

COUNTERBALANCE

NATIONAL ASSOCIATION OF WOMEN JUDGES



MISSION

NAWJ's mission is to promote the judicial role of protecting the rights of individuals under the rule of law through strong, committed, diverse judicial leadership; fairness and equality in the courts; and equal access to justice.

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COUNTERBALANCE is published by:
National Association of Women Judges

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Front Cover: Photo montage created by Joey P. Manlapaz, MFA, contemporary realist painter and educator, Corcoran School of the Arts & Design at George Washington University. www.joeymanlapaz.com

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President's Message



“2020 has been a year like never before. I would like to acknowledge and thank Judge Bernadette D'Souza for leading us through this difficult year with such determination and grace.”

I am deeply moved by your trust and confidence in selecting me as president of this amazing organization. I am thankful for the leadership of all of our past presidents and the strong foundation they created for NAWJ. I stand on the shoulders of those that have come before me and I want to express my deep appreciation for these incredible women. I also want to give special thanks to all who have encouraged me and offered support as I take on this role. You can be sure that I will take you up on those offers.

2020 has been a year like never before. I would like to acknowledge and thank Judge Bernadette D'Souza for leading us through this difficult year with such determination and grace.

Of course, we are still in the midst of a pandemic which has devastated so many families and caused businesses and organizations to shutter. It has changed the way each of us conducts hearings, imposes sentences and issues rulings. It has changed forever many long-standing practices, has further highlighted the inequities that women, people of color and people of limited means experience. It has also, of course, prevented us from coming together in person. At the same time, the pandemic has forced courts and other tribunals to rapidly adjust and has caused NAWJ to become nimbler in offering educational opportunities and new ways of connecting with our members across our districts and across the country.

2020 also firmly brought home the need to finally address systemic racism in our law and justice system. With this backdrop, I have chosen the theme of “Advancing Justice Like Never Before” for the next year. This is in recognition of the need for courts and other justice providers to pivot in a way that will ensure that we continue to provide access to justice and protect vulnerable populations. It also acknowledges that we have much more work to be done to make our justice system free of bias for everyone. It is incumbent upon NAWJ, as the leading voice of women in the judiciary, to help Americans believe in, and to fulfill, the judiciary's promises of independence, fairness and equal justice. We need to be at the forefront of advancing justice in new ways.

I am looking forward to working with an amazing group of fellow board members. We have our work cut out for us, but by working together I am confident that we will be able to accomplish a lot.

Most of my goals for the coming year will center on implementing the five-year plan adopted during Judge Tamila Ipema's term as president. First and foremost, we

must focus on the sustainability of the organization. Under Judge D'Souza's leadership, we've begun what will become a full-fledged capital campaign. Thanks to those of you who have already generously contributed. More information about fundraising efforts will be forthcoming in the next few months.

Other goals I have set for 2020-21 are to increase our membership, especially among younger and diverse women and to raise the profile of NAWJ through new partnerships and opportunities. All women judges and judicial officers should want to join this group. We also need to ensure that the work of NAWJ reaches a wider audience. With this in mind, the board has approved my request for a new Membership and Marketing Liaison who will help us accomplish Justice Ginsburg's famous advice “fight for the things you care about, but do it in a way that will lead others to join you.”

I also plan to revise the committee structure to ensure that all of our committees are dynamic and meaningful. Committee involvement is the best way to join and grow our unique community and is absolutely necessary to accomplish our mutual goals and to meet the ideals that NAWJ stands for: the importance of judicial diversity, inclusiveness and equal access for all. If you haven't already indicated your committee preferences, please email your choices to operations@nawj.org or to me directly at karen.donohue@kingcounty.gov.

I will additionally work with the bylaws committee to update the current bylaws, and we will continue to update our website and publications with resources of benefit to our members while continuing to offer cutting edge educational opportunities.

While these are some of my goals for the coming year, this is our - your - organization. It is my desire to be as inclusive as possible and to grow and strengthen the organization to the fullest extent possible. If any of you have ideas that you wish to share with me please do not hesitate to email or call me at any time. I welcome all suggestions and conversations.

Again, thank you for your trust in me as I take on this role. I am truly humbled by the opportunity and the responsibility of following in the footsteps of our remarkable past presidents. I have made so many enduring connections and friendships through my NAWJ membership. I have learned from my sisters-in-law and grown professionally as a result. This organization has given so much to me. I'm thrilled to have the opportunity to give back and I look forward to next October when we can travel to Nashville and once again meet in person.

Honorable Karen Matson Donohue

Vice President of Publications Message

What a year of unprecedented challenges! I am so very grateful to you, all our members, and to our editorial team, for making my time as Vice President for Publications such a successful adventure. Our Spring issue of Counterbalance was produced under the impact of the COVID pandemic, and we could not have done so without the focus and intensity of all who contributed. The Fall issue of Counterbalance presents some of the successes NAWJ has experienced as we are compelled to explore new paths and tools for communicating and working with our colleagues and litigants, as well as to begin to open the doors of our courtrooms to the public safely and fairly. I think you will be delighted and amazed to discover what some of us have done to fulfill our missions on the job.



“ I think you will be delighted and amazed to discover what some of us have done to fulfill our missions on the job.”

The passing of our NAWJ member, Justice Ruth Bader Ginsburg, in the same year of the 100th Anniversary of the 19th Amendment, in an election year marked by violence and civic discord, brings special focus to gender and minority equality. Several articles in Counterbalance and the Special Tribute to RGB affirm our dedication to the mission of NAWJ.

We have found ways to streamline the Counterbalance production process toward our efforts to make Counterbalance one of the driving engines for NAWJ to enhance and advance its communication and educational goals. I am eager to assist the incoming

Vice President for Publications, U.S. Immigration Judge Mimi Tsankov, toward making Counterbalance an energizing force for new and potential members as we continue to seek the contributions of law students, lawyers, academicians, District, Committee, and Resource Board members. Our members are truly exceptional and our outreach for new members will be essential for our sustainability.

As we necessarily remain physically distant from each other and from our communities, we must continue to educate ourselves in new communication and educational technologies as we identify issues, resources to address them, and the resources to promote a justice system accessible to all. Both now and after we are back to “normal,” we will be able to leverage what we have learned under stress to enhance communication among ourselves individually and among our NAWJ organizational units. The sustainability of NAWJ and its ability to meet its goals depends on both our willingness and our efforts to work together as members of an association and as ambassadors to judges, lawyers, academicians, law students, and the public. These last several months have shown we’ve got the right stuff to thrive. Now let’s

Honorable Heidi M. Pasichow
Judge Superior Court of the District of Columbia
Vice President of Publications NAWJ

Interim Executive Director Message

I returned as your Interim Executive Director just as the national office was closing due to the COVID 19 pandemic. Little did any of us imagine that six months later we still would be physically closed. Fortunately, due to your investment in moving to a cloud-based IT network, we have been able to operate and serve the NAWJ membership without interruption. While this has been a year of disruptions for NAWJ, our members are more committed than ever to carry out our mission and to continue bringing relevant content to the judiciary and beyond.



NAWJ members have always enjoyed getting together and building enriching relationships. We all were disappointed not to have been able to meet in person for the annual conference, but for several months, I have watched you in your Zoom “boxes” finding new ways to connect. Online district gatherings provide

opportunities for many more members to participate and engage. District Directors now “see” each other monthly and share innovative ways they are reaching out to members and their communities. The first online Mentor Jet program was held last month. This very successful program can now be replicated across the country. Thanks to a generous grant from the State Justice Institute, we also have been able to develop resources to host monthly webinars and podcasts.

I look forward to seeing the creative ways we will continue to adapt and thrive in the coming year.

Laurie Denham
Laurie Denham, CAE
Interim Executive Director

Members Stay Connected!



NAWJ

42nd Annual Conference

fellow committee members, District Directors, and attend the Annual Membership Meeting to elect the 2020-2021 NAWJ Officers.

One highlight, Elaine Weiss’ recounting of the women’s suffrage rights and the 19th Amendment, as detailed in her book *The Woman’s Hour: The Great Fight to Win the Vote*, presented a stark reminder of how the Constitution can be made to reflect modern life and “change with the times.” The suffrage movement is a story about the limitations of our original Constitution as it was written, excluding women, but also a story of how the Constitution is a living document, and that lesson resonates for today. The 19th Amendment was the largest extension of the franchise in history. The movement highlights how change can come about, and how it can be undermined. What does democracy mean? Who gets to participate in our government? Who has a voice? Like Reconstruction, the implementation of the Amendment was undermined, and its enforcement abandoned. In conversation with Nashville Conference Chair, Judge Barbara Holmes, Ms. Weiss recounted the similarities between the abuse towards protestors she saw during the summer (2020), and that of the campaigning suffragettes at the beginning of the 20th century. And, then like now, voting rights were challenged and under threat. Judge Holmes highlighted the emotional, mental and physical strength of the suffragettes who encountered unconscionable abuse, as many do when they challenge prevailing traditions that upturn existing power balances.



Erwin Chemerinsky

California, known around the country for his U.S. Supreme Court Updates, shared Ms. Weiss’ alert that the public follow how we uphold voting rights, and consider how the Court could play a part in upholding or upending those rights. He began his talk with observations from last term. The Supreme Court decided the fewest cases (53) since 1862, early in the Civil War. The Court cancelled oral arguments for two months; the last time the Court did such was October 1919 during the Spanish Flu. This year the Court held oral arguments by telephone, and audio broadcasts are live. Regarding jurisprudence, Chief Justice John Roberts voted in the majority 97% of the cases; he dissented twice. According to Dean Chemerinsky, the term defied easy ideological characterizations. One example is the case *Bostock v Clayton County, GA*. In a 6-3 decision, the Court held that Title VII of the Civil Rights Act prohibits discrimination based on sexual orientation or gender identity. This is important because only about half of states have laws that prevent employment discrimination; now the prohibition is national.

On abortion, Chief Justice Roberts repudiated the 5th U.S. Circuit Court of Appeals, which not only disregarded the Supreme Court’s earlier decision in the Texas case, but disregarded the factual findings of the District Court judge in the Louisiana case. According to Dean Chemerinsky, this suggests a display of institutionalism when he ruled precedent should be upheld. Dean Chemerinsky suggests similarly on DACA - Department of Homeland Security v University of California, where the Court upheld DACA 5-4.

The global pandemic prevented NAWJ members from meeting in person. Past President Bernadette D’Souza was determined members stay connected.

She worked with staff to bring together members, colleagues, and friends online to discuss relevant topics, conduct member business and recognize achievements during the Annual Awards presentation.



Past President Bernadette D’Souza

Attendees heard from Elaine Weiss on the 19th Amendment and they heard the latest updates on the Supreme Court decisions



Elaine Weiss

from Dean Erwin Chemerinsky. The final session was a series of breakout rooms by topic including Racial Bias, COVID in the Civil Courts and Criminal Courts, the Judicial Leadership Pipeline, and the 19th Amendment.

From Thursday, October 15 to Friday, October 16, 2020 members followed their Zoom links to meet with



Judge Barbara Holmes

Erwin Chemerinsky, now Dean of Berkeley Law in

There are open questions as to the Court's direction, especially with newly appointed Justice Amy Coney Barrett taking the seat of the late Justice Ginsberg. Does the establishment clause apply to state and local governments? There could be six justices who could rule there is no separation between church and state, or religious exceptions. The public could turn from considering what the government **may** give religious institutions to what the government **must** give religious institutions. Conservatives may have five votes to overrule Roe v Wade. It is possible women in need of abortions may have to travel to other states where it is legal. There may be five votes to overrule prohibitions against states disallowing same sex marriages. Considering her age, Justice Barrett could be on the Court for several decades. Those interested in more progressive causes, Civil rights lawyers and plaintiff lawyers, could turn to state courts and state constitutions, and to the political process.

On Friday, October 16 Chief Judge Anna Blackburne-Rigsby swore-in the Honorable Karen Matson Donohue, Judge for the King County Superior Court in Seattle, Washington, as President of NAWJ. Judge Donohue noted her goals will be centered on implementing the five-year strategic plan adopted in 2019 focusing on the sustainability of the organization. She shared her theme of "Advancing Justice Like Never Before" and concluded her remarks inviting all members to express their ideas to ensure inclusivity within NAWJ.

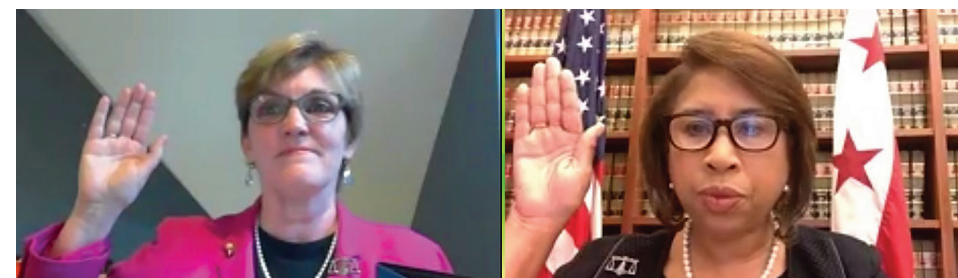
International Federation for Peace and Sustainable Development Brings NAWJ 'A Day at the United Nations'

The NAWJ 42nd Annual Conference included a one-day program with International Federation of Peace and Sustainable Development (IFPSD). Mrs. Sally Kader, Founder and



Sally Kader

Chief Judge Anna Blackburne-Rigsby swears-in the Honorable Karen Matson Donohue as President of NAWJ.



President of the IFPSD hosted the day with her distinguished guests from nations around the world. Speakers included United Nations former and current ambassadors and peacekeeping officials sharing what work has been done to bring gender equality within the UN, and within the nation communities it serves. The afternoon included a presentation from Junie Joseph, an expert on transitional justice issues in South Africa, and a panel on Sexual Harassment in the Courts, with Judge Michelle Childs, Judge Toni Clarke, Dahlia Lithwick, Donna Melby, and moderated by Kelly Dermody. Organized by Mrs. Kader, co-chaired by Judge Bernadette D'Souza and Col. Linda Strite Murnane, Co-Chair of NAWJ's Military and Veteran Judges Committee.



Judge Bernadette D'Souza



Col. Linda Strite Murnane

What the United Nations Has Done

Mrs. Kader applauded the UN Security Council for its August 2020 adoption of Resolution 2538 which strengthened the awareness of the importance of women in peacekeeping operations and set about a framework to track the UN's progress in realizing women's participation throughout all operations and leadership in peacekeeping. Senegal's Brigadier General El Hadji Babacar Faye, Chief of Staff at the United Nations Office of Military Affairs, appeared to remind attendees that on October 31, 2000 the UN attempted to address gender equality in access to justice in the adoption of UN Security Council Resolution 1325, whose Interagency Network on Women and Gender Equality established an Interagency Taskforce on Women, Peace and Security chaired by the Special Adviser on Gender Issues and Advancement of Women. Since then, he said,

123 countries have adopted the resolution's gender advancing principles as the UN seeks to find peace around the world. His countryman, Mr. Adama Dieng, UN Special Adviser on the Prevention of Genocide, remarked on the growth of women's participation in Missions being dependent on increasing women's participation in leadership roles in national governments, combating discrimination of women to and from particular occupations, and speaking out against bias against disfavored groups. Ambassador Elizabeth Flores Flake, Permanent Representative of Honduras to the United Nations, expressed horror that over 243 million women and girls 15 to 49 years old have experienced violence from an intimate partner within the last 12 months.

What More for the UN

Ambassador Elizabeth Flores Flake stated that while the UN raises awareness of such traumas, it has failed to stop corruption and abusive work environments within its own organization and in member states. What is needed are healing systems for victims and perpetrators to mitigate the impact and trauma, and more importantly to stop the cycles of abuse. The UN itself remains male dominated, and its culture does not respect and value women's voices and contributions as much as it does for men.

Ambassador Fatima K. Mohammed, Permanent Observer of the African Union to the United Nations, noted women have been instrumental in driving change without being in leadership. Women are responding to many of the crises facing our world. They are leading and trust-building at the community. They are disseminating information and good practices at the national level. And, they are championing advocacy to positively re-think our actions and responsibilities as we come together to respond to global challenges. The Development Goals outlined in Agenda 2030 and Agenda 2063 of the African Union can be reached by re-imagining women's and youth engagement in building transformed societies.

Both Lt. Col. Lausanne Ingabire, Chief and Director of Gender J9 (Civil-Military Relations), Rwanda Defense Force, and Major Seynabou Diouf, United Nations Peacekeeping Officer, UN Organization Mission in Democratic Republic of the Congo, recounted their on-the-ground implementation strategies to create working environments for women that not only increase their numbers in the peacekeeping corps, but also ensure flexibilities are available for women to meet their twin goals of professional and familial development.

Mrs. Kader summarized by pointing to accountability. Punishment for peacekeeping officers who violate,

abuse and transgress is not enforced, she reminded. The perpetrators' home country must step up to hold them accountable. Women victims are less likely to share their experience of abuse with men rather than women. It is important that more women are deployed throughout the peacekeeping force despite the challenges. Brigadier General El Hadji Babacar Fay answered that there are processes in place to keep abusive perpetrators out of the corps.

Col. Linda Strite Murnane (USAF, Ret), who last year spoke compellingly on her experience handling the power imbalance of a woman staffer who experienced workplace impropriety, introduced a former colleague, Ms. Junie Joseph, who was formerly a Human Rights Officer in the UN Mission to the Central African Republic. Ms. Joseph, who is now a law student in Boulder, Colorado and a City Councilmember, gave an account of her work life experiences while a part of the UN's mission in the Central African Republic. Her account echoed that of Lt. Col. Ingabire and Major Diouf. They agreed on hurdles confronting women from housing to too few networks. Many times, she was "the only woman in the room." Workplace safety was a particular burden. Ms. Joseph noted that personal safety should not be socially bargained. Her mission experienced 13-armed groups, gender-based violence, indiscriminate looting and beating, internally displaced people reliant on UN aid, particularly women and children, as states are weak and lack resources.

In the United States

Economic advancement does not necessarily ensure a safe working environment for women. During an engaging panel, "Challenges in the U.S. Court Systems and in the Practice of Law in the United States," judges and attorneys who work within US legal systems discussed advancements in removing harassment from the workplace in the wake of allegations of misconduct against former federal Ninth Circuit Judge Alex Kosinski, and other issues related to harassment in the practice of law. Moderated by Kelly Dermody, a partner at Lief Cabraser Heimann & Bernstein, LLP, and

NAWJ Resource Board member, the panel examined harassment on the Bench and the challenges that come with intercepting that abuse.

The Honorable J. Michelle Childs, District Court for the District of South Carolina and current ABA Judicial Division Council Chair, related that Chief Justice Roberts, in the 2017 Year-End Report on the Federal Judiciary, noted the need to undertake an evaluation of the Federal Judiciary's standard of conduct. Chief Justice Roberts specifically noted "the depth of the problem of sexual harassment in the workplace." The Chief Justice formed a working group dedicated to standards to protect employees. NAWJ's Hon. Margaret McKeown is a leading member of the working group. Similar working groups were created in Circuits around the country. One result of the federal working group has been the establishment of a federal Office of Judicial Integrity which serves as a confidential reporting resource, and response authority. She emphasized that trainings should expand to educate personnel on what is inappropriate conduct, and that judges should know their reporting duties.

The Honorable Toni E. Clarke, Circuit Court for Prince George's County, Maryland (Retired) and past chair of the ABA Judicial Division Council, reinforced the importance of training and responding to incidents and accusations of harassment and abuse. Mentoring processes for new judges should be instituted. She added, if an accused judge can correct their ways, courts may see benefits in handling allegations internally. In addition, there is healing value in courts sharing accountability measures with accusers; this helps accusers achieve closure. Judges are speaking out more because they have come to realize that other judge's behavior may reflect on the integrity of all judges on a bench.

Dahlia Lithwick, a journalist, author and former law clerk to the Ninth Circuit, has written about her experience with Chief Judge Alex Kosinsky and confirmed that sexual harassment and abuse are about power. She specifically focused on the effect that maintaining silence for fear of retribution or

retaliation has tremendous costs for the victim. Understanding that such abuse is about power over the other, delay in reporting is not uncommon. Shifting from the courts to campuses, Ms. Lithwick described a study of sexual assault on campus that revealed that it required four women about one event involving the same perpetrator or perpetrators before action was taken by school authorities. Victims may utilize newspapers and other avenues to expose the abuses when internal processes fail, such as those that she experiences in the court system itself. From judges one hears: "other chambers are like other families. I saw X and I saw Y and it is not my job to tell another judge how to run their chambers." There is a strong culture of each judge being responsible for what happens in their own chambers. Bystander training is crucial for educating judges about speaking to their colleagues to say, "that's not cool."

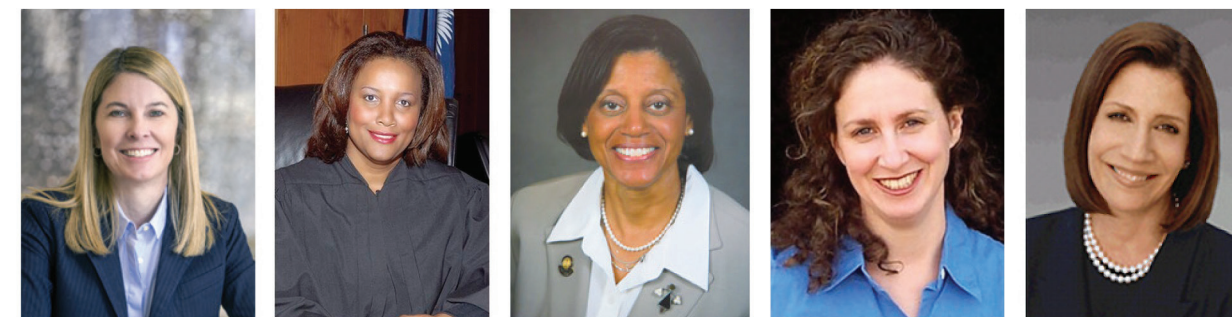
Judge Clarke mentioned that responding to charges, holding accusers accountable and communicating outcomes to accusers are all important to the internal integrity of the judiciary.

In the past, reporting inappropriate behavior in the courts would most likely get one fired, and most certainly in private practice, one would lose their job. Today, there is a cultural shift. It begins with the knowledge that people think about harassment differently.

More suggestions for the Bench followed. Judge Clarke suggested associations hold plenaries on identifying sexual harassment. Judges should take up roleplay exercises. Civics education is still important for K-12, and college. Ms. Dermody suggested that NAWJ could take the lead in exploring data collection regarding complaints, filed and action taken in response to complaints in creating more transparency in the process towards changing the status quo.

It was an engaging day for all who attended. By the day's end many found respite in the virtual tour of the United Nations and in the Argentina wine tasting!

L-R: Attorney Kelly Dermody, Judge J. Michelle Childs, Judge Toni T. Clarke, Journalist Dahlia Lithwick, Attorney Donna Melby





A VIRTUAL CELEBRATION OF THE CENTENNIAL OF THE 19TH ADMENTMENT

By Judge Elizabeth Allen White



COVID-19 caused disruption in all aspects of our lives, including plans to celebrate the Centennial of the 19th Amendment. NAWJ's 2020 National Conference, which was to

have been held in Nashville in October, was centered around the historic role Tennessee played as the last state to ratify the Amendment. Plans made by Women Lawyers of Los Angeles ("WLALA"), and the Los Angeles County Bar Association ("LACBA"), to celebrate the Centennial were similarly derailed.

The suffragettes would have found a way, just as they did 100 years ago to rally together in support of their cause. And so, in the spirit of the suffragettes, eight women banded together to honor the Centennial, albeit virtually, through the creation of a series of webinars focusing on women's achievements, all the while acknowledging the struggles faced by women of color since the Amendment's passage.

The creation of the series is a testament to the power of networking and collaboration. Jennifer Leland,

immediate past President of WLALA, knew that the LACBA was likewise planning a celebration, and so she reached out to Julie Gerchik, WLALA's liaison to LACBA's litigation section, and together the organizations teamed up and formed a committee. Soon, Ms. Leland, Ms. Gerchik, and I, along with Judge Samantha Jessner, Judge Amy Yerkey, Judge Nicole Bershon, Judge Serena Murillo, all Los Angeles NAWJ members, formed a committee of eight to mark the Centennial. Eight webinars resulted from our efforts, all of which will soon be available as podcasts on the websites of all three organizations.

By way of background, on August 18, 1920, the Tennessee legislature ratified the 19th Amendment, the last state to do so, providing the two thirds majority needed to grant women the right to vote. In practice, however, it ensured voting rights for primarily white, middle and upper class women. Women of color were largely not entitled to vote. Native Americans did not become citizens until 1924, and Jim Crow laws, coupled with a violent Ku Klux Klan, ensured that women of color could no more exercise their right to vote in 1920, than Black men could have after the passage of the

the importance of mentorship, and the role of Title IX in competitive sports for women. Senator Jackson says it's important to speak without fear, to amplify women's voices, and for women to support one another in positions of influence.

July 31, 2020 On the Field and Running the Show: A Conversation with Two Leaders in Sports and Entertainment

Charlotte Jones, Executive Vice President and Chief Brand Officer of the Dallas Cowboys Football Club, and Jana Winograde, President of Entertainment at Showtime Networks, Inc., spoke of their experiences

15th Amendment in 1870.

In 1848, sixty years after our Constitution was enacted, the first post-Constitution women's rights convention was held in Seneca Falls, which was attended by about 300 people, including abolitionists like Frederick Douglass.

In 1916, the suffragettes held their first Presidential Nominating Convention and Jeannette Pickering Rankin – R (Montana) was the first woman elected to congress.

The America of 2020 is very different from the America of 1920. The 19th Amendment has impacted our lives in countless ways, prompting women to participate in the federal and state legislative branches, federal and state judiciaries, and as state governors. Women now serve as CEO's and on the Board of Directors of major companies. We determined that we would interview women across the spectrum, to explore diversity and inclusion, the power women bring to elections, their experiences in traditionally male-dominated industries, and provide us with take-aways on how to gain a seat at the table.

in traditionally male-dominated industries, their leadership styles, how they work to ensure they are not the last women to hold their respective positions, and the importance of mentoring.

August 4, 2020 Women in the Board Room and Beyond

Three powerful women in the business world – Dr. Helene Gayle, President and CEO of The Chicago Community Trust; Monica Lozano, CEO of College Futures Foundation; and Sarah Zapp, Founder of Beyond Board – discuss navigating one of the biggest remaining bastions of male privilege, the business community; how each has achieved

success; how they deal with being one of the few women or only woman "in the room;" mentorship; strategies for starting out in the business world; and how to increase diversity in the business community.

August 11, 2020 Women Making Their Mark on the Capitol — Lessons from the Road

On the Centennial of the 19th Amendment, women comprise a little over 30% of the nation's state legislatures and just 25% of those are women of color, while women represent over half the nation's population. How can the promise of the 19th Amendment be fulfilled if women continue to be underrepresented in state government? Three women who are making their voices heard in the California legislature discuss their role: Controller Betty Yee and Assembly member Sydney Kamlager and Assembly member Eloise Reyes. The program is moderated by Valerie McGinty, Founder and President of Fund Her, a political action committee dedicated to reaching gender parity throughout our state's elected officials, and the Honorable Nicole Bershon, Los Angeles Superior Court Judge. The panelists explore the unique challenges female candidates of color face when running for office, and their efforts to make women's voices heard in Sacramento.

August 18, 2020 The 19th Amendment at the Intersection of Race and Gender

Paulette Brown – Senior Partner Chief Diversity & Inclusion Officer of Locke Lord. Ms. Brown is the first woman of color to have served as President of the American Bar Association in its 142-year history. See Paulette's article entitled *Missed Opportunities: Beyond the 19th Amendment* on page 13.

Patricia Guadalupe – bilingual multimedia journalist based in Washington, D.C., covering the capital for both English and Spanish-language media outlets.
Justice Marsha Slough – Associate Justice of the Court of Appeal for the State of California

This panel discussed the impact of the 19th Amendment on women and particularly women of color starting with placing the issue in the historical context of concurrent civil and human rights movements, from ratification of the U.S. Constitution through the present. By peeling back the layers of what it means to be a diverse woman in law, the media, and leadership, the panel explored how our shared history has shaped us, and propelled us forward by encouraging principles of inclusion, appreciation, and support.

August 20, 2020 Expanding Leadership for Women of Color in Politics

Glynda Carr, President, CEO and co-founder of Higher Heights for America.

California State Senator Holly Mitchell.

This panel acknowledged how the delay in obtaining voting rights affected Black women and women of color and the failure to meet their needs through public policy development in critical areas such as healthcare, housing rights, and pay equality. This year a record number of Black women and women of color are running for office, but they are still underrepresented in American democracy as elected officials. In order to bring more Black women and women of color into politics, we need to build a pipeline and to think creatively and differently about the path to political office. Also, women need to be mindful of our own conscious and unconscious biases toward ourselves and other women and create an environment that

encourages Black women and women of color to run for political office, by challenging the infrastructure to recognize the importance of recruiting Black women and women of color. Black women and women of color bring unique experiences and create innovative bills and legislation, and that diversity benefits all.

August 25, 2020 Voices from the Bench: An Examination of Diversity and Inclusion in the Courts

It has been said that diversity is like being invited to the party, but inclusion is being asked to dance. Honorable Karen L. Stevenson, Judge, United States District Court for the Central District of California; the Honorable Phyllis Frye, Associate Judge for the Municipal Courts in Houston, Texas; the Honorable Michelle Kim, Judge, Los Angeles Superior Court, and the Honorable Serena Murillo, Judge, Los Angeles Superior Court discuss their perspectives on the intersection of race and gender, and what impact the 19th Amendment has had on women serving as judges on state and federal courts, their participation in leadership and policy, and what work remains to be done in the future.

October 5, 2020 Interview with ABA President Patricia Refo

President Refo is the tenth woman President of the ABA. She addresses issues related to the disproportionate impact of neutral policies and legislation on women and the difficulties faced by lawyers during the pandemic. In an interview with Judge Elizabeth Allen White, NAWJ's Vice President of Districts, she talks about the efforts of the ABA's Commission on Women, the importance of mentoring and the need for law firms to implement policies that encourage women to succeed.

Takeaways from the webinars:

1. We all as individuals need a support network.
2. We all need assistance and encouragement in promoting one another.
3. We need to check our implicit biases, too.
4. Not all of our mentors are going to look/be like us, many of us may likely have had/will have male mentors.
5. As women, we need to pat ourselves on the back more.
6. If we ride the elevator to the top, we need to send it back down for others to get on.
7. Be the kind of leader people want to get behind, not the kind people want to cross the street to avoid.
8. In order to "get ahead," you need to be exposed to the people at the top.

9. Never be "just" a messenger – transmit a message from someone else accompanied by your own personal input/opinion/value added.
10. It's important that the people who work for you are just as smart, if not smarter, than you.

The goal of the Speaker Series was to celebrate the history and passage of the 19th Amendment to the United States Constitution and the impact it continues to have on women's participation in the workforce, in government, and in politics. We sought to shed light on the fact that, notwithstanding the passage of the 19th Amendment in 1920, women of color were largely kept from the polls, and it was not until the Voting Rights Act of 1965 that the barriers preventing women of color from voting were eradicated. In so doing, we learned the meaning of and importance

of mentorship, sponsorship and allyship; the continued need for inclusion and accountability; that words matter; that pathways to success do not all look the same; and that if you can see it, you can be it.

The series is a testament to what determined women can accomplish despite adversity. It is also a reminder that the words of our Declaration of Independence, namely that all "men (inclusive of women) are created equal," and that the words of the 19th Amendment have meaning: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex."

We encourage you to log onto NAWJ's website to listen to the podcasts.

Transforming the Future of the Legal Profession Through Gender Equality:



FBA Takes Global Leadership Role in Raising Awareness



By Emma Tsankov¹

For the past decade, the legal profession has gone through a period of transition, with marked increased emphasis on diversity and inclusion within the field.² As a result, many courts, law firms, and corporations have enacted policies aimed at creating and supporting a professional legal workforce that more accurately reflects the population diversity.³ Yet, despite that effort and a focus on diversifying the law firm ranks, the law profession as a whole remains one of the least diverse, especially with regard to the gender dimension.⁴ The American Bar Association has been measuring diversity in the lawyer population in the United States for more than a decade, and its most recent study reflects that gender diversity in the profession is rising but apparently at a marginal pace. During the 10-year period from 2007 to 2017, the number of women in the profession increased by only 5 percent, which reflects a narrow increase to 35 percent in 2017, from a figure of 30 percent in 2007.⁵ These statistics are even more troubling in the context of law firm private practice. There, women comprise nearly half of the law firm summer associates and associate classes. Yet, when we examine the level of gender diversity at the partnership level, women account for only 20 percent of law firm partners and a mere 18 percent of equity partners.⁶

Without a doubt, the profession has experienced several decades of diversity hiring and retention efforts, likely fueled in part by the acknowledgement that diversity is good for business.⁷ And yet, gender and other diversity at the partnership level is sluggish,⁸ especially taking into consideration that law schools are graduating, on average, classes comprising gender-equal components.⁹

It is not clear what the precise impact on our society is from the lack of diversity at the higher echelons of the professions, but the data seems to suggest that the loss could be profound.¹⁰ As a result, professional associations and a range of organizations are taking a more active role in drawing attention to gender disparity and are offering a multitude of solutions about ways to raise awareness and thereby improve gender diversity ratios.

The FBA is taking an international leadership role in this effort. Beginning with the creation of a Task Force on Diversity & Inclusion, the FBA has actively developed partnerships with national and international “affinity” organizations to help support these initiatives. Through developing its annual national celebration of International Women’s Day, the FBA has provided a hub for national partners to engage in discussion about gender and the profession. Its successful programming is fast becoming a hub within the United States for partnership organizations to help raise awareness about the problems and offer solutions. The programs make clear that, to better meet this challenge, the profession needs to implement educational programs that ensure that members of the legal profession have greater awareness of issues like bias—explicit and implicit—and offer strategies for eliminating it. It’s also clear that states see a leadership opportunity, and some, such as New York, are now requiring its lawyers to complete continuing legal education (CLE) programs that address these types of issues.¹¹

In this column, we will identify the FBA’s diversity and inclusion efforts over the past three years, focusing on its International Women’s Day programming component. We’ll consider the FBA’s anticipated 2020 programming and explore its goals and impact on a global level.¹² With high-profile programs on two continents, a documentary in the pipeline, and a focus on building awareness at the law student level, we’ll examine how the FBA is taking a leadership role in this area and providing invaluable resources for lawyers around the world to help close the gender gap at the higher levels within the profession. The column will offer best practices advocated in leading studies to help address these challenges and some conclusions about how we can best move forward at this stage.

The FBA Takes the Lead in Building Diversity and Inclusion Over the past three years, the FBA has focused considerable national resources around the promotion of diversity and inclusion within the federal legal community. Beginning in 2017, under the leadership of former FBA Minnesota Chapter president Tara Norgard, the FBA has convened a national Task Force on Diversity & Inclusion,

which has the primary objective of promoting and advancing diversity and inclusion in the federal legal community. The task force works to examine candidly where the FBA is today with regard to cultivating a diverse and inclusive federal legal community and to develop a concrete plan of action for where the organization aims to be. To that end, the task force has developed a national strategic plan to ensure that a diverse and inclusive federal legal community continues to be an organizational priority in the years to come.¹³ In undertaking this work, it has convened a range of FBA leaders, including judicial and corporate counsel as well as leaders in the private sector, to provide insight and guidance for its work. It has built and strengthened the FBA’s relationship with other national partner organizations through the creation of affinity bar liaisons that engage in joint programming initiatives. Partner organization relationships with groups such as the National Association of Women Judges (NAWJ) and academic institutions such as Fordham Law School, as well as international groups, including the International Bar Association and the Law Society of England and Wales, offer opportunities to leverage these relationships in support of common goals. To that end, these organizations have already established annual collaborative programs built around supporting women in the legal profession.

The FBA Builds Coalitions in Support of International Women’s Day

For the past three years, the FBA has created national programming initiatives in support of International Women’s Day. For the first time, in March 2018, the FBA convened a group of distinguished professionals to engage on women’s human rights in the context of migration specifically in connection with International Women’s Day. With a diverse group of academics from Harvard Law School, Fordham Law School, and the Leitner Center for Human Rights, these professors and graduate law students examined current events in human rights law impacting the ability of migrant women to seek international protection from persecution in the context of U.S. law and international human rights law. With support from the FBA International Law Section, the FBA Judicial Division, and the FBA Southern District of New York Chapter, that successful program was reprised at the FBA National Convention in New York in September 2018 and was expanded to include an additional speaker from the University of Amsterdam School of Law who appeared via Skype and offered the European perspective on the issues. These programs garnered national recognition.

About a year later, on March 11, 2019, the FBA Southern District of New York Chapter, the FBA

International Law Section, and the FBA Judicial Division co-sponsored Fordham University’s Second Annual International Women’s Day event.¹⁴ This program expanded on the student focus and was billed as a “Student-Moderated Evening of Discussion” hosted by the Fordham School of Law in New York City. With two tightly packed hours of presentations by eight distinguished speakers and FBA leaders, members from the legal community were treated to diverse perspectives as told from judges, practitioners, and prosecutors. The NAWJ and the Women’s Bar Association of the State of New York co-sponsored the program.

FBA Southern District of New York Chapter president-elect and adjunct professor Mimi Tsankov kicked off the event with a welcome in her capacity as both Fordham School of Law adjunct professor and chair of the National Association of Immigration Judges, Gender and Equality Committee.¹⁵ She announced the evening’s theme as “Balance for Better”—in accordance with the United Nations 2019 International Women’s Day guidance. Framing the evening’s anticipated discourse, she posited three questions: “To what extent do the laws that we have in place support gender balance?” “Where do we need to improve?” and “What have we succeeded in doing so far?” Tsankov challenged the presenters to consider how they see gender equality in terms of the stated theme and invited their personal remarks in light of their positions of leadership within the various state, federal, and international governmental bodies in which they work.

Fordham LL.M. student Lucila Casado Ardizzi introduced then-FBA President Maria Vathis, who provided a detailed presentation about how gender balance is better for business, as it offers diversification of talent. She pointed out how multiple studies suggest that the inclusion of women increases the global gross domestic product. In fact, a 2015 report by the McKinsey Global Institute has found that if women could reach their greater economic potential through increasing involvement in the workforce, global GDP would increase as much as \$12 trillion, and could reach \$28 trillion if the gender gap was completely closed.¹⁶

As to the role of women in the law in the United States, Vathis pointed out a number of firsts, including the first gender discrimination case dating back to 1872 and the fact that the right of women to practice law in all 50 states only became a reality in the 1950s.¹⁷ She noted that the confirmation of the first woman to the U.S. Supreme Court occurred only as recently as 1981. Vathis explained that, although the law profession has achieved some successes, including the fact that women represent the majority of law school graduates, women still

represent a minority within the FBA.¹⁸ By way of illustraxtion, Vathis explained that some industries are particularly affected by underrepresentation. She said that in the science, technology, engineering, and math (STEM) fields, only one in four women hold positions, and to address this, she called on women to work together to fight stereotypes and encourage young girls to pursue careers in these fields. She identified how this impacts attorneys who practice patent law specifically. Since the patent bar requires the completion of an undergraduate degree in a science field, this disproportionately affects women, who make up only 25 percent of STEM university graduates. This program garnered much attention and received national recognition for its insights.

International Women's Day 2020 Programming

In 2020, the FBA organized a greatly expanded gender-focused programming initiative, which has increased its impact on a global level. The FBA organized two months of high-profile events scheduled to coincide and complement the key global events of International Women's Day, which occurs annually on March 8, as well as the 64th meeting of the U.N. Commission on the Status of Women (CSW).

By way of background, the CSW is an annual two-week U.N. session to which representatives of U.N. Members States, U.N. entities, and U.N. Economic and Social Council (ECOSOC) accredited nongovernmental organizations (NGOs) from all regions of the world are invited to attend.¹⁹ The 64th Session of the CSW was itself a milestone event on women's issues, as it is the 25th anniversary of the 23rd Special Session of the UN General Assembly, known as the "Fourth World Conference on Women."²⁰ Held in 1995 in Beijing, this special session was a turning point for the global women's movement. With more than 17,000 attendees comprising government delegates, representatives from accredited NGOs, many international civil servants, and members of the media, that event resulted in the creation of the "Beijing Declaration and the Platform for Action" (BPfA), which was later adopted unanimously by 189 countries.²¹ As a foundational document, the BPfA supports gender equity initiatives, and, in particular, BPfA Resolution 24 directs signatories to take all necessary measures to eliminate all forms of discrimination against women and the girl child and remove all obstacles to gender equality and the advancement and empowerment of women.

Moreover, BPfA Resolution 32 sets forth that signatories must intensify efforts to ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language,

ethnicity, culture, religion, or disability, or because they are indigenous people.

In 1995, while the "Fourth World Conference on Women" was ongoing, the interest in the initiative was tremendous, and while the 17,000+ official meeting was convened, a fully parallel event was taking place in nearby Huairou, China.²² This parallel event, the "NGO Forum," served as the gathering place for over 30,000 people ready to help implement at a grassroots level what UN Women has since called "the most progressive blueprint ever for advancing women's rights" and "the key global policy document on gender equality."²³

This year, during the 64th session of the CSW, dubbed "Beijing+25," UN Women and the CSW undertook a review and analysis of the implementation of the BPfA and its outcomes at the global, national, and regional level.²⁴ During the 64th CSW, the United Nations recognized that a five-year milestone had been reached toward achieving the Sustainable Development Goals of the 2030 Agenda for Sustainable Development, including the accelerated realization of gender equality and the empowerment of all women and girls everywhere.²⁵ The FBA organized a four-hour CLE program to be followed by a networking reception hosted by FBA affinity partner Fordham Law School. The CLE program is co-sponsored by a host of organizations, including multiple FBA components and the International Bar Association, the Law Society of England and Wales, the National Association of Women Judges, and the Women's Bar Association of the State of New York. The program comprises two panels of distinguished speakers who evaluated recent studies aimed at promoting gender diversity in the legal profession. The panelists are to consider the findings contained in two reports: (a) the June 2019 report issued by the Law Society of England and Wales, titled "Advocating for Change: Transforming the Future of the Legal Profession Through Greater Gender Equality"; and (b) the November 2017 report issued by the New York State Bar Association, titled "If Not Now, When? Achieving Equality for Women Attorneys in the Courtroom and in ADR." In doing so, they will be raising awareness about how to improve gender equity in the legal profession across borders.

The next phase of the programming shifts to the CSW, where, on March 17, 2020, the FBA was scheduled to co-sponsor an official parallel event during the 64th Session of the CSW, which was curtailed significantly due to COVID-19 health and safety concerns. The event was to feature a 90-minute program titled "Transforming the Future of the Legal Profession through Gender Equality." The goal of the program was to engage the legal community in the context of CSW64 and Beijing

Declaration Numbers 24 and 33 around advancing the stature of women legal professionals worldwide, and included speakers representing different regions around the world discussing this topic from their unique perspectives. With a major emphasis on training the next generation on diversity awareness, the program was organized and the speakers were to be introduced by the Fordham Law School's International Law and Justice LL.M. students. The key involvement of LL.M. advanced law students has been critical to the program's success in prior years, as doing so trains the next generation of legal professionals who are from countries around the world where gender equity is succeeding and where we continue to see gaps.

With the goal of expanding the International Women's Day focus beyond just March, the FBA has been working with multiple British organizations to recreate the programs in London. Chaired by former FBA SDNY Chapter president Donna Frosco, the FBA has sought to strengthen its relationship with the Law Society of England and Wales by holding a program within the U.K. and, in doing so, expanded the outreach to the Society of English and American Lawyers. The proposed April 2020 program was to welcome a broad coalition of British and American lawyers, and further cemented FBA's leadership beyond the confines of the United States. This program was postponed due to COVID-19 health and safety concerns.

To build lasting success in countries within the developing world, the FBA welcomed the International Federation for Peace and Sustainable Development and the International Bar Association as new distinguished partners to build a stronger international focus beyond Europe. With high-profile programs planned on two continents and a focus on building awareness at the international law student level, the FBA has embarked on producing a documentary film to capture the truly unique nature of this endeavor. With international LL.M. students at the helm and a film capable of expanding the awareness opportunities beyond traditional programming venues, the FBA is enabling students to share the fruits of these programs within their diverse communities in countries around the world. By doing so, the FBA is building its role as an international leader in providing invaluable resources for lawyers around the world to help close the gender gap at the higher levels within the profession.

Best Practices Advocated in Leading Studies

In June 2019, the Law Society of England and Wales issued a report titled "Advocating for Change: Transforming the Future of the Legal Profession through Greater Gender Equality" ("Law Society

Report").²⁶ The Law Society Report reflects that, to overcome the barriers that prevent women from entering and progressing in law, the movement needs quantitative and qualitative research, and it has fulfilled that void by conducting the most comprehensive global survey on women in the law between November 2017 and January 2018, and through multiple international roundtable discussions held in 21 cities, across 18 jurisdictions, and with the participation of 712 female lawyers.²⁷

The Law Society Report demonstrates that many of the challenges female lawyers face are similar across jurisdictions and are a function of the application of traditional gender role expectations and stereotyping.

The Law Society Report demonstrates that many of the challenges female lawyers face are similar across jurisdictions and are a function of the application of traditional gender role expectations and stereotyping.²⁸ For example, many women reported that, as working mothers, they were penalized due to the societal expectations about their anticipated caregiving responsibilities. A universally recognized gender pay gap was reportedly a function of societal acceptability for men to request greater financial recognition for their work, and to perceive women as more aggressive when they do the same. Finally, flexible working, despite technological advancements, was not culturally acceptable in many countries, and those who did were viewed less favorably.²⁹

The Law Society Report, which offered solutions for addressing these challenges, advocates for a multi-pronged approach.³⁰ The report suggests that providing training on these issues and engaging in public awareness campaigns is a critical first component. Similarly foundational is the need to engage male champions in the quest for change at all levels of the law profession to ensure policy as well as legislative reform.³¹ By bringing women together to network and share practical solutions, such as through bar associations and law societies, the Law Society Report argues that leaders in the legal profession will be more likely to adopt and implement policies that "tackle gender inequality, address unconscious and conscious bias, promote flexible working, and improve work-life balance that benefits all."³² It's clear that the association role as

an agent of change offers a tremendous opportunity to both train and raise awareness, and to level gender inequality throughout the profession.

In November 2017, the New York State Bar Association released its seminal report, titled "If Not Now, When? Achieving Equality for Women Attorneys in the Courtroom and in ADR" ("NY State Bar Association Report").³³ After completing a comprehensive review that established how gender bias directly impacts the ability of women in the law profession to achieve gender parity in the courtroom and in the alternative dispute resolution context, it offered a variety of best practice solutions.³⁴ The NY State Bar Association Report encourages law firms to create institutional reforms that address women's initiatives, including the following:

- Convincing law firm partners to provide speaking opportunities in court and at depositions for junior attorneys, and institutionalizing top-down initiatives that support these objectives.
- Providing training and education on courtroom skills.
- Offering leadership training, including guest speaker opportunities and mentorship in gaining such opportunities.³⁵

The NY State Bar Association Report identifies a partnership role for the practitioners with the court administration and judicial leaders in ways that encourage and facilitate closing the gender gap, including the following:

- Encouraging junior attorneys to argue discrete issues in court proceedings.

Permission for the reprinting of this article provided by the Federal Bar Association (FBA).

¹ Emma Tsankov is a European Law Student at the University of Amsterdam and writes this article in her capacity as an International Bar Association Law Intern supporting this program.
² Institute for Inclusion in the Legal Profession, <http://www.theiip.com/StateofDiversity>
³ See generally IILP Review 2019-2020, The State of Diversity and Inclusion in the Legal Profession, Institute for Inclusion in the Legal Profession (Jan. 2019), (hereinafter "IILP Review")
⁴ Allison E. Laffey and Allison Ng, Diversity and Inclusion in the Law: Challenges and Initiatives, American Bar Association (May 2, 2018), <https://www.americanbar.org/groups/litigation/committees/jiop/articles/2018/diversity-and-inclusion-in-the-law-challenges-and-initiatives/>
⁵ Id.
⁶ Id.
⁷ IILP Review, supra note 3, at 45.
⁸ Id. at 101.
⁹ Id. at 108.
¹⁰ Id.
¹¹ Angelica Cesario, New York to Implement New Diversity CLE Requirement in 2018, Above the Law (Sept. 25, 2017), <https://abovethelaw.com/lawline-cle/2017/09/25/new-york-to-implement-new-diversity-cle-requirement-in-2018/>
¹² Due to the effects of the COVID-19 pandemic, scheduled programming has been modified from its original planned format.
¹³ See generally, FBA Task Force on Diversity & Inclusion
¹⁴ Fordham School of Law International Law and Justice Practicum LL.M. Students, The Federal Bar Association Celebrates International Women's Day at Fordham, The Federal Lawyer (Sept./Oct. 2019).

¹⁵ Id.

¹⁶ The Power of Parity: How Advancing Women's Equality Can Add \$12 Trillion to Global Growth, McKinsey Global Institute (September 2015)

¹⁷ The Federal Lawyer Article, supra note 13.

¹⁸ Id.

¹⁹ Commission on the Status of Women, UN Women

²⁰ Commission on the Status of Women, <https://www.unwomen.org/en/csw/csw64-2020>

²¹ UN Beijing Declaration and Platform for Action, Ruth P. Dawson, When Women Gather: The NGO Forum of the Fourth World Conference on Women, Beijing 1995, International Journal of Politics, Culture, and Society, 10, 7-27 (Fall 1996)

²² UN Women, The Beijing Platform for Action: Inspiration Then and Now, <https://beijing20.unwomen.org/en/about>

²³ CSW64/Beijing+25 (2020), <https://www.unwomen.org/en/csw/csw64-2020>

²⁴ Id.

²⁵ Advocating for Change: Transforming the Future of the Legal Profession through Greater Gender Equality, The Law Society of England and Wales (June 2019).

²⁶ Id. at 6.

²⁷ Id.

²⁸ Id.

²⁹ Id. at 15.

³⁰ Id. at 14.

³¹ Id. at 29.

³² Id. at 7.

³³ If Not Now, When? Achieving Equality for Women Attorneys in the Courtroom and in ADR, New York Bar Association (November 2017)

³⁴ Id. at 18.

³⁵ Id. at 34.

³⁶ Id. at 35.

³⁷ Id. at 34-35.

- Favoring granting oral argument when a junior attorney is scheduled to argue a matter.
- Encouraging the appointment of qualified women as lead counsel.³⁶

The NY State Bar Association Report notes that clients play an important role in the process as well because they have the ability to insist on diversity in litigation teams and in selecting arbitrators and mediators.³⁷

Conclusion

The legal profession needs to enter a new phase in its drive for diversity and inclusion if it is to accelerate the pace of change in bringing about gender equality in the legal profession. While much of the groundwork has been done, there is a clear opportunity for law profession associations to take a leadership role in reigniting and accelerating the stubborn pace toward equality. Superficial initiatives are being replaced by quantitative and qualitative studies that document prescriptions for how to close the gap. Every corner of the law profession is taking notice. And that's fortunate, because reaching our goals will require a multi-dimensional approach and a change in mentality. That the FBA is leading this initiative, and in doing so is folding in affinity partners, is important for the law profession as a whole. The FBA has the platform to develop programs that can train its members and help ensure that we are able to meet this challenge. By raising the profile of diversity and inclusion, and gender diversity in particular, the FBA and its partners can be leaders in implementing the solutions that close the gaps that exist.

By Paulette Brown

As we consider our history and the manner in which it has been traditionally taught or otherwise conveyed to us, we must always be in search of the truth. It is important to remain curious as to what has been left out, who has not received credit, who has not been included. The truth is indeed important. It can be vexing knowing there is a lack of acceptance of the truth of our history and how that

in the mainstream history books. Throughout the years, other false narratives would find their way into mainstream thinking. The lack of need for the voting rights act when we have the 15th and 19th amendments is a classic example.

This year, 2020, marks the 100th anniversary of enactment the 19th amendment, a perfect opportunity to reveal a more accurate depiction of

history. The act of voting was a “states’ right”, as long before 1920, many white women had the right to vote and did indeed, vote. In Montana and Nevada, women gained the right to vote in 1913. Thus, what women technically won in 1920 was only nondiscrimination in voting on the basis of “sex,” millions of women still could not vote.

As a matter of policy, facts have intentionally been omitted from history books or partial facts are provided. This 100th anniversary of the 19th amendment provides an opportunity to provide some of what has been missed.

It is undisputed, the significant role of Susan B. Anthony and Elizabeth Cady Stanton in the passage and enactment of the 19th amendment. But, history should also reflect, at one time they were abolitionists. History, must also recognize that they were far from alone in the suffrage movement.

There was a small cohort of formerly enslaved and freed black women, including Sojourner Truth, Harriet Tubman, Maria W. Steward, Henrietta Purvis, Harriett Forten Purvis, Sarah Remond and Mary Ann Shadd Cary (pioneer suffragette, newspaper editor and first female law student at Howard University) who were very active in the circles of women’s rights. They were joined in their advocacy of women’s rights and suffrage by prominent black men, including Frederick Douglass, Charles Lenox Remond, and Robert Purvis.

Sisters Margaretta Forten and Harriet Forten Purvis helped establish the Interracial Philadelphia Suffrage Association in 1866, other black women like those in the Dubois circle in Baltimore were also active.

lack of acceptance impacts laws and policy. And, leads us to where we currently find ourselves.

Consider Susan B. Anthony, for example. For years we were taught she should have heroine status along with Elizabeth Cady Stanton and even Alice Paul. They should be revered because they were the be-all and end-all in the suffrage movement, leading to the passage and enactment of the 19th amendment, which we were taught, gave women the right to vote.

Let us take a look at the full text of the 19th Amendment:

“The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.”

What’s included in the recitation of history is equally as important as what is excluded. As an initial matter, the 19th amendment theoretically gave women the right to vote. What is missing from this narrative is a three-letter word- “all”. It has rightfully been omitted because for most black women, native women, and other women of color, the right to vote would be elusive for decades. Until 1924, native Americans were not considered citizens, making it impossible for native women to vote.

Like so many others, I was accepting of the false narrative because, after all, that is what was written

Missed Opportunities Beyond the 19th Amendment



Mary McLeod Bethune

Mable Lee

Ida B. Wells

Matilda Joslyn Gage



Initially, there was a great collaborative effort until the enactment and passage of the 15th amendment which did not sit well with some and in particular with Elizabeth Cady Stanton and Susan B. Anthony, who severed their ties with those who promoted universal suffrage. It was their belief, black men should not be given the right to vote before (white) women.

Critical work by black suffragists previously embraced was ignored and the mainstream suffrage movement led by Stanton and Anthony became racially discriminatory in its practices. Disappointingly, in an effort to get support from white southerners, they condoned white supremacist ideologies. Anthony and Cady Stanton chose expediency over loyalty and justice when it came to black suffragists.

Cady Stanton and Anthony objected to uneducated black men getting the right to vote before white women. Cady Stanton referred to former slaves as “sambos” and, her aspersions were not limited to black people. Cady Stanton also targeted poor immigrants, writing “think of Patrick and sambo and Hans and Yung Tung who do not know the difference between a monarchy and a republic, who never read the Declaration of Independence or Webster’s spelling book, making laws for Lydia Maria Childs, Lucretia Mott, or Fanny Kemble ... would these gentlemen who, on all sides, are telling us ‘to wait until the negro is safe’ be willing to stand aside and trust all their interests in hands like these?”

These types of comments raise another false narrative; whites in the north were different from whites in the south. Cady Stanton, a New Yorker, was not exempt from bigotry, nor were others from northern states. Perhaps the fact that Cady Stanton’s family owned three slaves until New York abolished slavery in 1827 informs us of the rationale of her thinking.

While Cady Stanton was casting these aspersions she was simultaneously trying to infer the plight of the white woman was somehow greater than that of the black man. The arguments espoused are somewhat reminiscent of present day thinking, including the profound response by Frederick Douglas. At all times respectful, acknowledging Cady Stanton’s previous civil rights work, he so aptly stated; “when women, because they are women, are hunted down through the cities of New York and New Orleans; when they are dragged from their houses and hung from lampposts; when their children are torn from their arms and their brains dashed out upon the pavement; when they are objects of insult and rage at every turn; when they are in danger of having their homes burnt down... Then they will have an urgency to obtain the ballot equal to our own.”

Without regard to this change in being inclusive and the persistent anti-black rhetoric espoused by Cady Stanton and Anthony, black women were undaunted and forged ahead. Black women sought the vote to further what they termed human rights, meaning the rights of women and men alike. They were rarely single-issue in their concerns; they battled for political rights while also advocating for temperance, education, prison reform, and the rights of working people. They focused on issues that intersected with race and gender.

Black women were not alone in being left out by white women. Asian, Pacific Islander, and indigenous women, were barred from voting by restrictions on their citizenship.

Discriminatory laws kept women of color from voting in the north and west as well as the south. Native-born whites worked to “purify” the electorate of “problem voters,” which largely meant immigrants and voters of color. Numerous northern and western

states expanded their residency requirements for voting, tightened registration requirements, and shortened registration windows. Twelve northern and western states—from New York to California—also added literacy tests to their state requirements for voting. Like those in the south, these tests were often selectively administered against voters of color, including women. Yet because neither “race” nor “sex” was mentioned in the letter of these laws, they were also perfectly constitutional.

When millions of women protested their continued disenfranchisement after 1920, the mainstream, largely white suffrage organizations refused to listen. White women declared victory. And, in the process, they—just as their amendment had—tacitly condoned the continued operations of American racism.

So much of our past informs us of our present and future. There were numerous missed opportunities in the lead up to the 19th amendment. Perhaps because the full history of the suffrage movement did not reveal itself, the past is haunting us.

As we think about the 19th amendment and what and who must be celebrated, in addition to Susan B. Anthony, Elizabeth Cady Stanton and Alice Paul, also think about, Ida B. Wells, Mable Lee, Mary McLeod Bethune, Matilda Joslyn Gage, Aurora Lucera, Arabella Romero, the women of delta sigma theta and so many others who have not found their way into our history books. Another opportunity should not be missed.

Paulette Brown
Attorney in the Labor & Employment Practice Group of Locke Lord LLP and a past president of the American Bar Association

Girls and Girls of Color in the Criminal Justice System



In 1980, girls constituted approximately 11 percent of children in the juvenile justice system. Four decades later, in 2020, that percentage has tripled. Girls now account for almost one third of all juvenile arrests in the United States. Equally significant is the fact that girls of color are 2.7 times more likely than their white counterparts to be referred to the juvenile justice system and 1.2 times more likely to be detained than white girls. Those startling statistics prompted the NYS Office of Court Administration 3rd JD Gender Fairness Committee, which I am honored to chair, and it’s primary co-sponsor, the Permanent Commission

on Justice For Children, to produce a CLE program entitled, “Girls and Girls of Color in the Criminal Justice System.” That program, held virtually on June 16, examined racial and gender disparities in the juvenile justice system and explored possible solutions including an innovative approach recently implemented in New York’s 9th J.D.

More than 300 judges and lawyers participated in the webinar, which was co-sponsored, among others, by the National Conference of State Trial Judges, Albany Law School, Albany County Bar Association, National Association of Women

Judges, New York State Bar, and the Women's Bar Association of the State of New York. Participants included New York Court of Appeals Judge Hon. Leslie Stein, Hon. Elizabeth Garry, Third Department Appellate Division Presiding Justice, and Hon. Marguerite Grays, President NAWJ (NY Chapter).

Panelists included former 3rd Dept. Appellate Division Presiding Justice and Chair of the Commission on Justice for Children, Hon. Karen K. Peters; 9th Judicial District Administrative Judge, Hon. Kathie Davidson; Supreme Court Justice Lisa Fisher; NYU Professor Dr. Shabnam Javdani, and Doctoral Fellow, McKenzie Berizin. The program was most timely. Recent events require us to face the harsh reality that we still do not live in an equitable world. There is a heightened awareness of the need to address racial injustice and gender inequality in all forms.

After an in-depth discussion of the problem, the program presented possible solutions. One of particular interest is an integrated approach utilized by a specialty court in Westchester known as the GRIP (Gender Responsive Initiatives and Partnerships) Court. The GRIP Court is a dispositional court whose mission is to "promote healing and provide opportunities, justice and support to improve outcomes for girls, in particular for girls of color who are at risk or involved in the juvenile justice system." There, sensitized judges assigned to the court take a holistic approach by including all the various stakeholders—the presentment agency, the probation department, the attorney for the child and social workers—to attempt to understand each girl's unique background and experiences with the goal of collaboratively determining the best form of intervention for that particular child. Although the GRIP Court has been in existence slightly less than a year, it is already

showing promising results. The girls are learning to trust members of the team assigned to their case and to understand that everyone involved wants them to succeed.

Some participants in the CLE program expressed an interest in replicating the GRIP court in their regions. There was a sense of optimism that we are on the road to a better understanding of positive interventions that can address the disparities in justice experienced by girls and girls of color in the juvenile justice system. The program was recorded and is available on YouTube at <https://youtu.be/OWLUJoU2oSs>.



Hon. Rachel Kretser (Ret.)
Chair, NYS Office of Court Administration 3rd JD, Gender Fairness Committee

National Association of Women Judges Annual Awards

Justice Joan Dempsey Klein Honoree of the Year Award



Justice Barbara Madsen was appointed chair of the Washington State Gender and Justice Commission in 1998. The Commission, partnering with other community

groups, succeeded in passing legislation banning the shackling of women prisoners during labor. The Commission produced the Domestic Violence Manual for Judges, the Sexual Orientation Bench guide, the Sexual Offense Bench guide, and the Immigration Resource Guide for Judges, in partnership with the Minority and Justice Commission, as well as developing judicial education on a wide variety of gender issues and model policies designed to enhance the safety of victims of domestic violence.

Florence K. Murray Award



Attorney Donna Melby has successfully tried multiple cases to jury verdict in state and federal courts across the country, international and domestic arbitrations, and court trials across a broad range of complex civil and employment-related cases. Her practice includes class and

individual actions, employee mobility, whistleblower, race discrimination and all discrimination matters, sexual harassment, hostile work environment, contract, conspiracy, Equal Pay Act and complex business litigation of all types.

Mattie Belle Davis Award



Judge Mary Hotard Becnel began her legal career as an official court reporter. She was elected to the Louisiana's 40th Judicial District Court in 1993, a general trial bench, and retired in 2017. She

established and presided over Truancy Court and created CHARM School, a program for troubled girls going through the court system for various reasons. CHARM is an acronym for Character, Heart, Attitude, Respect and Manners.

Justice Vaino Spencer Leadership Award



Judge Julie E. Frantz served on the Multnomah County Circuit Court bench from 1994 to 2018. She practiced criminal defense with the Metropolitan Public Defender before joining in 1982 the civil litigation firm of Schulte, Anderson et al, where she became a partner. Prior to being appointed to the bench, Judge Frantz served on Oregon's Board of

Governors, and in 1992 was elected the first woman President of the Oregon State Bar.

Norma Wikler Excellence in Service Award



Judge Lisa S. Walsh's outstanding leadership in implementing NAWJ's exploration of judicial responses to the COVID-19 pandemic through a series of webinars and member

outreach developed into a blueprint for moving forward. Judge Walsh is a Circuit Court Judge in the 11th Judicial Circuit of Miami-Dade County, Florida, currently serving as the Administrative Judge of the appellate division.

Lady Justice Award



NAWJ Past President **Chief Judge Anna Blackburne-Rigsby** has shown leadership at the District of Columbia Courts and in NAWJ by promoting access to justice in the wake of the COVID-19

pandemic. Judge Blackburne-Rigsby was sworn in as Chief of the District of Columbia Court of Appeals on March 17, 2017. As Chief Judge of the District of Columbia Court of Appeals, Chief Judge Blackburne-Rigsby chairs the Joint Committee on Judicial Administration for the District of Columbia.

District News



DISTRICT ONE (MA, ME, NH, PR, RI)
Massachusetts, Maine, New Hampshire, Puerto Rico, Rhode Island

DISTRICT DIRECTOR:
Hon. Mary Dacey White
Brookline District Court, Massachusetts
Email: mary.white@jud.state.ma.us

MASSACHUSETTS
MAINE
NEW HAMPSHIRE
PUERTO RICO
RHODE ISLAND

1

Longtime member **Hon. Antoinette E. McLean Leoney** retired on July 21, 2020 as District Court Judge for the

Commonwealth of Massachusetts. **Chief Justice Judith Fabricant** received the Boston Bar Association's 2020 Haskell Cohn

Distinguished Judicial Service Award on August 20, 2020.



DISTRICT TWO (CT, NY, VT)
Connecticut, New York, Vermont

DISTRICT DIRECTOR:
Hon. Kathy J. King
Supreme Court of New York, Kings County
Email: kjking@nycourts.gov

CONNECTICUT
NEW YORK
VERMONT

2

District Two Director **Judge Kathy King** and **Judge Joanne D. Quinones** held virtual summer internship programs in their respective courts, where interns participated in virtual court hearings and engaged in virtual group discussions about cases to assist them in completing their writing assignments. Regular programming in District Two was expanded to include social justice and access to justice issues arising during the pandemic. NAWJ NY Chapter, in conjunction with the Albany County Bar Association Center for Women in Government, co-sponsored a CLE webinar on June 16th entitled "Girls & Girls of Color in the Juvenile Justice System." The **Hon. Lucy Billings**, a "Bridging the Justice Gap in a Pandemic" NAWJ webinar panelist, served as a resource for judges on building strategies that prioritize access to justice with a commitment to safety in the midst of the ongoing COVID-19 pandemic.

On August 27, 2020 the **Hon. Cenceria Edwards** was a panelist on a National Bar Association virtual session entitled "The Long Shadow of the Nineteenth Amendment: Women Leaders in the Judiciary," which

addressed the involvement of African American Women leaders in the passage of the 19th Amendment. On August 12th, 2020 the **Hon. Edwina Mendelson**, Deputy Chief Administrative Judge, Office for Justice Initiatives, participated in an NAWJ webinar on "The Critical Roles of Child Welfare, Judicial Leadership and Community Collaboration: Building Resilience in the Wake of COVID-19." On Sept. 25, 2020 Judge Mendelson was a panelist in a virtual roundtable addressing the New York State Family Court's response to the pandemic and analyzed the implications, both now and in the future, for virtual representation. On July 29, 2020 the **Hon. Joanne Quinones** participated in a virtual CLE on "Implicit Bias: What is it? Do I Have it? Can I Get Rid of It?" **Hon. Ruth Shillingford** served as co-chair on a committee of Black and minority judges to identify and report on institutional racism and implicit bias, and recommend solutions. The report was submitted to New York State Court's Commission on Equal Justice in the Courts and its recommendations will be incorporated into the Secretary's final report to **Chief Judge Janet DiFiore**.

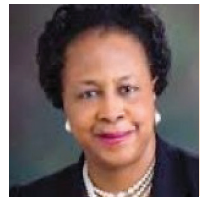
District Two will host a virtual cocktail party in November for new members to engage and discuss challenges faced as a judge during the pandemic. NAWJ NY Chapter co-sponsored a 2-hour virtual CLE program on October 28, 2020 with the Third Judicial District Gender Fairness Committee on "Domestic Violence Trends in the Context of Bail Reform and the COVID-19 Pandemic."

Former District Director **Hon. Cenceria Edwards** was installed as the 50th Chair of the National Bar Association (NBA) Judicial Council on July 28, 2020. The NBA is the nation's oldest and largest national network of predominantly African-American attorneys and judges. **Hon. Marguerite Grays**, President of the NAWJ NY Chapter, was appointed Administrative Judge for Civil Matters in the Eleventh Judicial District by Chief Judge of the Court of Appeals and the State of New York, the **Hon. Janet DiFiore**. Prior to her appointment, Justice Grays served as Deputy Administrative Judge. NAWJ Past President **Hon. Tanya R. Kennedy** was appointed Associate Justice of the Appellate Division, First Department by Governor Andrew M. Cuomo. Justice Kennedy has

served as a Justice of the Supreme Court, New York County, since January 2016. **Hon. Carol R. Sharpe**, who presently serves as the Supervising Judge, New York County

Civil Court was appointed Acting Justice of the Supreme Court, New York County, by Deputy Chief Judge Administrative Judge **Larry Marks**. Judge Sharpe was recognized

by The Metropolitan Black Bar Association as the 2020 Jurist of the Year at its 36th Anniversary Gala.



DISTRICT THREE (DE, NJ, PA, VI)

Delaware, New Jersey, Pennsylvania, Virgin Islands

CO-DISTRICT DIRECTORS:

Hon. Sandra Ann Robinson Hon. **Avis Bishop-Thompson**
State of New Jersey Superior Court, New Jersey
Email: kwras@yahoo.com Email: avis.bishopthompson@njcourts.gov

On October 22, 2020, District Three hosted the Richards, Layton & Finger's Women's Initiative's virtual discussion on best practices for advancing women in the law in light of the pandemic and its impact going forward. Panelists included: **Paulette Brown**, Senior Partner & Chief Diversity and Inclusion Officer, Locke Lord LLP; and Past President, American Bar Association; **Stephanie A. Scharf**, Partner, Scharf Banks Marmor LLC; Principal, The Red Bee Group; Immediate Past Chair, ABA Commission on Women in the Profession; **Roberta D. Liebenberg**, Partner Fine, Kaplan & Black, R.P.C.; Principal, The Red Bee Group; Former Chair, ABA Commission on Women in the Profession.

On October 7, 2020, **Valerie Biden Owens**, Vice-chair of the Biden Institute along with the University of Delaware Women's Leadership Initiative, honored **Justice Tamika Montgomery-Reeves** in a virtual Zoom ceremony. Justice Montgomery-Reeves broke barriers in Delaware by becoming the first African American woman to serve on the Delaware Supreme Court — and one of the very few African American women to sit on a state's highest court in American history. She was sworn in to Delaware's highest court on December 5, 2019. Before then, she served as a Vice Chancellor of the Delaware Court of Chancery from November 2015 to November 2019.

Speaking of breaking ceilings, we take a moment to send a shout out to an all-woman firm in the Philadelphia area: Griesing Law, LLC is a full-service women-owned and operated law firm based in Philadelphia with satellite offices in Bucks County, Pennsylvania, Cincinnati, and New York.

Delaware is readying for its Inaugural Virtual Sisters in Success (Success In and Out.) Women in Prison program, currently scheduled for November 20, 2020. This year's theme, "Thanks and Gratefulness," will include recorded videos of Department of Corrections staff, committee members, and volunteers' statements on something for which they are grateful.



DISTRICT FOUR (DC, MD, VA)

District of Columbia, Maryland, Virginia

DISTRICT DIRECTOR:

Hon. Anita Josey-Herring
Chief Judge Superior Court of the District of Columbia
Email: herringa@dsc.gov

On August 31, 2020 the District held a "Happy Hour with a Purpose" where district members jointly viewed via Zoom the third episode of the award-winning series "Race, the Power of An Illusion, The House We Live In." After the documentary, District 4 Director **Chief Judge Anita Josey-Herring** moderated a discussion on race and the courts with 20 district members. Thank you, Happy Hour program chairs **Judge Julia Weatherly** and **Judge Beverly Nash**, for making the evening a success.

On October 29, 2020 and in partnership with IAWJ, the District screened "THE JUDGE," a documentary about **Judge Kholoud Al-Faqih** of Palestine, the first woman appointed

to a sharia court. Post viewing discussion included moderator **Judge Vanessa Ruiz**, District of Columbia Court of Appeals (Ret.), President of the International Association of Women Judges (IAWJ), and **Judge Mina Sougrati**, Administrative Tribunal of Casablanca, Secretary and Treasurer of IAWJ. Attendees were able to listen to the discussion translated in Arabic.

The **Honorable Anita Josey-Herring** was selected by the DC Judicial Nomination Commission as Chief Judge of the Superior Court of the District of Columbia. NAWJ President **Judge Bernadette D'Souza** appointed Chief Judge Anita Josey-Herring and **Judge Marcella Holland** to the Advisory

Council of the National Association of Court Management's "Courts in the Era of #WeToo" Education Initiative.

District of Columbia Court of Appeals **Chief Judge Anna Blackburne-Rigsby** received the Margaret Brent Award from the ABA Commission on Women in the Profession in an online ceremony in August, 2020.

The **Honorable Sue-Ellen Hantman**, of Columbia, MD and a long-term member of NAWJ, passed away on October 2, 2020. She was an Assistant State's Attorney, and she sat on the Maryland District Court for Howard County.



DISTRICT FIVE (FL, GA, NC, SC)

Florida, Georgia, North Carolina, South Carolina

DISTRICT DIRECTOR:

Hon. Tanya Brinkley
11th Judicial Circuit Court, Miami, Florida
Email: tbrinkley@jud11.flcourts.org

In Georgia, the Conasauga Judicial Circuit awarded a grant for a Veterans Accountability Court, whose Presiding Judge will be **Judge Cindy Morris**. Judge Morris was recently named chair-elect of the Georgia Commission on Dispute Resolution.

Under the leadership of Chief Magistrate **Judge Cassandra Kirk**, the Magistrate Court of Fulton County lived out its mission to "Inform, Engage and Empower Our Community." The Court received a Clearance Rate Excellence Award on behalf of the Standing Committee on Judicial Workload Assessment of the Administrative Office of the Courts, recognizing its clearance rate of 254% over three years. Chief Judge Kirk led the Magistrate Court in community outreach

efforts that included: free private wedding ceremonies, two Statewide Judicial trainings, establishing Maggie, the Magistrate Court ChatBot, and partnering with multiple Atlanta-based nonprofits to provide free legal clinics, bike and clothing drives, and partial rental payments for landlord-tenant parties for Fulton County citizens.

Judge Tanya Brinkley was elected to serve as NAWJ's next District 5 Director. Before her election to the bench she litigated complex criminal, family, and civil law. In a quasi-judicial role, she served as a Civil Traffic Infraction Hearing Officer as well. Judge Brinkley was subsequently appointed to the Circuit Court, where she serves in the criminal division, after serving in the

FLORIDA
GEORGIA
NORTH CAROLINA
SOUTH CAROLINA

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DISTRICT SIX (AL, LA, MS, TN)

Alabama, Louisiana, Mississippi, Tennessee

DISTRICT DIRECTOR:

Hon. Lynda Jones
Davidson County Court, Tennessee
Email: lyndajones@jis.nashville.org

Let's recognize members of the Nashville Conference Planning team who are expanding their organizing enthusiasm for another year to bring NAWJ's Annual Conference to Nashville in 2021: Conference Chair, **Hon. Barbara Holmes, Hon. Tony Austin, Hon. Susan Blair, Margaret Behm, Melissa Blackburn, Amy Willoughby Bryant, Sheila Calloway, Hon. Judith Chirlin, Hon. Connie Clark, Hon. Waverly Crenshaw, Hon. Angelita Blackshear Dalton, Judge Cissy Daughtrey, Hon. Kirk Davies, Hon. Ana Escobar, Hon. Katharine Fischman, Hon. Charles Grant, Hon. Bill Harbison, Hon. Trey Harwell, Hon. Henry Hildebrand, Hon. Lynda Jones, Hon. Bill Koch, Hon. Ed Lindquist, Hon. Monica Mackie, Hon. Anne Martin, Hon. Terry Maroney, Hon. Neal McBrayer, Hon. Carol McCoy, Hon. Pat Moskal, Hon. Sara Beth Myers, Hon. Danielle Nellis, Hon.**

Alistair Newbern, Hon. Barbara Peck, Hon. Erin Palmer Polly, Hon. Pat Shea, Hon. Jane Stranch, Hon. Debi Tate, Hon. Aleta Trauger, Hon. Allegra Walker, Hon. Stephanie Williams.

A pilot program aimed at keeping homeless individuals from cycling in and out of jail launched September in Nashville: a court, presided over by General Sessions **Judge Lynda Jones**, will hold proceedings at Room in the Inn, a local homeless shelter. The new court will offer people the chance to wipe certain minor charges from their record if they engage with local service providers. Unlike other specialty courts, defendants will not be required to complete a specific program of treatment.

The **Hon. Aleta A. Trauger**, U.S. District Court for the Middle District of Tennessee,

county civil and criminal divisions, and as the Associate Administrative Judge of the domestic violence division.

NAWJ Past President **Lisa Walsh** as Chair of NAWJ's Technology Committee continues her stewardship of NAWJ's webinars exploring how the coronavirus is affecting how courts are administering justice and upholding the Constitution. Programs thus far include: 1) Courts on the Frontline: Providing Access to Justice While Protecting Public Health During a Pandemic; 2) Pandemic - What Is Its Impact on Our Civil Courts; 3) Bridging the Justice Gap in a Pandemic; and 4) Critical Roles of Child Welfare Judicial Leadership and Community Collaboration: Building Resilience in the Wake of COVID-19.

ALABAMA
LOUISIANA
MISSISSIPPI
TENNESSEE

6

in Nashville, Tennessee, has been selected to receive the 2020 American Inns of Court Professionalism Award in the Sixth Circuit. The American Bar Association Tort Trial and Insurance Practice Section honored **Bernice B. Donald**, Circuit Judge on the U.S. Court of Appeals for the 6th Circuit, with its inaugural Lifetime Liberty Achievement Award. This award celebrates the lawyers and judges who have spent their career actively promoting diversity and inclusion within the legal profession.

As NAWJ President, **Judge Bernadette D'Souza** appointed **Judge Sheva Sims**, Shreveport City Court, Louisiana, to the Advisory Council of the National Association of Court Management's "Courts in the Era of #WeToo" Education Initiative. On August 11, 2020, Judge Sims delivered toiletries to the Louisiana Transitional Center for

Women, and she toured the completed cosmetology facility. Judge Sims advocates for addressing recidivism through the Women in Prison Program by implementing

skills and educational reentry programs for incarcerated women at the Louisiana Transitional Center for Women (LTCW) in Tallulah and the Caddo Correctional Center

(CCC) in Shreveport. The **Hon. Pamela S. Lattier** is the first woman and first African American Chief Judge for the Shreveport City Court. Chief Judge Lattier was sworn in at Shreveport City Court on May 22, 2020.



DISTRICT SEVEN (MI, OH, WV)
Michigan, Ohio, West Virginia

DISTRICT DIRECTOR:
Hon. Michelle Rick
29th Circuit Court, St. Johns, Michigan
Email: rickm@clinton-county.org

MICHIGAN
OHIO
WEST VIRGINIA

7

Judge Michelle M. Rick, Michigan 29th Circuit Court, was sworn in as District 7 Director in June, 2020. She is not unfamiliar with this role having previously served as a District 7 Director. The District is also supported by State Chairs for Michigan: 1) **Zenell Brown**, Executive Court Administrator of the Third Circuit Court, and 2) **Cori Barkman**, First Assistant Attorney General for the Michigan Department of Corrections Division of the Attorney General's Office of Michigan. Michigan's Chief Justice of the Michigan Supreme Court, **Justice Bridget McCormack**, was a panelist for one of NAWJ's webinars on pandemic issues, "Courts of the Frontline: Providing Access to Justice While Protecting Public Health during a Pandemic." Justice McCormack spoke about the efforts Michigan's is undertaking to formulate policies, rules, and processes to enable the state trial courts to remain open, accessible, and safe during the public

health crisis. In late July, 2020, Project Access, led by Judge Rick and the University of Detroit Mercy Law School, received the State Bar of Michigan Kimberly M. Cahill Bar Leadership Award. Project Access was a traveling expungement clinic that brought law students into rural parts of Michigan to assist the poor with preparing expungement petitions. Following Project Access, Michigan's legislature passed legislation designed to provide automatic expungements for certain offenses, and it expanded the ability of litigants to seek expungements. On September 25, NAWJ Michigan together with the Women Lawyers Association (WLAM) held a sold-out virtual book club night featuring a discussion with author **Minda Hart**. Ms. Hart's book, *The Memo*, speaks on women of color in the workplace, including the needed ally-ship of women of color and white women. Attendees included lawyers and judges from Michigan, and several

colleagues from Canada. On October 1, the District took its popular MentorJet speed-mentoring outreach event online. Thank you to organizers Judge Rick, Administrator Brown, and **Rebecca Zarras**, Vice President of the Women's Law Caucus at the Detroit Mercy Law. Detroit Mercy Law School Dean **Phyllis Crocker** and **Maya Younis**, President of the Women's Law Caucus, Detroit Mercy Law offered welcoming remarks before the 15 mentors and 20 law school students took to the Zoom breakout rooms. On October 22, another NAWJ-WLAM event, chaired by State Co-Chair **Zenell Brown**, addressed Women's Health & Racial Disparities in Healthcare. Planning is underway by NAWJ State Co-chair **Cori Barkman** to present "Face of Justice" with Judges in Michigan's Upper Peninsula, as well as with Tribal Judges and the State Bar of Michigan. Face of Justice Program is modeled after NAWJ's flagship Color of Justice Program.



DISTRICT EIGHT (IL, IN, KY)
Illinois, Indiana, Kentucky

DISTRICT DIRECTOR:
Hon. Ann Breen-Greco
Independent Administrative Judiciary Professional
Email: annbreen-greco@sbcglobal.net

ILLINOIS
INDIANA
KENTUCKY

8

On May 28, 2020 District Eight co-sponsored with the Illinois State Bar Association Standing Committee on Women and the Law, a CLE program on transgender issues. The program covered issues facing transgender individuals when securing medical treatment, medical procedures, and/or benefits. The panel included **Aisha Davis**, Attorney, AIDS Foundation of Chicago; **Dr. Randy Ettner**, World Professional Association of Transgender

Health; Professor **Kim Riccardo**, UIC John Marshall Law; **Dr. Lauren Schechter**, Clinical Professor of Surgery, University of Illinois at Chicago, Attending Surgeon at Rush University, and Director of the Center for Gender Confirmation Surgery at Weiss Memorial Hospital; and **Carolyn Wald**, Attorney, Roger Baldwin Foundation of ACLU Inc., Chicago. Subsequently, **Dr. Lauren Schechter** also spoke at an NAWJ District Meeting on medical issues facing

the transgender community, part of a second panel continuing discussion on transgender issues. The panel also included **Bryanna Jenkins**, a December 2019 graduate of DePaul University College of Law in Chicago, IL, and **Jill Rose Quinn**, who will be the first openly transgender person on the Cook County bench.

On September 24, the District partnered on "Women Under Attack," an initiative of the

Illinois State Bar Association Women and the Law (WATL) Committee. This initiative is based on three issues: a complaint against a local attorney regarding seeking sexual favors from clients on child custody matters and allegations of sexual assault of female

attorneys in his office; the targeting of a federal judge, **Judge Salas**, which resulted in the killing of her son; and the verbal attack on Congresswoman Alexandria Ocasio-Cortez by another congressperson, using profanity and a gender slur. **Judge Breen-Greco**

addressed a part of the initiative that raised the need to be vigilant in speaking out against the use of gender slurs against women and emphasized women should only speak up if they are in a safe space.



DISTRICT TEN (KS, MN, NE, ND, SD)
Kansas, Minnesota, Nebraska, North Dakota, South Dakota

DISTRICT DIRECTOR:
Hon. Cheryl Ann Rios
Shawnee County District Court, Kansas
Email: crios@shawneecourt.org

KANSAS
MINNESOTA
NEBRASKA
NORTH DAKOTA
SOUTH DAKOTA

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Kansas Governor **Laura Kelly** appointed **Judge Joan Lowdon**, Leavenworth Deputy County Attorney and a resident of Bonner Springs, Kansas, the first woman judge in the 1st Judicial District in Kansas.

Kansas Women Attorneys Association honored **Chief Justice Marla Luckert**, presenting her a canvas that said: "KWAA Lady Lawyer Camp to Chief Justice Luckert in appreciation for her leadership." It includes photos from the first KWAA conference

through at least the 30th Anniversary conference. Justice Luckert has served on Kansas Supreme Court since 2003, as Chief Justice since 2009.

On September 16, 2020, Nebraska Governor **Pete Ricketts** appointed **Candice J. Novak** of Omaha to the Separate Juvenile Court of Douglas County, Nebraska. She had served as a court appointed attorney and guardian in Douglas County and Sarpy County juvenile courts since 2005. Nebraska County Court

Judge Linda Caster Senff, 5th Judicial District, retired October 31, 2020. She was appointed to the bench in 2005 and was retained most recently in 2014. During her 15 years on the bench, she volunteered on committees for both the Nebraska Supreme Court and the County Judges Association, including service on the Judicial Ethics Committee, Committee on Children and the Courts, and a select 2018 leadership group of judges working to provide consistent and transparent court records.



DISTRICT THIRTEEN (AK, HI, ID, MT, OR, WA)
Alaska, Hawaii, Idaho, Montana Oregon, Washington

DISTRICT DIRECTOR:
Hon. Lisa A. Paglisotti
King County District Court
Email: lisa.a.paglisotti@kingcounty.gov

HAWAII ALASKA IDAHO
MONTANA
OREGON
WASHINGTON

13

The **Honorable Karen Donahue**, King County Superior Court, WA, was sworn in as NAWJ's President at the Annual Business Meeting on October 15, 2020.

First Virtual Color of Justice and MentorJet took place on August 13 and August 14, 2020. The Alaska Native Justice Center (ANJC), Alaska Court System, and NAWJ partnered to hold Color of Justice. Due to increased Covid-19 restriction, instead of canceling, ANJC decided to do the two-day program virtually. Thirteen students participated with 5 NAWJ members and other volunteers. **Terry Price**, Executive Director, Graduate Education, with the University of Washington School of Law, engaged the students in a session entitled "Where Will Your Law Degree Take You?" **Dr. Susan**

Lee with Gonzaga Law School presented a session on "Color Your Future" about planning for college. ANJC staff attorneys hosted a session on "Knowing Your Tribal Courts." Alaska State Chair **Jose Garton** hosted Constitutional Cranium and NAWJ District Director, **Judge Pamela Washington**, hosted "You be the Judge" and participated in Mentor Jet.

On August 27th, the National Judicial College's panel held "A Conversation with Washington Supreme Court About Racial Justice" featuring District Members Chief **Justice Debra L. Stephens**, **Justice G. Helen Whitener**, **Justice Raquel Montoya-Lewis** and **Justice Barbara Madsen**. The panel addressed the following: Have courts played a role in perpetuating injustice?

What are key things that state court justice systems can do to respond to racial injustice and promote public trust and confidence?

Director Pamela Washington used Zoom for Book Clubs to connect with members and explore the history around the fight for the 19th Amendment described in Elaine Weiss' book *The Woman's Hour*, and those around slavery in Ta-Nehisi Coates' book *The Water Dancer*.

Two Judicial Institute events designed to encourage diverse attorneys to join the bench, one entitled "Pathways to the Bench" took place October 14, 2020 via Zoom and featured **Chief Justice Debra Stephens** and **Judge Rebecca Pennell**. The second event, entitled "Bridging the Gavel Gap"

was held via Zoom on October 15, 2020. The Judicial Institute is a nonprofit organization dedicated to diversifying Washington State's Judiciary.

appointed Judge Pamela Washington to the Advisory Council of the National Association of Court Management's "Courts in the Era of #WeToo" Education Initiative.

Washington, and Judge Kari McCrea serve as co-chairs of the Alaska Supreme Court's Fairness, Diversity, and Equality Commission and will be involved in drafting an action plan for eliminating racial inequities in the court.

NAWJ President Judge Bernadette D'Souza

Justice Susan Carney, Judge Pamela



DISTRICT FOURTEEN (CA, NV)
California, Nevada

DISTRICT DIRECTOR:
Hon. Wendy McGuire Coats
Superior Court of California, Contra Costa County
Email: wcoat@contracosta.courts.ca.gov



NAWJ President Judge Bernadette D'Souza appointed Judge Elizabeth Allen White to the Advisory Council of the National Association of Court Management's "Courts in the Era of #WeToo" Education Initiative.

Interview with Hannah Beth-Jackson; On the Field and Running the Show: A Conversation with Two Leaders in Sports Entertainment; Women in the Board Room and Beyond; Women Making their Mark on the Capitol: Lessons from the Road; 19th Amendment at the Intersection of Race and Gender; Expanding Leadership for Women of Color in Politics; and Voices from the Bench.

was joined by Professor Virginia Nelson to speak on fair and impartial courts at a League of Women Voters, American College of Trial Lawyers joint program.

NAWJ joined to support the Women's Law Association of Los Angeles and the Los Angeles County Bar Association on a Speakers Series dedicated to the 19th Amendment. Programs included: An

On September 30, Justice Judith McConnell

NAWJ RESOURCE BOARD

The Resource Board is committed to supporting NAWJ both financially and programmatically, for the purposes of (a) assuring that NAWJ has sufficient economic and human resources to execute its strategic plan; (b) developing bonds of mutual support and respect between and among Resource Board members and NAWJ members; and (c) promoting the professional advancement and elevating the standing of women from both the bench and bar.

CHAIRS:

Nicole E. Erb, Esq., White & Case LLP
Sarah London, Esq., Loeff Cabraser Heimann & Bernstein, LLP

MEMBERS:

Hon. Mary Becnel (Ret.)
Elizabeth Cabraser, Esq., Loeff Cabraser Heimann & Bernstein, LLP
Ron DaLessio, CourtCall LLC
Kelly M. Dermody, Esq., Loeff Cabraser Heimann & Bernstein, LLP
Andrea Bear Field, Esq., Hunton Andrews Kurth
Patricia P. Hollenbeck, Esq., Duane Morris LLP
Jamie Zysk Isani, Esq., Hunton Andrews Kurth
Dawn Jayma, Esq., UAIG
Robert M. Kaufman, Esq., Proskauer Rose

Linda Leali, Esq., Linda Leali, P.A.
Thomas C. Leighton, Esq., West, A Thomson Reuters Business
Afsoon McClellan, LexisNexis
Heather K. McDevitt, Esq., White & Case LLP
Diane L. McGimsey, Esq., Sullivan & Cromwell LLP
Donna Melby, Esq., Paul Hastings
Elaine Metlin, Esq., Retired
Christopher K. Poole, JAMS
Cathy Winter-Palmer, Retired

NAWJ DIRECTORS

DISTRICT DIRECTORS

District One (ME, MA, NH, PR, RI)
Hon. Mary White
Brookline District Court

District Two (CT, NY, VT)
Hon. Kathy King
Supreme Court of New York, Kings County

District Three (DE, NJ, PA, VI)
Hon. Avis Bishop-Thompson
Superior Court, New Jersey

Hon. Sandra Ann Robinson
State of New Jersey

District Four (DC, MD, VA)
Hon. Anita Josey-Herring
Chief Judge, Superior Court of the District of Columbia

District Five (FL, GA, NC, SC)
Hon. Tanya Brinkley
11th Judicial Circuit Court, Miami, Florida

District Six (AL, LA, MS, TN)
Hon. Lynda Jones
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

District Seven (MI, OH, WV)
Hon. Michelle Rick
29th Circuit Court, St. Johns, Michigan

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Hon. Miesha Darrough
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St Thomas, VI

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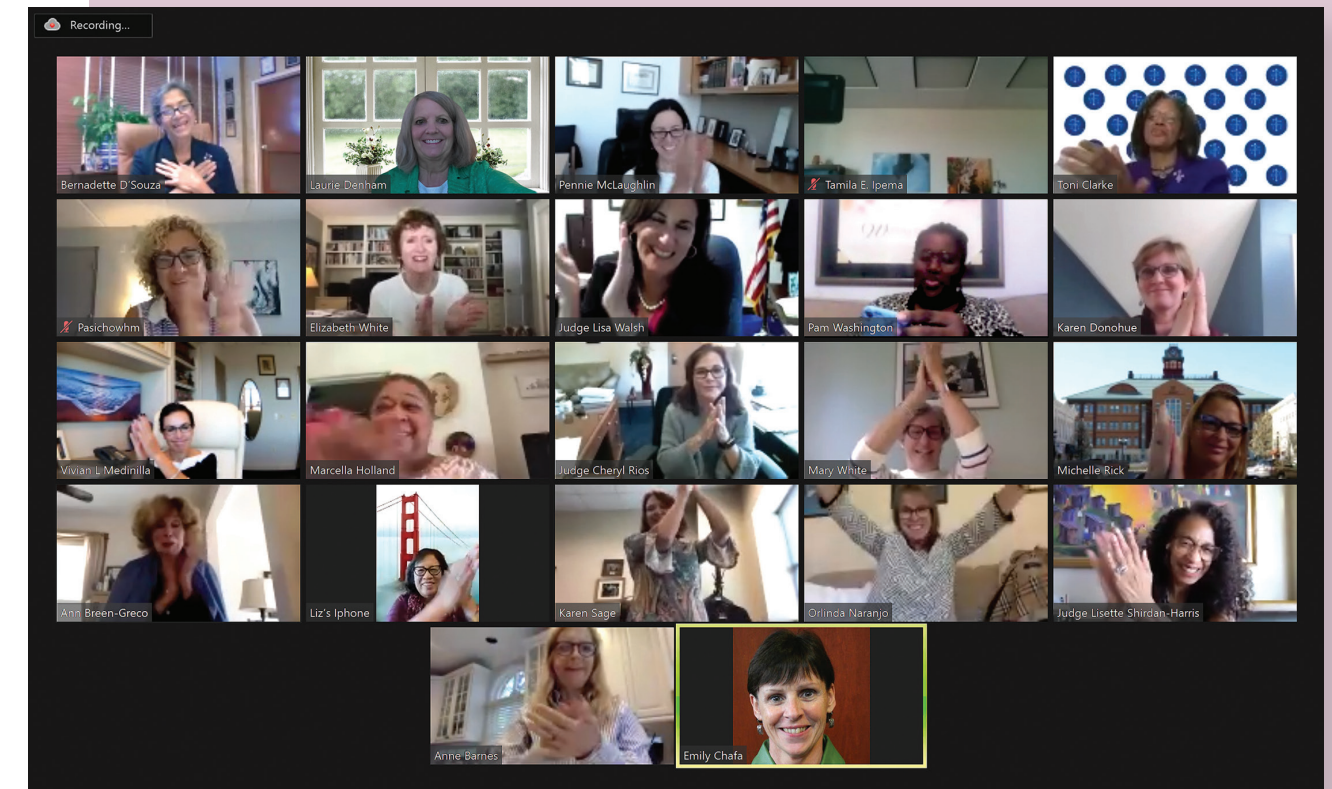
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