Thank you National Judicial College and the Judges.

Annual Report to Stakeholders

2019
In putting the finishing touches on this report describing events from 2019, we could not help thinking that 2019 seems like a long time ago. Classroom instruction at the NJC, like virtually all colleges and schools, remains on hold because of the COVID-19 public health emergency. Mass protests continue over police brutality and racial injustice. Political divisions within the United States, which many already consider to be the worst since the Civil War, only seem to deepen. In these troubled times, we are heartened by your continuing support of our institution and its mission: to make the world a more just place by educating and inspiring the judiciary. We hope you take encouragement and inspiration from what you read in these pages.

Our expanding Reading & Robes program is teaching disadvantaged children how justice is supposed to work and about their civic responsibilities.

An NJC alumnus helped make the world a safer place for children in Pennsylvania by helping expose cruel crimes. An alumna in Louisiana is helping young victims of human trafficking see a brighter future. In Colorado, NJC judges are leading a coaching program that promises a healthier, more sustainable and expert judiciary.

“The arc of the moral universe is long, but it bends toward justice.” An abolitionist minister spoke these words in 1871. In 1958, the Rev. Martin Luther King Jr. repeated them to a nation in which the promise of equality for all had still not been realized. We need to understand that the arc of the moral universe does not bend on its own; it takes sustained effort. Thank you for being arc benders with us.
Enrollment reaches 12-year high

The College’s nation-based course reached a 12-year high of 1,365 in 2019. Highlights of the year included reaching the maximum enrollment of 180 for the spring offering of the General Jurisdiction course for new and returning judges.

The College’s total enrollment for 2019— including special and innovative courses, grant-funded courses, and various custom and self-study courses, presented in-person and online—totalled 1,566.

NJC and ABA present roundtable on threats to democracy

The NJC, in collaboration with the ABA’s Standing Committee on the American Judicial System to present a judges’ roundtable discussion titled Uncovering the Court, held a roundtable discussion in Chicago in 2019.

The program took place at the ABA’s annual meeting in San Francisco and featured on an all-line-up of four Supreme Court Justices (three of them presiding) and three U.S. Circuit Justices, including Judge Robert (Robbie) Skelton of the Western District of Washington. The program was hosted by Judge President. The program included a roundtable discussion titled “The panelists agreed that judges have a responsibility to speak out against efforts to undermine public confidence in the independent and impartial administration of justice.”

Two leading women in the legal community nationally delivered Jackson Lectures to more than 75 federal and state adjudicators at the District Federal Building. The College has honored more than 100 professional judges at the Bar Association’s annual Summit open to all state and federal judges and lawyers who practice appellate law.

NJC Science Bench Book endorsed by Justice Breyer

In the introduction, Supreme Court Justice Stephen Breyer endorses the book as a “helpful and necessary tool for state court judges. (The book imagery at right is for illustration purposes only; the text is only available in digital form.)”

The new NJC Science Bench Book provides advice on how to improve one’s chances of being elected or appointed to the bench. It was an eye-opening and powerful moment in my life… I think of it as the core of my work as a judge. The NJC book is the best I know but the core of the book is the thinking that went into it. The book is a must-read for anyone interested in improving their chances of being elected or appointed to the bench.

The College’s inaugural Teaching in France’s wine country program included 48 experienced attorneys from 16 states. The 2109 program is the first of its kind and was presented in a unique setting, including a wine vineyard, a castle, and a hotel. The program was hosted by the Independence of the Judiciary and included a panel of three state supreme court chief justices who shared sage advice such as, “You’re not really a trial judge until you’ve been nominated.”

The program included a visit to the home (pictured) of the French judge and political philosopher Montesquieu, who articulated the concept of the separation of powers.

Educating judges from around the world

Every year from judges around the world learn at the College’s annual Summit open to all state and federal judges and lawyers who practice appellate law.

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African judge the first beneficiary of Flanagan Scholarship

The College honored a reception in honor of Sierra Leone Supreme Court Justice Ernestus Elmdutory Roberts, the inaugural recipient of the Hon. Patrick Flanagan International Judicial Scholarship.

Justice Roberts (pictured with Judge Flanagan’s widow, Caroline Flanagan) said the scholarship to attend the College’s faculty development workshop. At the reception he thanked supporters of the Flanagan endeavor for the opportunity to study at the College. He also frequently donates efforts to ensuring access to court in Sierra Leone and how he plans to use the skills learned at the College to help improve his country’s judiciary.

Hyo Jan Morris (Ret.) joined the College as director of the National Tribal Judicial Center. She is a faculty member of the College and served as chief judge of the district court in Reno. She quit her job as director of the National Tribal Judicial Center because Morris is a tribal court professional for more than 30 years, including 20 years at the Tribal Court and 15 years at the NC Faculty.

Two faculty share College’s highest teaching honor

For the second year in a row, the College’s highest teaching honor, the Robert Patrick Flanagan Award, went to a pair of faculty members. Two faculty members, Caroline and Hyo Jan Morris, were honored as the NJC employee of the year.

Two members of the College’s faculty were honored as the NJC employee of the year.

The President of the College, Aldana, presents the Flanagan International Judicial Scholarship.

The College presented the Eileen Krug Activist, the “traveling trophy” for the award-winning Moore International Judicial Scholarship.

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THE NATIONAL JUDICIAL COLLEGE
An expert in organizational communication, he taught in the first class for the NJC—four of them, actually—in 1974. That was just 11 years after the founding of the College. He went on to serve as an instructor in more than 350 courses, including at least one section of General Jurisdiction every year. He estimates that he taught about 300 NJC course participants per year. Over 46 years, that would add up to 14,100 judges, not accounting for those who had him for more than one course.

In addition to GenJur, he regularly taught in Special Court Jurisdiction (basic and advanced), Decision Making, Administrative Law: Fair Hearing and Leadership for Judges.

One of his favorite NJC memories is from the early 1970s when Supreme Court Chief Justice Warren Burger came to the College to deliver the Justice Jackson Lecture. After the lecture, Burger was in a hurry to catch his flight back to Washington, D.C., and NJC Dean Ernst John Watts volunteered to drive him to the Reno airport. Zimmerman says he watched with interest as the dean peeled out of the parking lot in his large red-and-white Buick, tires screeching — only to be pulled over by campus police.

“How I wish I could have been a fly on the wall and heard the dean tell the cop that he had the chief justice of the United States in his car,” Zimmerman says. His teaching contributions typically consisted of a three-hour presentation on how judges could communicate more effectively in a courtroom setting. In early years he would videotape judges conducting mock proceedings, such as arraignments, then go over the recordings and offer suggestions for improvement. His primary occupation was serving as a professor in the University of Nevada, Reno Department of Communication. He served as chair of the department for 12 years and took early retirement in 2009.

“Teaching judges was ‘a lot more fun’ than teaching college students because the judges actually wanted to be in class and were committed to getting better,” Zimmerman says. He fondly recalls being part of a trip to Moscow and St. Petersburg in 1995. He was part of a group of five NJC faculty, led by President Robert Payant, who traveled to Russia to teach judges in the country’s new High Commercial Court.

In addition to his lessons on courtroom communication, Zimmerman often led faculty development workshops throughout the country. Typically the goal of such courses is to teach someone how to teach others. The common term is “train the trainer.” Such is Zimmerman’s fame that in judicial education circles, completing a train-the-trainer course is referred to by some as “getting Zimmeritized,” says John Meeks, vice president of the Institute for Court Management at the National Center for State Courts.

During his career, Zimmerman taught lawyers and judges in 47 states (all but Maine, Delaware and Alaska) and seven Canadian provinces, he says. “It seemed that when you taught at the College, every judicial organization in North America would hear about you.” It’s one of the reasons he calls the opportunity to teach for the NJC “the most important event in my professional life.”

NJC Distinguished Professor Ron Hofer, who has taught for the NJC for 27 years, met Zimmerman in Wisconsin in the early 1990s when the Wisconsin Judicial College invited Zimmerman to sharpen its faculty’s teaching skills.

“Sharpen he did! Most of us tended to have only one teaching style—droning through prepared lectures until the bell rang. But Gordie would have none of that,” says Hofer.

Zimmerman taught the faculty how to get discussions going through small-group work and other interactive techniques.

“Now that we’re nearing the teaching finish line, we still agree with those numbers,” he says. “It’s just that we had the labels reversed.”

Professor Zimmerman’s teaching in the Faculty Development Workshop was supported by grants from several organizations, most recently the William Ranconio Hearst Foundation. The State of Nevada provided financial support for many other courses in which he taught.
In spring of 2019, the College’s then grant writer, Susan Robinson, and Chief Financial Officer Patrick Grimes were trying to think of ways that the NJC could contribute to the ABA Judicial Division’s annual Judicial Outreach Week. Held each year in early March, the week (actually 10 days) aims to raise awareness of the importance of the courts in upholding the rule of law in the United States. Over the years, the pair had often heard judges bemoan the demise of civics education in schools. Robinson and Grimes started thinking about ways judges could teach children about the justice system and the work of judges.

The result was Reading & Robes, a program in which judges, wearing their robes, not only explain what they do but share their love of reading. With younger children, the sessions usually include reading aloud from culturally diverse books with themes of justice, fairness and the law.

The program debuted in the NJC’s Model Courtroom in March 2019, and that remains the principal venue. But Reading & Robes programs have since been introduced to courts in Las Vegas and rural Nevada. Judges from six other states – Alabama, North Carolina, New Mexico, Iowa, Hawai’i and Ohio – also have launched programs or expressed interest in doing so. Children from third grade to high school participate in Reading & Robes, either through their school or a community organization such as the Boys & Girls Clubs. Most of the children are racial or ethnic minorities and come from disadvantaged backgrounds. Reading & Robes has been featured multiple times on local TV news and was highlighted in the Judicial Division’s summary of Judicial Outreach Week activities.

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expected the program to surpass 1,000 total participants by the summer of 2020. So far Reading & Robes has relied on three autobiographical children’s books by Supreme Court Justice Sonia Sotomayor, who is of Puerto Rican ancestry and grew up in housing projects in the Bronx.

“Turning Pages: My Life Story” is a picture book for younger children. “The Beloved World of Sonia Sotomayor” is a longer book for older readers. “Just Ask: Be Different, Be Brave, Be You” explains about Type 1 diabetes, which Sotomayor began dealing with as a child.

Thanks to grant support from the William N. Pennington Foundation, the NV Energy Foundation and the Robert Z. Hawkins Foundation, the children receive autographed copies of the books. But that’s not all. They also are treated to lunch and given NJC logo gifts, including a backpack, gavel-shaped pencils, and a plush eagle toy. They also receive a pocket-size Constitution.

In 2020, a donor who wishes to remain anonymous began providing the Reading & Robes participants with laptop computers they can keep.

Alexa Perez, a student at the enCompass Academy charter high school in Reno, Nevada, wrote to thank Justice Sotomayor for sharing her life story. “It made a huge impact on me,” she wrote, “because you brought yourself all the way to the top and you were a Latina, too. You inspire me to do better as a young Latina to help bring up my potential in the future.”

She also thanked her Reading & Robes host, Reno District Court Senior Judge Frances M. Doherty, who, in turn, wrote to Sotomayor to make the Supreme Court justice aware of the impact the program is having.

“The experience was exhilarating,” Doherty explained, “because your story is, in many ways, their story, except your story gives them hope and optimism for their futures.”

Reading & Robes has received grant support from the William N. Pennington Foundation, the NV Energy Foundation and the Robert Z. Hawkins Foundation.
In the middle of the COVID-19 crisis, when most courts were closed or had severely curtailed their operations, some judges began anxiously wondering about what their courthouses would be like when they reopened. How would juries operate, given social distancing requirements? How would staff keep a safe distance from the parties to a case? How would judges keep from bringing the virus home to their families?

“We’re the leaders in the courthouse, and a lot of judges were stressed-out thinking about those decisions,” recalls Susan Fisch, a retired judge from Jefferson County, Colorado. “I had one say to me, ‘This isn’t what I signed up to be as a judge.’”

Lucky for Colorado judges, some already had trusted advisers they could turn to for advice and emotional support. The Colorado Judicial Peer to Peer Coaching program began in 2019 and by 2020 had grown to 25 pairs of coaches and “coachees.” Judges from all levels of the state’s court system participate, from magistrates to Supreme Court justices.

The program originated in an NJC course Fisch attended in 2017, Building Capacity: Peer to Peer Coaching Skills for Judges, led by Jan C. Bouch, an NJC faculty member, Professional Certified Coach and owner of the Justice Coaching Center. The course was entirely funded by the State Justice Institute.

It was then developed through participation in the College’s Faculty Development Workshop and the Colorado Institute for Faculty Excellence in Judicial Education by two other Colorado judges: Nancy J. Lichtenstein, now a retired state court of appeals judge, and Gilbert M. Roman, deputy chief judge of the Colorado Court of Appeals. Fisch now serves as the coaching program’s coordinator. Lichtenstein is deputy program coordinator. Roman is a member of the executive committee.

Colorado is one of only a handful of jurisdictions with a judicial coaching program. Others are Massachusetts, Idaho, Minnesota and the District of Columbia. In most of these jurisdictions, the program is mandatory. In Colorado, it’s voluntary. Discussions are confidential, and nothing is tied to performance reviews.

In Colorado’s program, both parties must have at least two years of experience on the bench. Several coaches are retired judges.

The coaching program is different from the typical mentorship program in which a new judge learns the ropes from an experienced counterpart. Fisch says discussions between coaches and coachees often focus on the mental and emotional strains of judging: feelings of isolation, secondary trauma, decision fatigue.

“There are a lot of burnout issues,” Fisch says. “They’re overworked and this is a highly stressful job. There’s also the isolation of being a judge. Who else can they talk to about the issues they’re dealing with in a case? Only another judge.”

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—Susan Fisch, retired judge and coaching program coordinator

COACHING COLORADO’S JUDGES TO BE THEIR BEST

Judges Fisch, Lichtenstein and Roman attended the NJC with scholarship support from the William Randolph Hearst Foundation and the State Justice Institute.

Roman says another goal of the program is to promote peak performance. He mentions a TED talk by surgeons Atul Gawande. In his talk, Gawande recalls noticing that his knowledge and abilities showed steady improvement early in his career. Then he hit a plateau.

“I thought, ‘Is this as good as I’m going to get?’” he decided to ask a professor he studied with in medical school to sit in on one of his operations. After observing what Gawande thought had been a perfect operation, the professor had plenty of suggestions for improvement.

The creators of Colorado’s program hope coaching will have a similar effect on the judicial technique and the well-being of their state’s 425 judicial officers.

“There are a lot of burnout issues. They’re overworked and this is a highly stressful job.”

—Susan Fisch, retired judge and coaching program coordinator
We, the members of the grand jury, need you to hear this,” states the introduction of a Pennsylvania grand jury’s 2018 investigative report on child sex abuse in the Catholic church. The document accused more than 300 priests and church officials of molesting or raping more than a thousand boys and girls. Jurors found evidence of criminal sexual acts committed against children as far back as 1947. One priest impregnated a 17-year-old girl. Another admitted to sexually assaulting at least a dozen boys.

NJC alumnus and faculty member Norman Krumenacker III, a judge in Cambria County in west-central Pennsylvania, supervised a grand jury’s investigation of the offenses for two years. He says the resulting 884-page report may be the most comprehensive accounting ever of priests and child sex abuse in the United States.

The grand jury met for 25 sessions, reviewed a half-million internal diocesan documents, and exposed a massive coverup that included bishops shuffling offending priests to other dioceses and ordering information about the most frequent predator priests to be kept from the community.

The United States Conference of Catholic Bishops called the offenses “a moral catastrophe for the church.”

“W

The Pennsylvania Grand Jury Act had not provided for reports, the public would have never known the truth.”

—Pennsylvania Assistant Chief Deputy Attorney General Dan Dye

The Pennsylvania Attorney General’s Office released the report, with some information redacted to protect the identities of those accused, in 2018.

Krumenacker says he knew the case would attract intense media scrutiny and he felt better prepared because of a course he had taken with the NJC in 2008, Essential Court Teamwork in Dealing with the Media. He says the course taught him how to manage a case with national implications while also building trust with a grand jury.

Pennsylvania Assistant Chief Deputy Attorney General Dan Dye, who prosecuted the case, says the supervising judge’s role with a grand jury is to ensure that the jury’s investigative powers are used ethically. “I viewed him as an advantage in the process,” Dye says, “another layer to ensure we did it right.”

During the investigation, church officials argued that they weren’t being given due process and that the grand jury proceedings and press coverage had stained their reputations. The Pennsylvania Supreme Court ruled that a redacted report would be released, temporarily concealing the identities of 11 accused priests. But the 23 grand jurors Krumenacker supervised voted unanimously to release a final report with specifics about the people and offenses.

“If the Pennsylvania Grand Jury Act had not provided for reports, the public would have never known the truth,” Dye says.

Ultimately three superiors from the Franciscan Friars were successfully prosecuted. Two priests accused of molesting children were convicted and remain in state prison. The deaths of other accused offenders and the state statute of limitations prevented additional prosecutions.

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Legally, anyone under age 18 who is involved in the sex industry is considered a victim of human trafficking because they cannot legally consent to sex.

Laurie McGehee, chief probation officer for the Juvenile Court for Caddo Parish, Louisiana, home of Shreveport, tells a story about a girl who was 11.

“The circumstances were common, she says. The youngster hadn’t seen her father since her parents split up when she was 6. Her mother tried to be a good single parent, but the girl fell in with a group of older girls who pulled her into their relationship with a trafficker or pimp.

McGehee says traffickers know how to identify vulnerable girls and boys, lure them into the life, groom them, and then keep them in the life. “If they’re smart, they’re clever. If they were legitimate businessmen, they would be millionaires.”

The chief probation officer began working with the 11-year-old after the girl was arrested for a minor offense and the sex-trade aspect of her life came to light. The court gave permission to remove her from her home to a safer environment—only to see her relapse and go back to the trafficker.

The turning point came after the girl entered the parish’s STAR Court program.

Launched in March 2019 by McGehee and NJC alumna and Caddo Parish Juvenile Court Judge Ree Casey-Jones, the program aims to help juveniles adjudicated of delinquency who are identified as victims of human trafficking.

Participants can have their sentences reduced or dismissed entirely by completing a program of education and assistance focused on hygiene, self-esteem awareness, parenting (for teen mothers) and help in attaining a high-school equivalency degree. STAR stands for Succeeding Through Achievement & Resiliency.

HELPING RESCUE GIRLS FROM THE SEX TRADE

Judge Ree Casey-Jones attended the NJC with scholarship support from the W.K. Kellogg Foundation and the State Justice Institute.

The program in Caddo Parish is modeled after a STAR Court in Compton, California, and is the first of its kind in Louisiana. Casey-Jones says the judge was inspired to lead the initiative after participating in the NJC’s Leadership for Judges course in 2018.

As of spring 2020, there are 14 girls enrolled in the program, ages 10 to 18, and two graduates. The judge recalls seeing the grads at their jobs. One works at McDonald’s, the other at Target.

“The one at Target saw me and said, ‘That’s my judge!’ They both looked good. It was like night and day … they looked like young ladies. It was a good feeling,” she says.

McGehee says STAR Court participants sometimes receive rewards for accomplishments, such as a trip to a show at Shreveport’s historic Strand Theatre. The experiences introduce the girls to a world beyond what they’ve known, she says, and they often decide they want something better out of life.

“That’s what happened with the relapsed 11-year-old. McGehee says the girl, now 14, is healthy and happy. She recently joined her school’s flag line.

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—Laurie McGehee, chief probation officer for the Juvenile Court for Caddo Parish, Louisiana.
The State of Nevada appropriated $500,000 in unrestricted support for the College over the next two years. That was double the previous appropriation.

The National Judicial College $100,000 to develop a reimagined COURSE AND SYMPOSIUM ON THE NATIONAL JUDICIAL COLLEGE ANNUAL REPORT TO STAKEHOLDERS, 2019

"I became friends with fantastic people from around the country and learned that, although we come from strikingly different backgrounds, we share many of the same struggles and challenges." - Hon. G. Michael Witte (Ret.)
Here’s how to make a gift that will benefit you now and support NJC course development in a specific area of Certificate of Deposit or Other Security Charitable Lead Trusts Place cash or property in a trust income for life or a term of years. The remainder will be Place cash or property Charitable Remainder Trusts or part of your IRA and your gift will pass tax free. Retirement Plans You may be able to reduce your estate tax base by the full amount of the gift. Life Income Gifts Name the NJC as a beneficiary for the whole or part of your retirement plan. Charitable Remainder Trusts or part of your IRA and your gift will pass tax free. Charitable Remainders Place cash or property in a trust to provide you with income for a term of years. The remainder will be distributed to the NJC. Charitable Remainder Trusts Place cash or property in a trust that pays a fixed amount to the NJC for a term of years. Upon the completion of the term, the assets transfer to the NJC. Certificate of Deposit or Other Security If there are judicial course you care about, we can help you have a positive impact by making a planned gift to course development in a specific area of the law. Choose from Administrative Law, Appellate Law, General Jurisdiction, Military, Special Court or Tribal.
The NJC also receives grants from the State Justice Institute, a nonprofit organization established by federal law in 1984 to award grants to improve the quality of justice in state courts, and to foster innovative, efficient solutions to common issues faced by all courts.

The NJC partnered with the U.S. Department of Transportation’s National Highway Traffic Safety Administration and the Center for Court Innovation, to provide traffic safety education to judges.

The NJC also serves as a sub-recipient on two U.S. Department of Health & Human Services, Substance Abuse and Mental Health Services Administration cooperative agreements awarded by the Justice, Bureau of Justice Assistance. The NJC serves as a sub-recipient on U.S. Department of Justice, Bureau of Justice Assistance.

The Office of Justice Programs at the U.S. Department of Justice, Bureau of Justice Assistance awarded a $250,000 tribal grant to provide training and technical assistance to Native American tribal courts. The NJC and our partners, the Tribal Justice Institute and the Tribal Justice Institute at the University of North Dakota School of Law, will maintain aζ training and technical assistance to tribal justice systems.

The College also received a subrecipient grant for $55,000 from the Bureau of Justice Assistance through grant 2018-DOJ-BJA-0574. The grant will help the NJC provide training and technical assistance to Native American tribal courts.

Animal law is a fast-growing field. In 2000, only about 25 law schools offered a course on animal law. Today, more than 160 do, and judges are seeing increasing numbers of cases involving animal rights, welfare, and animal behavior during a pandemic.

The programs examined topics such as how to craft a regulation to prevent animal cruelty, domestic violence, and animal abuse during a pandemic. The Animal Law Justice Fund.

Managing a Jury Trial

The content was both relevant and helpful, the faculty were excellent, and the venue was perfect. I enjoyed as well meeting judges from all over the country.

The College also received a subrecipient grant for $50,000 from the Bureau of Justice Assistance through grant 2019-DOJ-BJA-0576. The grant will help the NJC provide training and technical assistance to Native American tribal courts.
That’s the actual bus on which Rosa Parks refused to give up her seat to a white passenger in 1955 in defiance of segregation laws. Participants in the NJC’s When Justice Fails course got to ride in it. See page 2.

The gentlemen in the dark clothing and beards are judges from Saudi Arabia. President Aldana (second row, center) hosted a gathering for them at his home during their visit to Reno.

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A young participant in the College’s Reading & Robes program (page 6) is interviewed by a local TV station.

Three NJC presidents: President Aldana is flanked by his predecessor, Chad Schmucker (right) and President Schmucker’s predecessor, Bill Dressel, at a going-away party for Chad just before he moved back to Michigan to be closer to family.

President Aldana, right, with the leadership of the National Trial Academy, is seeking the NJC’s trademark T-shirt in the NJC’s Model Courtroom, the mock trial competition sponsored by the ABA’s Tort Trial & Insurance Practice Section and the American Board of Trial Advocates.

President Aldana with NJC Trustee Richard Bryan in front of his former residence, the Nevada Governor’s Mansion in Carson City. Bryan was governor from 1983 to 1989 and then a two-term U.S. senator. After leaving office, he hosted a reception (see selfie, opposite page) for the Trustees at the Governor’s Mansion.

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The NJC’s challenge coin, a military tradition President Aldana brought with him from the Coast Guard, honors individuals and special achievements.