museum between 1999 and 2000, an increase of more than 4,000 from the previous year—only about a third of its remaining guests hail from the borough.

Ms. Pono says the juror tour brings in a cross-section of locals, and that's certainly the case judging from the likes of today's crowd, a culturally diverse group ranging from students to retirees.

continued on page 7

nity gardens and pay visits to elderly Red Hook residents who live in the area's senior centers. Sandra Martin-Smith, the Red Hook Community Justice Center's Assistant Deputy Chief Clerk and Mr. Egan's supervisor, says that Justice Center staffers view their work at the court as much more than a job assignment. Ms. Martin-Smith does her own share of community outreach, handing out exam applications to locals interested in trying out for a job with the courts. "The work the officers are doing with the local children and the

community in general goes well beyond the call of duty," she comments.

Calling the synergy between the court officers and neighboring residents "remarkable," Red Hook Community Justice Center Coordinator Adam Mansky adds, "The officers and all our staff have done an outstanding job of welcoming community residents into the Justice Center and making locals feel that the Justice Center belongs to them, which is critical to our goal of returning the justice system to the community." ♦

The Red Hook Community Justice Center is three courts in one—civil, criminal and family—with a single judge, Judge Alex Calabrese, presiding over every case, from housing matters to misdemeanors and felonies. The Center also offers a host of on-site services to residents of Red Hook and neighboring communities, whether or not they have a case pending at the court. For more information about the Center, call (718) 923-8242.

For these Newcomers, It's Night Court 101

YOU COULD SAY JUDGE MARTIN KAROPKIN loves the nightlife. For the past eight years, Monday through Friday, he's been burning the midnight oil at Criminal Court in downtown Brooklyn, handling an average of 80 cases—and sometimes as many as 150—per night.

Judge Karopkin squeezed in a few minutes between cases one evening to address a group of visitors who'd signed up for a tour of the court, sponsored by Manhattan's 92nd Street Y in conjunction with Not Just Blacks and Jews in Conversation—a coalition of jurists devoted to educating the public about the judiciary and promoting harmony in our multicultural society.

By evening's end, the newcomers had an opportunity to observe night court in action and engage in dialogue with the judge, a high-profile trial lawyer and an employee from the Brooklyn district attorney's office.

Real-Life Stories

In preparing the spectators for what to expect once inside his courtroom, Judge Karopkin told them, "This is the real thing. Some of it will not be as exciting or dramatic as TV's '100 Centre Street,' but on the whole we do a lot of cases." He informed the visitors that they would be observing arraignments. "This is the first court proceeding in a criminal case," he explained.

"These are real-life stories," commented Henna White, community relations specialist for Brooklyn District Attorney Charles Hynes. "Whenever I come to arraignments I have to think, I'm watching somebody's life play out in front of me."

Ms. White provided several case examples—including the story of a thief with a penchant for minivans who was apprehended fairly quickly—discussed how the district attorney's office puts together a case and addressed the complexities of bail. "The judge looks at the person's connection to the community. Does the defendant have a job and family ties? For a homeless person one dollar may be a lot of money, while certain drug dealers can make \$250,000 bail," she said.

Veteran Lawyer Offers Words of Wisdom

"Do you understand why you're presumed innocent? Anyone, no matter who, can be accused of a crime. We're all angry about crime, but everyone has the right to a trial," began defense lawyer Mel Sachs when it was his

turn to address the visitors.

After discussing some of his cases, Mr. Sachs, who has 30 years

of experience as a defense attorney, responded to a question about how he determines how much to charge a client: "I take cases because they fascinate me. I've represented people free of charge; others have paid me well. That's not my motivation. I love doing this and have had the good fortune to be able to help many people and their families. What we strive for is that a person gets treated fairly, is prosecuted fairly and justly."



Mel Sachs addressing the night court visitors

Seeing How the Courts Function Day to Day

Soon it was off to Judge Karopkin's court. Trying their utmost to be as inconspicuous as possible, the tour group quietly entered the courtroom. The judge, in the middle of a DWI case, seemed not to notice their arrival. Before returning to the courtroom where they'd first assembled, the visitors would hear several cases, including a number of assaults and traffic offenses, and one burglary.

The alleged burglar, a young woman dressed in a full-length fur coat, had been arrested in the past for drug possession. Today she was being charged with stealing \$10,000 from a former friend. At one point she began talking directly to the judge, who instructed her to speak through her attorney instead. When he later reconvened with the group, Judge Karopkin explained why he'd done that: "You've got to understand that everything is on the record, so you

Questions, comments or suggestions about the jury system?

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want to avoid the person making any self-incriminating statements. The attorney should prepare the client for what will happen in court and speak for the client in the courtroom.”

“Well done and informative” was how Jenny Alexander, a retired teacher and first-time observer of night court, summed up the evening. Ms. Alexander signed up for the tour because she’d lived out of the country for many years, had never served on a jury and was curious to find out how the courts really work.

Up until the night of the tour, everything Ms. Alexander had learned about the courts came from television. Real life, just as she’d expected, proved to be somewhat different. For one thing, the glamour and theatrics of both television and the big screen were absent, as Judge Karopkin had warned the visitors. Also, Ms. Alexander, who thinks there’s too much lawyer-bashing these days, welcomed the opportunity to get an attorney’s perspective on the judicial system. “Mr. Sachs came across with such integrity,” she said.

Before the group headed for their bus back to Manhattan, someone asked the judge his view on cameras in the courtroom. A proponent of cameras in the courts, Judge Karopkin says the public has the right to know what goes on in the courtroom, but he added, “Even with cameras in the courts, you’re focusing on the high-profile cases. It’s important for people to visit the courts and see how they function day to day. For the system to work, the public needs to participate.” ♦

BRONXMUSEUM continued from page 5

As the jurors enter the glass-enclosed lobby of the museum, Mr. Campos provides some historical background on the institution. Founded by a group of community leaders in 1971, the museum was housed in the rotunda of the Bronx Supreme Courthouse until moving to its present location, a former synagogue, in 1983. Today it is home to an eclectic collection of contemporary art, offering courses year-round in painting, drawing, video-making and computer graphics, and holding lectures, readings and free-of-charge community days featuring art workshops, live musical performances and tours of special exhibits.

“The focus of most of our programs is ‘what is art?’ Our goal is to stimulate audience participation in the visual arts,” he explains to the jurors.

An Interactive Experience

On this particular Thursday, the jurors—after being divided into two groups, each with its own tour guide—are treated to a taste of a special exhibit featuring the work of 20 artists, all of whom began their careers at the museum and have since achieved critical and/or commercial success in the international art market.

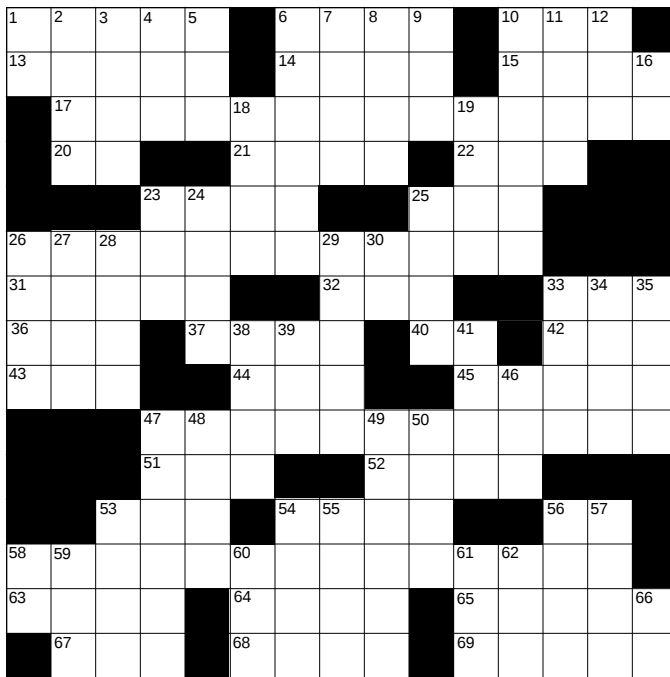
Trying to provoke an emotional response from her group, a tour guide named Rachel stands before a display of neatly arranged soap sculptures that seem to be growing hair and queries, “What do you see here?” One viewer responds, “Something growing,” while another blurts out, “It looks like something you’d find at the bottom of the drawer.” Rachel and the jurors break into laughter. After a few more, quite varied responses, Rachel explains that the artist’s grandmother was a mail-order bride and a laundress for much of her life. “There’s a lot of repetition here, symbolizing the repetitive nature of the grandmother’s laundry tasks,” she tells the group.

This sort of give-and-take continues throughout the tour, so by the time the jurors leave the museum they’ve had the opportunity to view and discuss the work of four artists—all having dissimilar roots and each conveying a message very different from the other.

“What a nice break from the usual lunchtime reading and phone calls. This is a fabulous idea,” juror Natalie Gomez-Belez comments at the end of the tour, as she’s handed an attractive bag containing a brochure about the museum, a survey to fill out and the Bronx Council on the Arts’ Bronx Cultural Card, entitling one to special discounts on cultural programs and events around the borough. “It was very interesting, very interesting,” says an equally enthusiastic Ademola Adeyeni as he rushes to catch the school bus on its return trip to the courthouse.

The Bronx Museum of the Arts, located at 1040 Grand Concourse and accessible by mass transit, is open Wednesday through Sunday. Contact the museum at (718) 681-6000 for more information.

COURTSIDE CROSSWORD



ACROSS

1. City in Provence
6. Use scissors
10. Water barrier
13. Florida resort
14. Employ
15. Ms. Perlman
17. Highest tribunal in New York State: 3 words
20. Plural suffix
21. Does a gardening task
22. Group comprising U.S., Mexico and others: abbr.
23. Spanish cheers
25. Mr. Cruise
26. Where certain cases are tried: 2 words
31. Wight et al.
32. 2240 lbs.: plural (abbr.)
33. Title for a judge: abbr.

36. Golf need
37. Tropical plant
40. Defeat a heavyweight champ, perhaps: abbr.
42. Street: abbr.
43. Period
44. ___ *Misérables*, Hugo classic
45. Hotel employee
47. Low-level crimes
51. Lennon's widow
52. Troubles
53. Slip up
54. 43,560 square feet
56. Get out of here!
58. Jurist's office: 2 words
63. Comic Carvey
64. Male deer
65. Graceful
67. Raced
68. Name of a princely Italian family of yore
69. Word with "inn" or "scooter"

DOWN

1. Before noon: abbr.
2. Pilaf ingredient
3. Country west of Vietnam
4. Flightless bird
5. Knight's title
6. Select
7. Prefix with "style" or "saver"
8. Nest eggs, for some: abbr.
9. Energy
10. Had a nightmare
11. Expressions of surprise
12. Brooks or Gibson
16. "___ You Like It," Shakespeare work
18. Those people
19. Indigent
23. Miner's find
24. For fear that
25. Ivory source
26. Locale
27. Manipulative type
28. Defendant's answer to a charge
29. Intimate
30. First part of the Bible: abbr.
33. Angel's feature
34. Finished
35. New Jersey team
38. Too
39. Primary color
41. Like many faces
46. Reply: abbr.
47. Freeman, of stage and film
48. Concerning: 2 words
49. Type of illusion
50. Basic, for short
53. Author Ferber
54. What 47-Down does for a living
55. Shoot the breeze
56. "True ___," John Wayne flick
57. Norwegian capital
58. Requisite for a jurist: abbr.
59. Egypt, once: abbr.
60. Compass point
61. Sound made by a hard blow
62. Topic for Freud
66. Common suffix

CHILDREN'S CENTERS *continued from page 3*

says the children who visit her center, mostly preschoolers, are quite receptive to the literacy-building activities and very happy about leaving the center with a new book to call their own.

Ms. Scroger's Children's Center works with Donna Blake, a professor of human services at Genesee Community College, in bringing college interns to the center to work with the youngsters. Ms. Blake's interns earn three credits for 104 hours of service, starting in January and finishing in May. The interns work one-on-one with the kids and this year will help create a referral source list that puts parents in

touch with a range of local services.

Gordon J. Campbell, CEO of Safe Horizon, which runs New York City's nine Children's Centers, says his staff is developing a resource library for parents that will include such topics as parenting skills and dealing with learning disabilities. "Our focus is not just on the kids but the entire family," he emphasizes. And that includes the Centers' literacy component. Mr. Campbell says that parents who drop their youngsters off at a Children's Center will now have the opportunity to learn about adult literacy and ESL programs in their local communities. ♦

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volunteering at a
Children's
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information.