



Creating the Judicial Branch: The Unfinished Reform

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One thing is clear. Courts came alive in the twentieth century and made changes that could not have been envisioned as late as World War II. From Chapter 6 *Creating the Judicial Branch: The Unfinished Reform* describes and assesses a recent historical phenomenon, the creation of administratively and organizationally coherent judicial systems within state government. Before 1950, the state judicial branch of government existed mostly in concept, not in operational reality. After 1950, state judges, the organized bar, and many students of the judiciary took a hard look at the way state courts were organized and managed. They concluded that state courts, particularly the trial courts, were externally dominated, highly disorganized, often unprofessional, and poorly managed, to the point where the integrity of the state courts was being seriously undermined. State after state initiated court reforms and brought about many remarkable improvements. Courts were caught up in a reform wave that swept all three branches of state government but took a unique form in the courts. Unlike the executive and legislative branches, the state courts were not simply seizing management control of their own domain but literally creating a third branch of government. They sought this objective by integrating the various components of the state judiciary into a more coherent whole and generally upgrading the level of professionalism and the quality of justice.

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