



COUNTERBALANCE

The National Association of Women Judges

Volume 24, Issue 1, Winter 2003

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Message from the President

Hon. Bea Ann Smith

First, I want to thank you for granting me the honor of serving as your President. Next, I want to thank Diana Eagon and her "Minnesota friendly" Host Committee for the exciting and memorable (NAWJ Annual Conference) they organized in Minneapolis in October.

As we begin a new year of activity, it is good to reflect on what we want for this organization. My hope is that NAWJ will enable each of us to be more courageous in fulfilling our judicial roles as leaders. Each time we, as judges, stand up for our ideals and strike out against injustice, we send forth a tiny ripple of hope—and that ripple grows every day. It is from countless individual acts of daring that our justice system is improved. In Minneapolis, they introduced Diana Murphy, our Honoree of the Year, as "*Diana the Courageous*." For almost 25 years, the members of this organization have been performing acts of courage—locally, quietly, and daily. And then once a year we come together to share our stories, We our strengths, and our wisdom. come together to

address issues concerning vulnerable populations in our courtrooms. We come together to educate ourselves about topics such as genome justice and judicial independence. And we come together to share the healing power of our laughter.

Judge Murphy said our critics once thought NAWJ was a "foolhardy operation," yet we have proved them wrong. We have overcome financial crises, loss of our national staff, and the difficulties of staying organized across this expansive nation. Today we have the experienced and competent staff we need to support the many projects and ideas you, our members, keep developing. We have a reenergized group of District Directors who will take our projects and our programs back to their districts, states, and communities and implement them. We have a dedicated group of officers who will support and guide



Hon. Bea Ann Smith

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Minnesota Conference Wrap-Up

Hon. Diana Eagon

Reflections and Visions 2002 is a memory, hopefully a pleasant one for those brave enough to journey to Minnesota in October. For those of you who expected snow, we did not disappoint you. Did you know there were judges who preferred to walk outside rather than in our skyways for exercise? Maybe this was you?

To begin, the Conference was such a success. From the welcomes by our president, Judge Karla Moskowitz, and Minnesota's Chief Justice, Kathleen Blatz, to the final swearing in of our new officers and directors by Justice Joan Dempsey Klein, you were kept busy. For those of you who wanted innovative programs—we had them.

Specifically, I am sure you all took home with you a better understanding of the human genome and the possible ethical considerations we must ponder when making our decisions in the future. As it has been said by Oliver Wendell Holmes, *a mind stretched by a new idea never returns to its same dimension*, so you too have returned to your jurisdictions with changed dimensions.

Furthermore, you were able to explore unconscious prejudice. I am certain that Martha Nussbaum had you thinking about disgust, shame, and the law when you realized that the woman with the parasol and the table tops were the same. And what about personal courage? I

We certainly have many people to be proud of in this organization

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2002-2003 NAWJ BOARD OF DIRECTORS

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Message from the President

(continued from page 1)

me in the year ahead. Forty-five of our members who attended the International Association of Women Judges Conference in Dublin (*May 2002*) have fostered a new vision of international outreach for NAWJ. We have an expanded and enthusiastic Resource Board committed to developing economic soundness for this organization. We have new partnerships with other like-minded organizations, thanks to the untiring efforts of my predecessor, Karla Moskowitz. The State of our Union is good!

Martha Nussbaum suggested in Minneapolis that judges are the “working philosophers” of our times. We have proved this by developing our *Color of Justice* and *So You Want to Be a Judge* projects. We have completed our *Removing Obstacles to Justice for Immigrants* program and are continuing to move along with the remarkable *Genome Justice* project, parts of which Judge Gladys Kessler presented in a stunning program in Minneapolis. We have addressed the special needs of *Women in Prison*, with the courageous judges in Maryland leading the way. These projects and programs are ready for your use. Please plan to present one of our projects, or use one of our training programs, in your district this coming year!

I ask each of you to join in the effort to get all of our members connected by email this year, to use our website, and to help us put forth the face of this extraordinary organization on that website.

On a more somber note, I know that the aftermath of terror and the prospect of war may threaten our adherence to the principles of equality, civil liberty, and due process. We as judges must work tirelessly and fearlessly to preserve these bedrock principles. It will be a time for large acts of courage, as Judge Kessler demonstrated last August by requiring the Justice Department to release the names of more than 1000 people detained in the investigation of September 11 terrorist attacks. Judge Kessler wrote, “*Difficult times such as these have always tested our fidelity to the core democratic values of openness, government accountability, and the rule of law.*”¹ Yes, we are judges of courage and NAWJ fosters our individual acts of courage.

I pledge to you that your Board of Directors will strive to serve you and this organization with honor and enthusiasm until we come in great numbers to Washington, D.C. next October to celebrate our 25th Annual Conference.

¹ Ctr. For National Security 3v. United States Department of Justice, 215 F. Supp. 94, 96 (D.D.C. 2002).

Minnesota Conference Wrap Up

(continued from page 1)

do not believe there was a dry eye in the room when Ann Bancroft finished her presentation about her courageous journey.

In breakout sessions you discussed collegiality, women in prisons, privacy, electronic discovery, human rights, terrorism, judicial decision-making, and judicial independence. You visited courtrooms, pro se centers, and heard about court initiatives in family, juvenile, and drug courts. You traveled by our lakes and rivers, saw our historic, *and not so historic*, buildings, and visited our women’s prison and Hazeldon treatment facility. You cheered during the reception at Saks and shopped the night away. You toured the Walker Art Museum and some of you ventured into the sculpture garden and enjoyed a play at the Guthrie. You were able to see the Mississippi from the reception at the Science Museum. Who could forget the Reception and Banquet honoring Judge Diana Murphy and Bunny Baum?

We certainly have many people to be proud of in this organization. On the final day, you heard from Justice Rosalie Wahl and our new President Bea Ann Smith. And I was the most surprised to receive, from NAWJ, a beautiful Waterford Crystal Vase with the wonderful inscription *Diana Eagon Our Friend, Thank You, NAWJ 2002*. Thank you so much, you were all so kind with your compliments and support. I had a wonderful time hosting the Conference, yet I did not do so alone. All of the host judges and volunteers were there helping, directing, and working. The Friends Committee made the educational programs a success through their tremendous efforts. And frankly, it is because of all of your efforts that this conference was such a success—I thank you!

I hope that you all made new friends, renewed your friendships from past years, had fun, and enjoyed our hospitality. I am looking forward to seeing you all again in 2003 in Washington, DC.

Lifetime Achievement Award

Hon. Vanessa Ruiz received the Judge Ricardo M. Urbina Lifetime Achievement Award presented by the Hispanic Bar Association of the District of Columbia. The award was presented to her on November 14 at the Equal Justice Awards Dinner celebrating the HBA’s 25th Anniversary at the Ritz Carlton in D.C.

This prestigious award was bestowed to Judge Ruiz for providing “Friendship, Guidance, and Leadership to the Legal and Latino Communities through Public Service.” Upon accepting the award Judge Ruiz said, “I think I am too young to receive a lifetime achievement award. I take it as encouragement to make efforts that, someday, might really merit it.”

NAWJ Excellence in Service Award

Hon. Karla Moskowitz

At the ABA Judicial Division Awards Luncheon on August 9, 2003, NAWJ's *Excellence in Service Award* was presented to a judge at the forefront of making NAWJ's goals of equal justice and excellent judicial education a reality—the **Honorable Shirley Tolentino**.

As NAWJ President, 1996-97, Judge Tolentino forged ties with organizations that have similar goals, enabled the production of our organizational video, *Changing the Face of Justice*, and was instrumental in the expansion of our Resource Board. Judge Tolentino is a graduate of the College of Saint Elizabeth, Seton Hall Law School and received her L.L.M from New York University School of Law. Professionally, Judge Tolentino was, and remains, a trailblazer and a role model.

She was the first African-American woman to sit full-time as a Municipal Court Judge in Jersey City, as Presiding Municipal Court Judge in Jersey City, and as Judge on the New Jersey Superior Court, her current position. Judge Tolentino recently introduced NAWJ's *Color of Justice* program in New Jersey. This program encourages minority high school students to consider pursuing careers in the law. It was such a success that it is being expanded to include follow-up mentoring and is a model for other jurisdictions. Judge Tolentino continues to lead the pursuit of justice for all.

*"Judge Tolentino
is a trailblazer"*



NAWJ Honoree of the Year



Hon. Diana E. Murphy, a judge on the United States Court of Appeals 8th Circuit, was named NAWJ's *Honoree of the Year* at the 2002 Annual Conference in Minnesota. The award is given to a member who has assisted women judges to become more proficient in their profession, helped to solve the legal, social, and ethical problems associated with the judiciary, and worked to increase the number of women judges.

Judge Murphy received her J.D., magna cum laude, from the University of Minnesota, where she was editor of the Law Review. Her outstanding career includes tenure as president of the Federal Judges Association, chair of the board of the American Judicature Society, board member of the Federal Judicial Center, and chair of the Judges Advisory Committee to the ABA Standing Committee on Ethics and Professional Responsibility. An active member of NAWJ, she organized the 8th Circuit Gender Fairness Task Force and served as chair of the Judicial Council's Fairness Implementation Committee. In 2001, she was the first woman to receive the Devitt Community Distinguished Service to Justice Award.

Judge Murphy also is involved as a leader in numerous community organizations including the Association of Governing Boards of Universities and Colleges, the Bush Foundation, the Minnesota Opera, and the University of Minnesota Foundation. NAWJ is grateful for Judge Murphy's selfless and generous support of its mission.

Distinguished Service Award Winner



The *Florence K. Murray Award* is traditionally given to an individual who has demonstrated an outstanding commitment to NAWJ's goals and this year's recipient is no different. On October 19, 2002, this prestigious award was presented to long time NAWJ friend **Bunny Baum**. A graduate of Brooklyn College, Bunny studied art at the Barnes Foundation in Merion, Pennsylvania and ran her own businesses. She became involved in the court system in the early 1980s and is currently the Director of Judicial Services and Court Related Education for the State of Pennsylvania, a position which makes constant demands on her time. Nevertheless, Bunny has been tireless in her support of NAWJ. Whether helping us with a conference, negotiating contracts, or participating in interviews, she has tackled each task with enthusiasm and a smile. She also has helped NAWJ to recruit and involve new members. NAWJ is deeply grateful to Bunny for her enthusiastic support and tireless hard work.

WELCOME!

August to December New Members

Hon. Loren Bailly-Schiffman
Hon. Rita Baird
Hon. Susan P. Baker
Ms. Claudia Bayliff
Hon. Mary E. Bednar
Hon. Kathleen Behounek
Hon. Susan R. Bernardini
Hon. Cecile A. Blau
Hon. Mary Jane Bowes
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Hon. Kathleen Cardone
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Hon. Marie S. Weiner
Hon. Dorothy J. Wilson
Hon. Erica R. Yew

Past President's Message

Hon. Karla Moskowitz, Immediate Past President

This year has been an exciting one for me as well as for NAWJ. My presidency started right after 9/11, a day that cast shadows on all of us, particularly those of us in New York who, with spirit and leadership, resolved to replicate the 23rd Annual Conference, hoping you would come. We did, and you came, and we all had a tremendously exciting experience together.

One of the many highlights of the Conference was that the Honoree of the Year Award went to New York's own Betty Weinberg Ellerin, a past NAWJ President, for her groundbreaking leadership and her continuing commitment to eradicating the insidious impact of gender bias that still effects women litigants in our courts in domestic violence cases, inadequate child support and unequal financial results after divorce. During the Conference, Justice Ellerin chaired the first meeting of state Gender Fairness Committees and Task Forces together with Task Force concept founder Norma Wikler and Lynn Hecht Shafran. And at this year's Minneapolis Conference, 24 representatives attended the second annual Gender Fairness meeting, honoring Norma's inspiring leadership and untimely death. Norma was also eulogized by Justice Rosalie Wahl at the Sunday brunch.

This year, NAWJ presented its Honoree of the Year in Minneapolis to another native and pioneer - Justice Diana Murphy - who is a role model for the Minnesota judges.

As in 1985, the Minnesotans welcomed us warmly, this time with a fashion show, the best cutting edge educational programs, early morning sightseeing walks and visits to the Walker Art and Science Museum.

And what happened in between the Conferences?

I reported to you in previous Counterbalances and submitted an eight page report at the conference (e-mail kmoskowi@courts.state.ny.us or call me at 212-374-8520 for a copy). The highlights include: a more experienced office staff under the leadership of Executive Director Connie Belfiore and Director of Operations Donna Campanella; increased computer

capacity and a revamped the web site; expanded email lists to communicate opportunities to speak abroad, host visiting judges, sponsor NAWJ programs locally, etc.; and efforts to develop a computer based list of all women judges, judicial officers and administrative law judges in the United States (you can help to complete the list by contacting www.nawj.org or calling the office at 202-393-0222).

NAWJ has completed, is revising and is developing new educational and community outreach programs for you and your colleagues that would otherwise not be done.

I traveled and visited with some of you, as have other officers, and I have reached out to other bar associations and judges' groups so that we can augment NAWJ's impact on issues of common concern.

Forty-five of us attended the International Association of Women Judges' 6th Biennial Meeting in Dublin, understanding that we as American judges need to learn about international law and treaties.

This summer, at an ABA meeting in Washington DC, I explained NAWJ's 1988 support of CEDAW's ratification. (At the 23rd Annual Conference, NAWJ resolved to continue that support.)

I was pleased to be the first NAWJ President invited to participate as a guest at both the midyear and annual meetings of the Conference of Chief Justices. It was exciting to meet so many of our members that have become Chief Judges - from Minnesota Chief Judge Kathleen A. Blatz to my state's Chief Judge Judith S. Kaye, who is the Conference President, to about 15 others. It also was exciting to learn that many of our concerns and aims are shared by the Conference. This year would not have been possible without the support of so many NAWJ members - my colleagues in New York, NAWJ officers, district directors and committee chairs and members. Thank you!

I know that my successor, Justice Bea Ann Smith, will continue the programs and associations that keep NAWJ meaningful in today's world.

More Recognition & Awards

Hon. Martha Grace, Massachusetts Juvenile Court Chief Justice was selected the 2002 Jurist of the Year by the Massachusetts Association of Women Lawyers.

Hon. Ruth Abrams (ret.) honored by the Massachusetts Supreme Judicial Court Historical Society with the creation of the "Hon. Ruth I. Abrams Endowment for Women in the Law."

Hon. Rya W. Zobel, U.S. District Court, was awarded the ABA's Margaret Brent Women Lawyers of Achievement Award in August.

Hon. Judith Chirlin, Los Angeles Supreme Court, received the Women Lawyers of LA Ernestine Stahlhut award in September.

Hon. Maxine White was selected the 2002 Judge of the Year by the State Bar of Wisconsin. Judge White also received the Civil Rights Award from the Nehemiah Project and the Trailblazer Award from the Alpha Kappa Alpha Sorority.

Hon. Vanessa Ruiz received the Judge Ricardo M. Urbina Lifetime Achievement Award from the Hispanic Bar Association of

Executive Director's Report

Constance L. Belfiore, Esq.



Connie Belfiore

Growth is exhilarating! Have you noticed the growth in this newsletter? You'll find improved graphics, more concise text, and clearer photos, all ably directed by NAWJ's Vice-President for Publications, Hon. Mel Flanagan. We are excited about this fresh look, and invite your comments.

The growth in the newsletter reflects the expansion occurring in the National Office. We have added professional and technical expertise to serve you better. Two years ago I was the only person on staff. Now we are six! (*Thank you, A. A. Milne.*) Our two Program Attorneys, Alexis Hill and Geoff Platnick, work hard on an increasing number of high quality education and special projects. Our new Director of Operations and Membership, Jeffrey Groton (see below), manages finances, office operations and membership. Lina Walker, our Membership Coordinator, is working to create our member database, and in January, Cristina Silva will join us as Assistant to the Executive Director. With the assistance of at least two interns each semester, activity here is booming, and NAWJ is growing in so many ways.

We have greatly improved on-line access! Now you can join NAWJ, register for the Annual Conference, and make Conference hotel reservations on-line. Soon you will be able to read Counterbalance, order our publications and access distance learning curricula via our website as well. VISA and MasterCard are accepted. Please visit us at www.nawj.org.

We are taking control of our membership data in-house, we now can provide accurate information and updated lists promptly. We also have a nation-wide membership e-mail distribution list available for selected communications of special interest to all members.

The energized Resource Board is actively pursuing increased financial support, and I am able to assist this worthy effort to ensure the longevity and widespread impact of NAWJ.

Finally, members of the media are becoming acquainted with NAWJ! Recently they have inquired about general judicial matters, such as the number of women judges and how they attain the bench. They also have asked about specific and timely issues, such as the results of the recent elections in which women became the majority on highest courts in Washington and Ohio (a feat preceded only by Minnesota in 1991-94).

Yes, NAWJ's growth during the past two years is impressive! NAWJ is becoming a real powerhouse for addressing social justice issues, and a magnet for other groups - legal, social and political - who wish information and insight. NAWJ can continue to progress, however, only with the increased activity and devotion of its members. Please peruse this newsletter, and feel free to contact staff as well as Board Members to discuss your interests.



NAWJ fall interns Kenda Lentz and Ana Benavides dedicated tremendous effort to enhancing NAWJ's services and mission. Kenda continues to assist us with desktop publishing while she finishes her schooling in Ohio.

NAWJ Welcomes New Staff Member

Constance L. Belfiore, Esq.



Jeffrey Groton

Jeffrey W. Groton, *Director of Operations and Membership* since early December, returns to DC from NYC, where he was Business Manager for a management consulting firm. Prior to that he was Managing Director of HR and Administration for Envision EMI here in DC, where he worked closely with a large non-profit youth education program focusing on teaching students about legal careers.

A seasoned business executive, Jeffrey is leading us into the next stage of our development in financial, human resources, administrative and IT matters. He also is managing our membership data and outreach. He has hit the ground running, and is enjoying the challenges facing our growing organization.

2002 Annual Conference Highlights



2002 Annual Conference Highlights



Removing Obstacles To Justice For Immigrants

Geoffrey S. Platnick, NAWJ Program Attorney

The *Removing Obstacles to Justice for Immigrants* educational curriculum and training manual is now available for national distribution. The curriculum provides a forum for judges to develop a fundamental understanding of immigration law, identify important issues affecting immigrants, and develop a well-reasoned approach to the issues surrounding immigrants in court. The program is free for NAWJ members. The only expense will be a \$25 shipping fee.

In addition to the printed curriculum, NAWJ will unveil an online distance-learning component of the program on February 1, 2003. This is a complete one-day (8 hour) training session available over the internet and/or CD-ROM. To receive the training via the internet, judges may access our website at www.nawj.org, click on the relevant link, purchase the program, and train over their internet at their convenience. This amazing technology offers a variety of convenient features. The expert presenter can be viewed and heard as her/his lecture is transcribed and the accompanying

PowerPoint slideshow is presented. Links to primary sources are available and the program allows the viewer to type notes during the presentation.

The internet and CD-ROM programs include outlines of essential points for each subject area: *Immigration 101*; *Criminal Consequences of Conviction and Sentencing on Immigration Status and Naturalization Eligibility of Non-Citizens*; *The Violence Against Women*

Act; and *Language and Cultural Considerations*.

PowerPoint presentations and handouts may be downloaded and saved for a later date and a self-test is available to test the viewer before and after the program. Additionally, there are selected statutes and background materials available for further in-depth review, and a certificate of completion is available after the program.

If you are interested in coordinating a training session in your jurisdiction, and would like a training manual, or if you would like to learn more about accessing the program session using the Internet or CD-ROM, please contact the National Office.

New Educational Curriculum Available Now!

Genome Justice

Alexis K. Hill, NAWJ Program Attorney

The *Genome Justice* plenary presentation during the 24th Annual Conference in Minneapolis, Minnesota was a huge success! Thank you to all the members of our host committee, particularly Hon. Diana Eagon, for their extensive support. If you would like a video copy of the plenary please contact Alexis K. Hill in the National Office.

History Project

Alexis K. Hill, NAWJ Program Attorney

Thank you to the numerous NAWJ members who shared their recollections and reflections for the NAWJ history book! The book by and about NAWJ members will be in print by the 25th Annual Conference in Washington, DC. If you would like to order a copy for yourself, your alma mater or your local law school library, please contact Alexis K. Hill in the National Office.

Updates

The *Color of Justice* Program Goes National

Hon. Brenda Stith Loftin

The goal of the Project Development Committee is to debut the *Color of Justice* program across the country on Law Day 2003. We invite all NAWJ members and District Directors to request a *Color of Justice* manual from the NAWJ office in Washington, DC, and begin planning for an event that will encourage and motivate our youth to consider the law and judgeships as career goals.

The *Color of Justice* program has many advantages. It benefits our youth, our communities, NAWJ members, and our organization. The pilot programs that were presented in St. Louis and New Jersey proved that the program can be a smashing success. Specifically, the program has deep impact upon the students who have never had the opportunity to visit a college campus or a law school. Student program evaluations revealed that students left excited and grateful to have been chosen to participate in such a program.

Also, a survey of participating judges indicated that they felt a deep sense of appreciation for being

able to give back to their communities in such a unique and fun way. Particularly, the survey of women judges indicated how much they enjoyed sharing their life experiences with students. Moreover, it gave the judges a chance to learn more about their colleagues and catch up on the latest judicial news in their circuits and counties.

Let's take NAWJ to a new level and illustrate

*A new
Color of Justice
manual is now
available!*

through a sampling of our superior educational programs the commitment that each NAWJ member has to their community. It's time we showcase NAWJ and our learned, talented, and community-minded members. Make a difference on Law Day 2003 by presenting the *Color of Justice* program in your area.

A new *Color of Justice* manual is available through NAWJ's National Office and is free to members. If you would like to obtain a copy, please contact the National Office ASAP. For help in planning a program, you may contact Judge Brenda Stith Loftin or Judge Barbara Peebles in St. Louis, Missouri or Judge Shirley Tolentino in New Jersey.

PRESENTING MEDICAL EVIDENCE IN AN ADULT RAPE TRIAL

A New Video Resource

Lynn Hecht Schafman, Esq.

The National Judicial Education Program (NJEP) announces an important new resource for education about rape trials that is focused on prosecutors but is also relevant to judges, police, probation departments, victim advocates and medical personnel.

Presenting Medical Evidence in an Adult Rape Trial is the first video to capture part of NJEP's highly regarded model curriculum Understanding Sexual Violence: Prosecuting Adult Rape and Sexual Assault Cases. An online version of the complete curriculum is available on the Department of Justice Violence Against Women Office website at www.vaw.umn.edu/FinalDocuments/usvpros.asp.

The video/self-study guide was developed under a grant from the Department of Justice Violence Against Women Office. The model curriculum from which it was drawn, also funded by the Violence Against Women Office, was developed at the request of judges nationwide who asked NJEP to adapt its model judicial education

curriculum on rape trials to create a similar program for prosecutors.

Presenting Medical Evidence in an Adult Rape Trial runs one hour, fifty minutes in total length and is divided into ten independent segments. Each segment presents a prosecutor interviewing an expert in a particular area dealing with the presentation of medical evidence in an adult victim rape trial. The segments cover the most up-to-date research available and present it in a clear, concise, useable format geared specifically for prosecutors. Although not a trial manual, there are concrete examples as well as sections with specific guidance for sex crimes prosecutors.

For more information, contact the National Judicial Education Program at NOW Legal Defense and Education Fund at:

395 Hudson Street, 5th Floor,
New York, NY 10014-3684.
Phone: (212) 925-6635
Fax: (212) 226-1066
Email: njep@nowldef.org.

The *Color of Justice* Program Making a Difference

Washington University School of Law was the setting for the second annual *Color of Justice* program in October 2002 in St. Louis, Missouri. Federal, State, and Administrative Law school personnel joined twenty young women from Vashan High School for the half-day program.

The program began with two inspiring panel discussions and closed with a one-hour luncheon discussion that provided an opportunity for each student to ask questions and talk with judges and attorneys.

The students were presented with a *Color of Justice* mug and certificates of attendance before boarding their buses to return to school.

The co-chairs of the 2002 program were Associate Circuit Judge Brenda Stith Loftin, Associate Circuit Judge Barbara Peebles, and Federal District Court Judge Jean Hamilton.

Updates

Come celebrate in our Nation's Capital!

25th

Annual Conference

Hon. Noel Anketell Kramer

SAVE THE DATE!

The next IAWJ Biennial Conference will be held in Kampala, Uganda on May 9-13, 2004.

The theme will be "Access to Justice: Women and the Judicial Process."

The IAWJ hopes that many NAWJ members will put this on their calendars now and plan to attend.

Be sure to build in some time for an optional safari in the countryside afterward!

Next October 2003, the 25th Annual Conference of NAWJ will be held in Washington, DC.

This meeting also will mark 15 years since 50 women judges from around the world came together in Washington with judges of NAWJ for an exchange of ideas about the position of women in the judiciary and the unique problems around the globe faced by women seeking justice.

In recognition of these two momentous anniversaries, the Conference theme, "*Justice in America – Justice in the World*," is designed to place the examination of American law within the context of a larger global picture. The educational programs will explore the application of international law and its affect on domestic cases around the world, the status of civil rights and civil liberties in the United States in the aftermath of September 11 and other terrorist acts, the burgeoning challenge of juvenile women in the justice system, and other topics of current interest.

The 25th Annual Conference will begin on Wednesday, October 8, with the traditional evening welcoming reception and end on Sunday, October 12, with a formal breakfast. It will be held at the elegant Mayflower Hotel in downtown Washington, within a short distance of the White House and the monuments and museums on the Mall. A reception at the United States Supreme Court is planned for Friday evening, and a gala celebration dinner with members of the area women's lawyers groups is planned for Thursday evening.

The perspective of judges from around the world will add a fascinating element to what promises to be a truly unique Annual Conference. Please fill out the registration form either opposite this page or on our web site, www.nawj.org. Early indications of who will be attending is vital to planning the conference, and the lack of early notice is one of the most troublesome challenges faced by the host committee every year. I look forward to seeing you all of you in October!

*Mark Your
Calendar!
October 8-12,
2003*

UPCOMING EVENTS

25th Annual Conference

Washington, DC

October 8-12, 2003

26th Annual Conference

Indianapolis, IN

October 6-10, 2004

27th Annual Conference

Houston, TX

Date TBA

28th Annual Conference

Las Vegas, NV

Date TBA

Mid-Year Board Meeting

Austin, TX

March 21-23, 2003

NAWJ PARTNERS WITH LexisNexis

Geoffrey S. Platnick, NAWJ Program Attorney

LexisNexis and NAWJ recently have signed a five-year contract to become partners in the area of legal research, scholarship funding, publishing, and Annual Conference sponsorship. Our own Resource Board members Matt Cegelis and Vicky Cashman championed this agreement for the benefit of NAWJ and its members.

The agreement provides for generous use of LexisNexis research by the staff and leaders of NAWJ to create and update its educational curricula and other programs. Additionally, the partnership provides at least \$25,000 per year in sponsorship of the NAWJ Annual Award Dinner, funding of the

Annual Program Scholarship contest, and financial support for publication of future bench booklets and bench cards.

As was evidenced by LexisNexis' participation in this year's Annual Conference, LexisNexis is as proud to be a partner with NAWJ, as NAWJ is proud to be LexisNexis' partner. During the Conference, LexisNexis hosted and funded the Saturday reception and awards banquet (see photos, pages 6-7), and provided the attendees pens, constitution mini-booklets, and lanyards.

Once again, we would like to thank LexisNexis for its generous support of NAWJ and its members.

JUSTICE IN AMERICA - JUSTICE IN THE WORLD

NAWJ's 25th Annual Conference In Washington, DC

October 8-12, 2003

REGISTRATION INFORMATION

NAWJ Member registration fee includes all educational sessions, receptions, meals, transportation to events listed in the program and use of the hospitality suite. Partner/guest registration fee includes all receptions, meals, transportation to events listed in the program and use of the hospitality suite.

REGISTRATION DEADLINE AND LATE REGISTRATION

Registration forms postmarked after the registration deadline of September 9, 2003, must include a \$50 late registration fee. **You may register online at www.NAWJ.org.**

CANCELLATION POLICY

If notice of cancellation is received after September 9, 2003, the registration fee, less a \$50 processing fee, is refundable. Cancellations received within 3 days of the conference are refundable less a \$50 processing fee plus the cost of any hotel meals or guest guarantee expense incurred by NAWJ.

LODGING

Rooms at the historic Mayflower Hotel, located in downtown Washington, DC have been guaranteed at the rate of \$189.00 plus tax, single or double occupancy. Upgrades are available. For reservations, call 1-800-468-3571 or (202) 347-3000 and state that you are with the NAWJ/Women Judges conference. Reservations must be made on or before **September 12, 2003**, to guarantee the conference rate and room availability.

REGISTRATION (You may register online at www.NAWJ.org.)

Please print your name and title as you wish them to appear on your name badge.

Name: _____

Title: _____

Address: _____

City: _____ State/Zip: _____

Phone: _____ EMAIL: (please, if available) _____ Fax: _____

Name of Guest: _____

Need a Roommate? _____ Non-Smoking? _____; Require vegetarian meals? (Circle) Self Guest

Require specific aids or services under the Americans with Disabilities Act? (Circle) Audio Visual Mobile

Other special restrictions: _____

Date of arrival: _____ Date of Departure: _____

I will attend: _____ Wednesday Evening Opening Reception _____ Thursday Lunch _____ Thursday Gala Dinner

_____ Friday Lunch _____ Friday Supreme Court Reception

_____ Saturday Honoree of the Year Banquet _____ Sunday President's Breakfast

REGISTRATION FEES (Please add \$50 to each category after September 9, 2003)

NAWJ Member: \$400 \$ _____

First Time Attendee: \$375 (member only) \$ _____

Spouse/Guest: \$350 \$ _____

Non-NAWJ Member: \$425 \$ _____

Total: \$ _____

METHOD OF PAYMENT (Payment Due at Time of Registration)

Enclosed is a check payable to NAWJ for \$ _____ or Credit Card (Circle) MasterCard Visa

Account Number: _____ Expiration: _____ Signature: _____

Billing Address (street, city, state, zipcode) _____

Security Code (last 3 digits on card located on back signature strip): _____

Return this registration form with payment to:

National Association of Women Judges

1112 16th Street, NW, Suite 520

Washington, DC 20036

Fax: 202-393-0215

Conference Registration

Just say CHARGE IT!

Now you can charge your Annual Conference registration fee to your Visa or MasterCard.

You can obtain a conference registration form on our website at www.nawj.org.

For your convenience you may complete the electronic process, or print the form and send it via mail or fax to the National Office at (202) 393-0125.

VACATION HOMES

We have reinstated the NAWJ Vacation Homes Program, adding even more benefits for NAWJ members.

HOW IT WORKS

NAWJ members may call the national office to register their vacation homes in the directory of NAWJ Vacation Home Listings. The registered homes will be available to other NAWJ members, during the owner's specified time frame. The cost is simply a contribution to NAWJ of \$750 per week.

Members who wish to support the NAWJ by using these vacation homes should contact Jeffrey Groton at the National Office to initiate communication with the owner. Specific arrangements for use will be made directly between members. We assume that all homes will be treated tenderly, as if they were our own. If you would like to register your vacation home, please contact the National Office. We hope to augment our offerings during the coming year.

See opposite page for available homes.

District 1 ME, MA, NH, PR, RI

Hon. Fernande Duffly

District 1 members extend their appreciation to outgoing District Director, **Hon. Patricia Bernstein**, for her support of local members of the NAWJ, contributions to Counterbalance recognizing the achievements of our members, and dinner meetings honoring women judges newly appointed to the bench.

We also wish to announce, with deep regret, the deaths during the past year of two great friends and dear colleagues: **Hon. Eileen P. Griffin** on October 11, 2001, and **Hon. Sheila E. McGovern** on November 12, 2002. Judge Griffin served as First Justice of the Palmer, MA, District Court before her appointment to the Superior Court, where she was the third woman appointed to serve in that capacity. Judge McGovern, appointed to the bench in 1974, served for many years as First Justice of the Middlesex Probate and Family Court.

District 1 members who attended the recent NAWJ Annual Conference in Minneapolis included (from Massachusetts) **Hon. Ruth Abrams** (ret.); **Hon. Raya Dreben** (on recall); **Hon. Elizabeth Porada**; **Hon. Fernande R.V. Duffly**; **Hon. Martha Grace**; **Hon. Ellen Flatley**; and (from Rhode Island) **Hon. Marjorie Yashar**. Our informal discussions at the Conference with Judge Yashar have led to plans, now in the making with the assistance of **Hon. Maureen McKenna Goldberg**, for a joint regional meeting to be held in Rhode Island in late winter or early spring, 2003. We encourage members from Massachusetts and Rhode Island to attend this event and to invite other women judges to attend. Anyone wishing to participate in the planning of the MA/RI joint regional conference, or in planning such a conference with judges in Maine, New Hampshire or Puerto Rico, should contact the District Director at fernande.duffly@appct.state.ma.us.

District 1 welcomes new member, **Hon. Sally Kelly**.

The Mass. Association of Women Lawyers recognized **Hon. Martha Grace**, Chief Justice of the Juvenile Court, with its 2002 Jurist of the Year award.

Hon. Ruth Abrams (ret.) was honored in October, 2002 by The Supreme Judicial Court Historical Society, upon the occasion of the creation of the "Hon. Ruth I. Abrams Endowment for Women in the Law," honoring the first woman justice of the SJC.

Hon. Nancy Dusek-Gomez was recently honored as a jurist at a Red Mass conducted by the St. Thomas Moore Society.

The Women's Bar Association presented its annual Lelia J. Robinson Award to **Hon. Aileen H. Belford**, (ret.) who was presiding justice of the Fall River District Court.

The Herbert P. Wilkins Annual Appellate Year-in-Review will be presented this year by **Hon. Martha B. Sosman**.

Pursuant to a grant from the U. S. State Department, the following women judges traveled to Mongolia and China as part of a judicial education exchange, a joint program of the Massachusetts Judges Conference, the McCormack Institute of Public Affairs and the Institute for Transitional Economies: **Hon. Nonnie Burnes**; **Hon. Rebekah Crampton**; **Hon. Patricia Curtin**; **Hon. Elizabeth Fahey**; **Hon. Wendie Gershengorn**; **Hon. Bertha Josephson**; **Hon. Judith Nelson Dilday**.

U.S. District Court Judge **Rya W. Zobel** was the recipient of the ABA's Margaret Brent Women Lawyers of Achievement Award. ■

District 4 DC, MD, VA

Hon. Patrice E. Lewis

Our October 18th meeting, hosted by **Hon. Deborah K. Chasanow**, was held at the U.S. District Courthouse in Greenbelt, Maryland. First-time visitors to the Courthouse commented on its beauty and ease of geographic access. It had been some time since the District last met, and there was much business to discuss.

Hon. Susan Gauvey reported on the status of Tamar's Children Program for incarcerated, pregnant women in Maryland. A special welcome

was given to Susan Bayly, Legal Counsel to the Governor of Maryland, with thanks for all her efforts to keep Tamar's Children Program on the front burner of the administration's agenda.

Host Committee Chair **Hon. Noel Kramer** distributed a questionnaire and signed up many eager members committed to making the 2003 Convention at the Mayflower Hotel in Washington, D. C.,—the best yet. PLEASE MARK YOUR CALENDARS FOR THE NAWJ CONFERENCE ON OCTOBER 8 - 12.

(continued next column)

District 4 Report Continued

(continued from page 12)

Remember, there is so much to do in our Nation's Capital; you may want to request additional leave for either the days preceding or following the Conference dates. In fact, your family may choose to accompany you. Our Host Committee is gathering materials for all the wonderful sites to see and things to do.

Hon. Marielsa Bernard reported on project development concerning the Status of Girls in the Justice System. The committee, co-chaired by **Hon. Teena Grodner**, will be making a presentation of its work at the 2003 Annual Conference; hopefully other Districts throughout the country will be able to replicate the committee's efforts. Don't miss this educational program! Who knows, Marielsa could receive another National award – if we can keep her out of the restroom!

New District officers were elected as a result of the resignation of our former District Director **Hon. Fern Saddler**. Fern had resigned to have more time to care for her mother. Sadly, her mother died just days before our meeting. Our thoughts are with her. We extended our appreciation for the attendance of members **Hon. Theresa Nolan** and **Commissioner Lauren Sfekas**, each widowed since our last meeting. Our new Treasurer also took up a collection for a contribution to the National Office in memory of **Hon. Ismene Kalaris** and **Patricia Kirkwood**, members who died recently.

After much business – but a wonderful evening of food, drink, and comradery – **Judge Diana Motz** of the U.S. Circuit Court (4th Circuit) addressed the need for NAWJ, both at its inception and today. She

brilliantly and eloquently broached the subject of our achievements and the complexity of being women jurists of such high achievement – the benefits, as well as the personal sacrifices. I felt she was speaking directly to me. Just recently, I bought a sign that I proudly posted in my study, stating: "Incredible as it seems, my life is based on a true story." Judge Motz gently reminded us to take time for ourselves.

District 4 was well represented by some twenty-five members at the Minneapolis Conference. We

very much appreciated the efforts and hospitality of our hosts, as we took notes for 2003. Since returning, there have been Host Committee meetings, and **Justices Sandra Day O'Connor** and **Ruth Bader Ginsberg** have agreed to

host a reception at the U.S. Supreme Court on Friday, October 10, 2003.

Finally, a reception and dinner with Senator Patrick Leahy was held on Wednesday, November 13, in the Mike Mansfield Room of the U.S. Capitol. Though the chairmanship is no longer Senator Leahy's, in light of the election returns, the eyes of the nation are on the Senate Judiciary and the handling of the Federal Bench nominees. We enjoyed meeting with Senator Leahy and listening to his views on this timely topic. I wish each of you could have joined us.

Remember, the MAYFLOWER HOTEL, October 8 - 12, 2003. You won't want to miss it!

*Mark Your Calendar
DC Conference
October 8 - 12, 2003.*

District 6 AL, LA, MS, TN

Hon. Mary Hotard Becnel

We held our annual meeting at the NAWJ National Conference in Minneapolis, Minnesota during the month of October. In attendance were **Hon. Cissy Daughtrey** and **Hon. Carol McCoy** from Tennessee and **Hon. Mary Hotard Becnel** and **Hon. Patricia Hedges** from Louisiana.

There was discussion regarding methods of increasing membership and encouraging participation among current members. District 6 also met with District 5 and discussed the feasibility of holding a joint district meeting in one of the two districts. ■

District Reports

VACATION HOMES

(cont. from previous page)

CURRENTLY AVAILABLE

"Relaxing Country" AZ.

Spacious 3 bedroom home with 2 fireplaces, full furnished kitchen, and spa. Close to golf, horseback riding, and bird-watching. No smoking or children under 8.

CURRENTLY AVAILABLE

San Juan Island, WA. Private 3 bedroom waterfront home with tennis courts, hot tub, and private ferry service to beautiful, secluded island. Guests pay extra cleaning fee and \$20 per person ferry fee.

CURRENTLY AVAILABLE

Park City, UT. Quaint 2 bedroom home located at the foot of Deer Valley, MT. Close to skiing, hiking, water parks, and horseback riding. Available May-December. No smoking.

District 9 IA, MO, WI

Hon. Ellen Levy Siwak

MISSOURI: Thanks to all of the NAWJ members and volunteers who made the 24th Annual Conference so stimulating and fun. Missouri NAWJ members, **Hon. Barbara Crancer, Hon. Mary Kay Holden, Hon. Brenda Loftin and Hon. Ellen Levy Siwak** attended and reported that the program was superb and the shopping great!

The St. Louis metropolitan area judges recently participated in a new community service program titled "Dressing for Success," a program collecting gently used business clothing to provide to women in shelters for job interviews and attendance. Over 50 articles of clothing were collected, sorted, and distributed.

The **Hon. Laura Denvir Stith** of the Missouri Supreme Court and the **Hon. Barbara Wallace**, Presiding Judge of the St. Louis County Circuit Court, presented programs at the 2002 Missouri Bar Annual Meeting and Judicial Conference held in Kansas City on September 11-13, 2002.

On October 10, 2002 St. Louis hosted its Second Annual *Color of Justice* Program at Washington University with 25 high school students participating. Co-chaired by **Hon. Jean C. Hamilton** and **Hon. Barbara Peebles**, the following judges participated: **Hon. Sandra Farrugut-Hemphill, Hon. Carol E. Jackson, Hon. Mary Ann Medler, Hon. Ann Covington, Hon. Kathianne Knaup Crane, Hon. Patricia Ferguson, Hon. Ellen Levy Siwak, and Hon. Brenda Stith Loftin**, representing the United States Federal District Court, the Missouri Supreme Court and Missouri Court of Appeals, Eastern District, the Office of Social Security Administration, the Circuit Courts of St. Louis City and County, and the Division of Workers' Compensation. A special thank you to sponsors **Hon. Karla Moskowitz**, The Jessie Noyes Foundation, Ted Foster and Sons White House Chapel North, and the **Hon. Brenda Stith Loftin**.

The Missouri Supreme Court recently named the **Hon. Nannette Baker** of the 22nd Judicial Circuit to the Trial Judges Education Committee.

Hon. Mary Ann Medler, Hon. Jean C. Hamilton and **Hon. Ellen Levy Siwak** attended a dinner organized by the United States District Court welcoming several judges from Russia who were in St. Louis as a part of a judicial cultural exchange program.

Hon. Susan Block, Hon. Kelly Moorhouse, Hon. Margaret M. Neill, Hon. Mary Sheffield,

Hon. Christine Sill-Rogers, Hon. Ellen Levy Siwak, Hon. Barbara Wallace, and Hon. Carolyn Whittington were on the faculty that presented programs at the October 2002 Missouri Judicial College.

The **Hon. Carolyn Whittington** is currently serving as President of the Missouri Association of Probate and Associate Circuit Court Judges. **Hon. Sandra Farragut Hemphill** currently serves as the Historian and **Hon. Ellen Levy Siwak** and **Hon. Ann Marie Clark** serve on the Board of Directors.

The following judges graciously volunteered their time to the Truancy Court Diversion Project, a volunteer program which holds "court" at local schools on a weekly basis in order to decrease unexcused absences and tardiness, decrease days suspended, improve G.P.A., and increase promotion to the next grade level: **Hon. Susan Block, Hon. Mary Rhodes Russell, Hon. Ellen Levy Siwak, Hon. Sandra Farragut-Hemphill, Hon. Anna Forder, Hon. Thea Sherry, Hon. Mary Pat Schroeder, and Hon. Gloria Reno.**

Saint Louis University School of Law will honor **Hon. Gloria Clark Reno** and **Hon. Ellen Levy Siwak** at their Women Law Students' Association Annual Judges Reception on November 12, 2002.

The **Hon. Barbara Wallace** recently returned from a trip to Australia where she cheered on her husband Ken Rinderknecht, as he played on the United States Basketball team in the Master Games, garnering a silver medal.

IOWA: State District Court **Hon. Linda Reade** of Des Moines has advanced a significant step forward in the nomination process to the United States District Court for the Northern District of Iowa. In October the Senate Judiciary Committee unanimously approved Reade's nomination and forwarded it to the full Senate for confirmation. Reade previously received the American Bar Association's highest rating.

District Court **Hon. Lynn Brady** of Cedar Rapids, Iowa, died July 4, 2002, after a lengthy battle with brain cancer. Brady's retirement was featured in the previous issue of *Counterbalance*, where her many achievements were noted. These include being Iowa's first female District Associate Judge, first woman judge in the Sixth Judicial District, and first woman president of the Iowa Judges Association. At the time of her retirement Brady was the longest serving judge on the bench in the state of Iowa. She was appointed in 1973. In

(continued next column)

In Memory

Hon. Eileen P. Griffin died 10/11/01. Judge Griffin served in the District Court in Palmer, MA and the Superior Court where she was the 3rd woman in that capacity.

Hon. Lynn Brady died 7/4/02. Judge Brady was a District Court Judge in Cedar Rapids, Iowa and was the first woman District Associate Judge, first woman judge in the Sixth Judicial District and first woman president of the Iowa Judges Association. At retirement, she was the longest-serving judge in Iowa.

Hon. Mildred L. Lillie, California Court of Appeals Presiding Justice, died in October at the age of 87. She was the longest-serving judge in California with 55 years as a judicial officer.

District 9 Report

(continued from page 14)

2000 she received the Award of Merit from the Iowa Judges Association.

Hon. Eliza Ovrom facilitated programming for a group of Russians visiting Iowa as part of the Open World/Russian Leadership Program in October. The Friendship Force of Greater Des Moines acted as coordinator for the group's visit. The 14 Russians were educators from various parts of Russia. The group toured the local juvenile detention facility and the Polk County Courthouse, and met with the Juvenile Judge Constance Cohen to discuss the juvenile court system in the U.S.

District Court **Hon. Karen Romano** of Des Moines was a member of a committee that made recommendations to the Iowa Supreme Court concerning courtroom interpreters' qualifications. The committee's recommendations were adopted by the Supreme Court in October, and include a code of professional conduct for interpreters, standardized oaths for interpreters, and education for judges and court staff concerning cultural issues and differences. Romano also chairs the courthouse security committee that is responsible for adoption and implementation of the courthouse security measures in the Polk County Courthouse in Des Moines.

United States Magistrate Judge **Hon. Celeste Bremer** of Des Moines has completed her dissertation and expects to be awarded her doctorate in Adult Education from the Drake University School of Education in November. Judge Bremer's dissertation topic is "*The Impact of a Mentoring Program on Occupational Stress, Personal Strain, and Coping Resources of Newly Appointed U.S. Magistrate Judges.*" One of the findings of the dissertation is that female judges reported significantly higher levels of stress and lower levels of coping skills than male judges in the study. Mentoring was found to lower stress levels. Copies of the dissertation are available by contacting Hon. Celeste Bremer, U. S. Courthouse, 123 E. Walnut St., Des Moines, Iowa 50309. ■

A Dispatch from the Western Frontier

Hon. Valorie Cooke

We held our NAWJ reception on October 10th in conjunction with the monthly meeting of Northern Nevada Women Lawyers Association. The program was a panel discussion about "The Changing Face of Justice."

The members of the panel were **Justices Miriam Shearing, Nancy Becker, and Deborah Agosti**, who are all members of the Nevada Supreme Court and members of NAWJ. I served as moderator for the panel. We discussed the early days of law practice in Nevada, sharing stories about being the first women judges in the state. Miriam, Nancy and Deborah have spent many years on the bench, so they were truly pioneers for women in the legal profession. We discussed changes in the judiciary and legal profession in the past twenty years, the role of women as catalysts for change, and sobering comments on the work we still must do to advance women in the legal profession.

There were many young women lawyers present at the reception, which was great since it gave them an opportunity to hear from the women who have paved the way for them. All of us on the panel stressed the importance of networking, both as women attorneys and judges, since it has proven such an effective means of supporting one another, both personally and professionally. We told a lot of great war stories about the discrimination we encountered as attorneys and judges, and Miriam talked about her longtime association with NAWJ and how helpful it has been to her over the years.

It was a very nice evening, and I think all of us enjoyed taking time to reflect on the journey women have made in the legal profession in Nevada and the work that remains to be done. We stressed to the younger women present that they must not think that all of the work has been done for women in our profession and that they have a responsibility to themselves and to the profession to continue to recognize the hurdles that still exist for women in the law and to overcome them. ■

District Reports

In December of 2002, the Texas chapter of NAWJ held a reception at Serrano's Restaurant in Austin, TX for newly elected women. Held during the College for New Judges, the reception extended a welcome and an invitation to join our great organization and presented mentoring opportunities for the new judges. The reception was a great success, with 60 judges in attendance, including District Director, Judge M. Sue Kurita of El Paso, and Deputy Director Judge Susan Criss of Galveston.

District 10 KS, MN, NE, ND, SD

Hon. Mary Muehlen Maring

The 24th Annual NAWJ Conference held in Minneapolis, Minnesota, on October 16 through October 20, 2002, was marvelous with cutting-edge seminars and fabulous activities. The **Hon. Diana S. Eagon**, Chair of the Host Committee, and many other Minnesota judges are to be commended for this extraordinary conference. District 10 was well represented with fifty-eight members in attendance.

In addition, **Hon. Helen Meyer** has been appointed to our Supreme Court to replace Justice Lancaster. **Hon. Mimi Wright** and **Hon. Natalie Hudson** have been appointed to our Court of Appeals. **Hon. Rosanne Nathanson** and **Hon. Marybeth Dorn** have been appointed in Ramsey County. **Hon. Regie Chu** the first Asian American woman judge, has been appointed in Hennepin Co., **Hon. Katherine Roe**, the first Native American woman judge has been appointed in Hennepin County. And **Hon. Mary Hannon** has been appointed from Washington County. ■

District 11 AR, OK, TX

Hon. M. Sue Kurita

In August, the Texas members of District 11 had their annual chapter meeting in San Antonio at Biga on the Banks restaurant. Fifty members attended a reception and dinner. The treat of the evening was keynote speaker Dr. Amy Freeman Lee, a noted author and legend in San Antonio. **Judge Catherine Stone** introduced Dr. Lee. At this gathering, the members agreed to make the increase of District 11 membership a priority.

Texas Judges **Lora Livingston**, **Susan Criss**, **Elizabeth Ray** and **M. Sue Kurita** attended the Annual Conference in Minneapolis to give full support to **Justice Bea Ann Smith** as she was installed as NAWJ President. Judge Kurita was elected the new District Director and Judge Criss was named Deputy Director.

On November 4, 2002, President Bea Ann Smith and District 11 Director Sue Kurita were recognized at the Bexar County Bench Bar Brunch for their new positions with NAWJ. The San Antonio event is an annual brunch honoring women in the Texas judiciary. In 1983, the Bench Brunch honored 32 women judges; this year over 350 sitting judges were honored. ■

District 12 AZ, CO, NM, UT, WY

Hon. Denise P. Lindberg

NAWJ District 12 welcomes the following new women judges appointed to the bench and encourages their active participation in NAWJ activities.

In the U.S. Court of Appeals for the 10th Circuit, **Janice Miller Karlin** of Topeka, Kansas, has been appointed as a U.S. Bankruptcy Judge effective October 17, 2002. In Arizona, **Elizabeth Finn** has been appointed to be Presiding Judge at the City of Glendale, Arizona. In Utah, **Elizabeth (Beth) Lindsley** was recently appointed to the bench in the Third District Juvenile Court.

In Colorado, **Pattie Swift** of Jaroso, CO, has been appointed as a 12th District Court Judge. **Mary Clarkson Hoak** has been appointed as a 14th District Court Judge in Grand County, CO. **Katherine Delgado** of Broomfield, CO, has been appointed as a 17th District Court Judge. The 18th District Court of Colorado has recently appointed three women judges: **Angela Arkin** of Littleton, CO; **Nancy Hopf** of Centennial, CO; and **Marilyn Leonard** of Littleton, CO.

District 12 Events: U.S. Supreme Court Justice **Sandra Day O'Connor** recently visited Utah for a speaking engagement at Brigham Young University. While in Utah, she was honored at a September 25th dinner held by District 12 Director and Third District Court Judge **Denise P. Lindberg** (*who began her legal career as a clerk for Justice O'Connor*). About twelve local women judges attended the dinner.

Another District 12 event planned is a November 4th dinner to honor newly appointed women judges in Utah. The Utah women judges traditionally hold a dinner, coordinated by the last appointee, to honor the newest appointee. In this case, **Judge Claudia Laycock** has arranged the dinner to honor **Judge Beth Lindsley**. ■

North Las Vegas Judge Natalie Tyrrell attended her first NAWJ Annual Conference this year in Minneapolis, thereby doubling the average attendance from that state! Nevada Supreme Court Justice Miriam Shearing attended per usual and reported at the Board of Directors meeting on plans for the 2006 Annual Conference, which is scheduled in Las Vegas. Miriam and Nancy Saita are chairpersons for the Conference.

District 14 members in attendance at the Minneapolis meeting voted to sponsor a foreign judge to next year's Conference in Washington, DC. Judge Judy Chirlin will head up the committee to select a woman bench officer from an Eastern European country. Historically, Eastern European women judges have been underrepresented at IAWJ meetings. The goal is to select someone who will go home and organize women judges in her country.

Governor Gray Davis of California, who was honored at the conference with a resolution commending his appointment of many qualified women to the bench, appointed six judges during the conference, half of whom were women!

According to Margie Carter, 125% of the Orange County Judges in attendance at Minneapolis have registered for the NAWJ Conference in Washington, D.C. next October.

Alameda County Judge Peggy Hora is at it again in the grandmother business with two granddaughters joining her four grandsons this spring. Congratulations!

Recent gubernatorial appointments in California are Deborah Christian, Monica Bachner, Charlaire Olmedo, Jacqueline Nguyen, Tammy Chung Ryu, and Gloria L. White-Brown of Los Angeles; Jo-Lynne Q. Lee and Theresa Canepa of Alameda; Josephine Tucker of Orange County; Hillary A. Chittick of Fresno; Elisabeth Sichel of Riverside; Elizabeth Humphreys of San Joaquin; Pamela Smith-Steward of Sacramento; Adreienne Grover of Monterey; DeAnn M. Salcido of San Diego; and Terrie L. Jackson of San Francisco.

Judy Chirlin was the recipient of the Women Lawyers of Los Angeles' prestigious Ernestine Stahlhut Award in September.

Peggy Hora has been nominated for the Ben

Aranda Access to Justice Award. In addition to writing a chapter on drug courts in the third edition of *Principles of Addiction Medicine* and the introduction to *Drug Use and Misuse*, she is one of three judges to whom Professors David Wexler and Bruce Winick are dedicating their new book, *Judging in the Therapeutic Key*. All this and she managed trips to Thailand and Copper Canyon, Mexico, this year.

Valerie Cooke held a reception for members and prospective members in Reno. Miriam Shearing reported it a success even though a thief had made off with the "The Changing Face of Justice" video.

Jo-Lynne Lee, recent appointee, is the first Chinese-American attorney to serve as a judge in Alameda County.

Elizabeth Allen White served as Adjunct Faculty this semester, teaching Civil Discovery at

Loyola Law School. She and her cousin, Judge Isabella Horton Grant, retired from the San Francisco Superior Court, plan to be in Washington next year.

My sources tell me that Jacqueline Nguyen is the first Vietnamese-American judge appointed to the

bench.

Carol Lam, formerly a San Diego Superior Court judge, has been confirmed as the US Attorney for San Diego, the first woman to hold that post in San Diego.

Court of Appeal Presiding Justice Mildred L. Lillie died in October after 55 years as a judicial officer. A woman pioneer in the legal profession, she was the longest serving judge in California history. She was 87 years old.

In addition to being your director and president (of California and Nevada Women Judges), I spent two weeks this summer in Korea with my daughter, the angel child. Highlights of the trip included meeting Chrissy's foster mother who cared for Chrissy the first four months of her life, which is when she came to America. It is a beautiful country with friendly, gracious people.

Finally, I am delighted to report that all the women judge incumbents in Nevada won in this year's elections. Most of the incumbents didn't even have opposition. In addition we increased the number of women judges in the district courts (general jurisdiction) by five. The new women judges in Las Vegas are Jackie Glass, Jessie Walsh, Valerie Adair, and Jennifer Elliott. In Reno, Frances Doherty, a juvenile court master, was elected to district court. They all deserve congratulations for well-run races. ■

Nevada doubles attendance at Annual Conference!

Read about the NAWJ/
LexisNexis partnership
on page 10!

A Time Remembered for Resource Board Member Robert Kaufman

Geoffrey S. Platnick, NAWJ Program Attorney

Two baskets, 42 soup spoons, and a 10-by-13 foot carpet were among the items listed on the *property form* by Robert Kaufman's father in 1938. Mr. Kaufman was required to itemize and surrender these personal possessions according to Nazi law prior to "camp relocation," at which time his possessions were to be deposited into a Swiss bank for safekeeping. These items were never returned.

Robert Kaufman, prominent New York attorney and NAWJ Resource Board member, is among the nearly 40,000 people who have filed claims under a 1.25 billion dollar settlement of a class action filed against Swiss banks on behalf of Holocaust victims. The claim is that Swiss banks maintained a practice of "withholding or misstating account information" when inquiries were received from survivors or family members. The banks have argued that such actions were aberrations rather than standard policy—a court tribunal found differently. Robert Kaufman was among the first 500 claimants to receive payments from the settlement for claims of lost or looted Nazi-era bank accounts.

The judge in the case set up a tribunal in Zurich to review claims. It is there that the 60 employees of the tribunal compare all the information provided by claimants with unpublished bank records and government filings. The tribunal lawyers sometimes evoke powerful emotions when they call survivors to gather information. These people "are sitting in their houses doing their everyday activities," said a lawyer who helps run the tribunal, "and then you call them and you take them back 60 years."

Robert Kaufman's journey through memories of long-ago began when a distant relative told him that she noticed the names of his relatives on a published list of people who had once held Swiss accounts. Although he certainly knew of the Holocaust lawsuit, he had no idea that it would have anything to do with him. "Sixty years and suddenly this appears," he said. "I think I had tears in my eyes all day."

He thereafter sketched out a family tree, retrieved

death certificates, reviewed the 1938 *property form*, and relived the terrifying days of the Holocaust.

During the month of December 1938, little Bobby Kaufman, then only nine years old, had been sent to England by train to escape the coming nightmare—he was sent alone. Later the next year, his mother, sister, and aunt were lucky enough to escape to England as well. However, Bobby's father, Mr. Kaufman, would not be joining the family in England. He had been arrested and sent to the concentration camp at Dachau.



Robert Kaufman, Esq.

*"I think I had
tears in my eyes
all day."*

As terrifying an experience as this was for all family members, Robert's family was one of the fortunate ones to have a loved one return from the camps alive. Mr. Kaufman would join the family in England after a delay of many years, yet, Mr. Kaufman would be forever changed. Robert said that his father had always been a remote man, but became much more reserved upon his emergence from Dachau. From England, the entire family moved to the United States and Robert's father, once a successful importer in Vienna, never adjusted to the country he had been forced to adopt. He died in 1976, never having the possessions listed on his 1938 *property form* returned.

This past summer, Robert Kaufman received an award in the amount of \$200,000 from the tribunal because neither his father, nor his family, ever received his deposited items or funds. When he received the check, Robert decided not to keep the money, but to use it for the benefit refugees and immigrants, like his aunt, mother, grandmother, and sister, who had opened similar bank accounts so many years ago. It took more than 60 years, said Robert Kaufman, for the small step of returning money to the people who owned it. "And almost all the people to whom it happened," he said wistfully, "are dead."

Robert Kaufman, now a partner at Proskauer Rose LLP in New York City, has been an active and dedicated member of NAWJ's Resource Board for many years. NAWJ is grateful for his continuous support and friendship.

THE HAGUE CONVENTION IS THE LAW IN U.S. COURTROOMS

Hon. Leslie M. Alden

Did you know that thousands of U.S. judges have jurisdiction to apply international treaties? Unlike many treaties negotiated and executed by diplomats, several of the Hague Conventions are designed to be implemented by the judiciary. If you sit on a state or federal trial court, one treaty you may be asked to interpret is the Hague Convention on the Civil Aspects of International Child Abduction (Hague Convention) in order to resolve a case involving the transport of a child across international borders. To assist trial judges, NAWJ members are working to develop an international jurisprudence around the use and interpretation of this Convention.

The Hague Convention became applicable in the U.S. in 1988 with the passage of the International Child Abduction Remedies Act (ICARA 42 U.S.C. §11601 et. seq.), and has been ratified by 64 nations. The primary purpose of the Convention is to deter international child abduction and provide for the prompt return of children less than 16 years of age whose custody is in dispute to their place of “habitual residence.” Rather than a substantive vehicle to determine custody disputes, the Convention is intended to be a provisional remedy to restore the status quo ante; it can be invoked by the filing of an action in an appropriate court where the child is then located. In deciding whether a child should be returned to the state of habitual residence, the court must consider first whether there has been a wrongful removal or retention of the child. This inquiry requires both a determination of the place of habitual residence, which is not defined by the Convention, as well as an ascertainment of the custody rights applicable to the child immediately before the removal. In addition, the court may consider five narrowly defined defenses to the action, including whether the request for return has been delayed for more than one year, whether return of the child would expose it to a grave risk of harm or otherwise place the child in an intolerable situation, or whether return of the child would be contrary to the fundamental principles of human rights and freedoms of the forum state.

Approximately 1,600 Convention cases are decided worldwide each year. Many of these result in children being sent back to a country in accord

with certain “undertakings” or stipulations imposed by the sending country. For example, a U.S. court may send a child back to the country of habitual residence provided that the petitioning parent pay transportation costs, or to take action to minimize emotional trauma to the child. However, enforcement of these undertakings in the courts of the state to which the child is ordered returned is difficult to obtain and to measure. This is one of the many fascinating areas of the law that NAWJ member Judge Shireen Avis Fisher is studying in her research concerning international judicial cooperation in the implementation of the Convention.

Judge Fisher is studying for her Ph.D at University College, London. As part of her L.L.M degree in International Human Rights Law, Judge Fisher came to recognize that the key to implementing the Hague Convention is effective communication between judges from different judicial systems in different countries. “Careful adjudication of international abduction cases involves more than just an understanding of the black letter of the Convention. It also involves consideration of issues related to judicial comity, human rights, child safety and gender and cultural bias,” Fisher states. To further this goal she urges, “Judges should be sharing their decisions with one another.” This kind of communication requires establishing a network for judges to create an on-going dialogue that is ethically appropriate and effective. Fisher confident “NAWJ and IAWJ have the structure in place to both educate judges and form a network of judges with specific expertise to handle the Hague Convention cases. International parental abduction is too important not to have judges with a developed expertise.” ■

NAWJ is developing judicial training materials about the application of the Hague Convention in U.S. courts. If you have adjudicated a case pursuant to the Convention, please contact Judge Fisher directly via email at safisher1@yahoo.com, or by post at:

**The Honorable Shireen Avis Fisher
25 Marlborough House
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The National Association of Women Judges

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