

## The Rule of Law Recession: What Can Judges Do?



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This session would explore: (a) the accelerating rule of law recession both globally and in the United States, which most recently ranked 27<sup>th</sup> among 143 countries, as documented by the World Justice Project (“WJP”) in its 2025 Annual Rule of Law Index and (b) specific actions NAWJ sitting and retired judges can take to preserve the rule of law within the United States.

### Learning Objectives:

- Increase awareness of the accelerating rule of law recession globally, in light of the 8 factors WJP uses to measure adherence to the rule of law, *i.e.*, constraints on government powers, absence of corruption, open government, fundamental rights, order and security, regulatory enforcement, civil justice, and criminal justice) over time.
- Explore the accelerating rule of law recession within the United States, with particular focus on what the data show regarding perceptions of civil and criminal justice within the United States.
- Stimulate discussion of specific actions sitting and retired judges may permissibly take to preserve the rule of law.

### Speakers:



#### **Hon. Nancy Gertner**

Retired Federal Judge Nancy Gertner is a graduate of Barnard College and Yale Law School, where she was an editor on *The Yale Law Journal*, also receiving her M.A. in Political Science at Yale University. She was appointed to the United States District Court (D. Mass.) in 1994 by President Clinton and prior to 1994, Judge Gertner was a civil rights and criminal defense lawyer in Massachusetts. She retired from the federal bench in 2011 to join the faculty at Harvard Law School. Judge Gertner is the Managing Director of the MGH Center for Law Brain and Behavior. She was named one of “The Most Influential Lawyers of the Past 25 Years” by *Massachusetts Lawyers Weekly*. Judge Gertner has received numerous awards, including the American Bar Association’s Thurgood Marshall Award, Margaret Brent Women Lawyers of Achievement Award from the American Bar Association Commission on the Status of Women in the Profession, the Massachusetts Bar Association’s Hennessey Award for Judicial Excellence, and the National Association of Women Lawyers’ Arabella Babb Mansfield Award. Additionally, she was a Commissioner on President Biden’s Commission on the Supreme Court of the United States, and has

written and spoken widely on various legal issues, appearing as a keynote speaker, panelist or lecturer concerning civil rights, civil liberties, employment, criminal justice and procedural issues, throughout the U.S., Europe and Asia. Her opinion column appears regularly in the Boston Globe and WBUR's Cognoscenti and occasionally the New York Times and the Washington Post. She also is a commentator on CNN, MSNBC, and WGBH's "Jim Braude and Margery Eagan" show.



**Hon. Karen F. Green**

Karen F. Green is a retired Associate Justice of the Massachusetts Superior Court, a neutral at Signature Resolution, and a Lecturer on Law at Harvard Law School. She also serves on the American Arbitration Association's Roster of Commercial Arbitrators and National Judicial Payor-Provider Panel.

Green co-chairs the World Justice Project's Rule of Law Leadership Council, chairs the Subcommittee to Preserve the Rule of Law of NAWJ's Retired Judges Committee, and serves on the Executive Board of the ABA's Center for Human Rights, and the Advisory Board of Harvard University's Advanced Leadership Coalition.

Before taking the bench, she was a partner at WilmerHale and Hale and Dorr, where her practice focused on complex business litigation, including the defense of government investigations. She earlier served as the Deputy US Attorney for the Federal District of Massachusetts, Chief of Staff to Massachusetts Governor William F. Weld, an assistant US attorney, and a law clerk to US District Court Judge W. Arthur Garrity, Jr.

Green is a 2015 Fellow of Harvard University's Advanced Leadership Initiative and a Fellow of the American Bar Foundation, Boston Bar Foundation, and Litigation Counsel of America, of which she was President in 2016. She is a graduate of Harvard/Radcliffe College and Harvard Law School.



**Hon. Jane Milazzo**

Judge Jane Milazzo was sworn in as a United State District Court Judge on October 12, 2011.

Judge Milazzo graduated from LSU Law School in 1992 and immediately went into practice with her family at the Law Offices of Risley Triche, LLC, where she engaged in a general civil practice. In 2008, Judge Milazzo was elected to the 23<sup>rd</sup> Judicial District Court.

During her years in private practice and in the state and federal judiciary, Judge Milazzo served as president of both the Assumption Parish Bar Association and the Twenty-Third Judicial District Bar Association. She was a member of the Louisiana State Bar Association House of Delegates where she served as chair of the legislative committee. As a state district court judge, she served on the executive committee of the District Judges Association.

Judge Milazzo regularly speaks to lawyers on issues of professionalism, advocacy, and complex litigation. She currently presides over the multidistrict litigation, In Re: Taxotere (Docetaxel) Products Liability Litigation.

Judge Milazzo is the President-Elect of the Federal Bar Association. She is married to her husband, John. They have six children and five grandchildren.



**Judy Perry Martinez**

Judy Perry Martinez, ABA President, 2019-20. Current President, World Justice Project. Commercial litigator, Simon, Peragine, Smith & Redfearn, New Orleans for 21 years; first woman member of the firm's governing committee before joining Northrop Grumman in 2003, where she was Vice President and Chief Compliance Officer and member, NGC Diversity and Inclusion Leadership Council. In 2015 she was a Fellow in Residence at the Harvard Advanced Leadership Initiative and then returned to Simon

Peragine as Of Counsel. Judy has served as chair of the ABA Standing Committee on the Federal Judiciary, as the ABA lead representative to the United Nations, and member, ABA Commission on Women in the Profession, the Task Force on Building Public Trust in the American Justice System and chair of the ABA Presidential Commission on the Future of Legal Services and special advisor to the ABA Center for Innovation. She is a member of the American Law Institute and previously has served on the Board of Directors of the American Bar Foundation where she is a Fellow and the board of the American Bar Endowment. She is on the board of the Louisiana Supreme Court Historical Society and the Leaders Council of the Legal Services Corporation.