

# COUNTERBALANCE

NATIONAL ASSOCIATION OF WOMEN JUDGES

Celebrating  
40 Years  
1979-2019



**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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NATIONAL ASSOCIATION  
OF  
WOMEN JUDGES

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# President's Message

Dear Members,

I am honored to serve as your President and stay the course of the impeccable leadership provided by Judge Tamila Ipena and all of our esteemed Past Presidents of NAWJ. Stepping into this role, I am humbled by both the opportunity and responsibility of this office and inspired by the passion, grace and dedication of our leaders and membership. NAWJ provides a vital and unique source of community, support, diplomacy and integrity to our members and the individuals we serve. I look forward to working with all of you as we tend our ongoing efforts and am determined to further our mission of protecting the rights of individuals, promoting fairness and equality in the courts, and expanding equal access to justice for marginalized populations.



In October, our 41st Annual Conference provided a rich representation of issues on a national and global scale. We learned more about U.S. immigration policy, a subject that dominates the news cycle and our global psyche. Panels on poverty law and transgender and gender non-conforming individuals challenged us to create has-free courtrooms to better serve underrepresented individuals. All of this is to say NAWJ is unafraid to face new and unique threats to access to justice and address them as a collective. My sincere hope is that through our efforts we can benefit both our own jurisdictions and the larger global judiciary as a whole. I believe we are ready for this challenge, and I am eager to begin.

Cordially,

**Honorable Bernadette G. D'Souza**  
Judge, Orleans Civil District Court  
**President of NAWJ**

“My theme for this year is Innovative Efforts to Improve Access to Justice through Global Judicial Leadership. Now more than ever we are equipped with the ability to lead by example on a global scale. In June, I was honored to attend the First Pan American Judges' Summit on Social Justice and the Franciscan Doctrine in the Vatican City and found inspiration in the words of His Holiness Pope Francis: “Esteemed magistrates, you have an essential role; allow me to tell you that . . . you are social poets . . . Your noble and onerous mission requires devoting yourselves to the service of justice and the common good with the constant calling to ensure that the rights of the people, especially those of the most vulnerable, be respected and guaranteed.” These words speak to the very heart of the mission and values of NAWJ and will inform the work we will do together in the coming year and beyond.

NAWJ has set a standard of excellence through our programs and we often lead the charge to face timely issues head-on. We serve as a conduit between young women and minorities in all states of life and the legal field through our Color of Justice Program. We acknowledge the

## Immediate Past President's Message

**I**t has been such an honor to lead this incredible organization for the past year. And it is with special warmth and gratitude that I thank you for your enduring commitment to NAWJ's overarching mission, and for the overwhelming support and encouragement that has inspired me and the leaders of our organization every day of this wonderful year.

NAWJ and its amazing board of directors have made great strides this year. I am thankful for the support of the NAWJ board and the former presidents who guided and advised me in the past year in our attempt to lead NAWJ in the next steps to an even brighter future. I express my heart-felt gratitude to all of you amazing women.

Our members actively fulfilled my Global Judicial Leadership theme this year by reaching out and participating in international training for foreign judges, attorneys and police departments in various countries including Armenia, Bangladesh, and Ukraine, on important topics such as human trafficking and domestic violence. I believe judges have to lead by example and it is our duty to be global leaders in promoting and protecting meaningful and equal access to justice for all in conformity with the rule of law and NAWJ's mission.

This year, NAWJ also collaborated with the UN and Columbia University Law School and School of International Public Affairs to provide our members with a 2-day educational summit on Global Judicial Leadership on human rights for all women. The focus of NAWJ's conference, which was held inside the UN through the collaboration and leadership of Salva "Sally" Kader, the president and founder of International Federation for Peace and Sustainable Development, was sexual harassment and assault within the UN and also within its peacekeeping forces around the world, and what the UN is doing to address this troubling issue.

At the Columbia University Law School, we

collaborated with expert professors on issues involving human trafficking, international surrogacy, and elder abuse issues confronting the world, on sexual assault on school campuses, as well as on immigration and refugee issues, and looked for solutions and best practices to provide meaningful and equal access to justice for all.

Furthermore, in fulfilling this year's theme of Global Judicial Leadership, ten NAWJ members, who were invited by His Holiness Pope Francis, presented in their areas of expertise at a two-day Pan-American Summit on social rights at the Vatican in June 2019. We spoke on important topics such as judicial ethics and discipline, equal access to justice for all, implicit bias, judicial independence, collaborative courts (homeless courts, Veterans courts, mental health courts, drug courts and re-entry courts, as well as human trafficking collaborative courts for juveniles and adults.) The US NAWJ delegation at the Vatican spoke about how judges could become "agents of change" in justice systems all around the world and, as such, make a difference in reforming justice systems everywhere to provide equal access to justice for all and train and treat instead of punishing people who are accused of committing crimes stemming from drug addiction, childhood trauma and abuse or mental health.

This year, I had the honor of being appointed by Pope Francis as one of 6 judges to his newly created Pan-American Commission on social justice, fairness and access for a period of two years. The other members of commission are judges from Peru, Argentina, Brazil, Chile and Colombia. As part of the "commission," I have also been invited to present in Porto Alegre, Brazil (November 2019), Peru (December 2019), and in Colombia and the Vatican academy in 2020. We hope to become agents of change in reforming our justice systems in Pan-America countries and make a difference in promoting equal access to justice for all.

In September 2019, Pope Francis also invited the members of the "commission" to present at this year's two-day Human Trafficking Summit in December 2019 at the Vatican, where more than 60 other women judges from African Countries

have been invited to participate.

NAWJ celebrated its 40th anniversary in style at the Walt Disney Concert Hall under the leadership of the NAWJ's incredible 41st Annual Conference Chair, Judge Elizabeth Allen White, and her great planning team. And I am sure you will all agree that our Los Angeles Conference with its cutting-edge educational programs was one of the best annual conferences ever!

Importantly, NAWJ leaders, board members and former presidents got together and held an historic leadership summit in San Diego in April 2019 to come up with a 5-year strategic plan that would sustain our beloved NAWJ into the future.

NAWJ's Board has worked tirelessly in the past

year alongside the Chief Judge of DC Court of Appeal, Anna Blackburne-Rigsby, and the Chief Judge of Massachusetts Juvenile Courts, Amy Nechem, the co-chairs of our Strategic and Sustainability Committee, and the two experts we hired to assist us with NAWJ's 5-year Strategic Plan of action to accomplish that goal. I am pleased that our strategic plan is now complete and we have already started implementing it.

Furthermore, NAWJ has hired an outstanding Executive Director with a great vision, Priya Purandare who will commence work on December 2, 2019; we are confident she will take NAWJ to new heights in 2020 and beyond. NAWJ is in great hands. I leave this office knowing that all of you share my certainty that the best yet lies ahead, for NAWJ and for our system of justice. And I extend my best wishes

## Interim Executive Director Report

**I**t is an honor to serve as your interim executive director. NAWJ members and leaders are more passionate and engaged than any other association I have served.

I believe this is key to your ability to have reached your 40th Anniversary. You are spearheading many important issues of the day, including diversity and equal justice. Your programs dealing with immigration, human trafficking, the opioid crisis, domestic violence, and sexual harassment provide a national platform for education and reform in these areas. Programs you have developed to encourage young women and help families, such as the Color of Justice, Women in Prison, and The Storybook Project, hold promise that your good works will be sustained over many generations. Finally, programs you offer law students, young lawyers and promising judicial candidates - Mentor Jet, and From the Bar to the Bench - teach the core values of NAWJ. These and other programs you provide are so impactful to people outside NAWJ.

When I interviewed for interim director, I asked if you simply wanted a caretaker or someone to offer an overall strategic view of the organization, and to make commensurate

recommendations. You have allowed me to do the latter through your transparency and collaboration. I am grateful for your trust in the work I do and the advice I provide. Your desire to move NAWJ ahead does require some change, which you are embracing. This is clearly seen in your selection of Priya Purandare to be your new executive director. Her skill set, energy, and competence will lift the organization and allow NAWJ members and leaders to focus and hone your passion, while allowing due time for your day jobs!

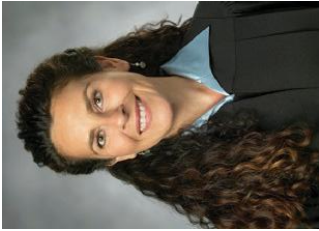
My short-term goals in preparing for Priya's arrival are:

- To organize operational, financial, and programmatic data
- To provide support as she quickly prioritizes and begins reaching out to current, past and future members and sponsors
- To work with her to begin implementing the new strategic plan

**Laurie Denham, CA**  
Interim Executive Director



*“When I interviewed for interim director, I asked if you simply wanted a caretaker or someone to offer an overall strategic view of the organization...”*



**Hon. Tanila Ebrahimi Ipena**  
Judge of California Superior Court, San Diego County  
Immediate Past President of NAWJ

## Introducing Priya Purandare, Executive Director



“Priya Purandare brings over a decade of inclusive leadership experience at member-focused organizations to her new role as Executive Director of NAWJ.”

In July, a hiring committee was formed by President Ipena to search for a new Executive Director after our previous director resigned. The committee set out to find a leader with the right vision and experience to lead NAWJ through the next phase of our organization. In order to implement the five-year strategic plan and raise NAWJ to new heights, it was essential for the committee to identify a dynamic, engaged individual. We are delighted to announce that we were successful in our mission.

Priya Purandare brings over a decade of inclusive leadership experience at member-focused organizations to her new role as Executive Director of NAWJ. Although Priya will not begin her daily work with NAWJ until December 2nd, she is already learning about the organization. She has met with interim director, Laurie Denham, and staff members Lavinia Cousin and Kira Tucker. Priya also attended the 41st Annual Conference in Los Angeles, where she was introduced to the members and participated in board meetings and receptions.

“I am excited to lead NAWJ at this pivotal juncture in its organizational lifecycle”, said Priya. “Throughout its history, NAWJ and its members have shown a deep commitment to diverse judicial leadership, fairness and equality in the courts, and equal access to justice. As we

look towards the next 40 years, we will carry this pledge forward and harness the power of our vibrant membership to advance the administration of justice.”

Most recently, Priya served as the Deputy Executive Director of the National Asian Pacific American Bar Association (NAPABA) where she applied innovative and creative strategies to grow the organization's revenue. As the architect of the NAPABA Convention, Priya reimaged the attendee experience, expanded the sponsorship base, and strategically placed future year conventions to align with NAPABA's business needs. Prior to NAPABA, Priya was the Meetings Manager at the American Public Health Association (APHA)—an organization whose Annual Meeting attracts over 13,000 attendees and 600 exhibitors.

Priya holds an undergraduate degree in Political Science from the University of Florida and a Masters in Women's Studies from the George Washington University—a program that expanded her worldview and the lens through which she views inequity.

Priya, her husband Yash, and toddler son live in Washington, D.C. and spend an inordinate amount of time admiring the primates and pachyderms at the local zoo!

Please send any submissions to Lavinia Cousin. Thank you for the opportunity to serve in the role of Vice President of Publications during 2018-19.

It has been a great pleasure.

**Judge Karen Donohue**



Thank you to all who submitted articles for this issue of Counterbalance. It is my hope that the publication continues to grow and focus on continuing education, cutting-edge topics and news of our members' accomplishments and activities. I encourage each of our members to share activities, scholarly articles, ideas and talents with us for future additions. We cannot do this without you, our wonderful “sisters in the law.”

## Current Immigration Issues Affecting Children



In 2002 Congress amended the INA to provide that unaccompanied alien children be transferred from the Immigration & Naturalization Service (INS), an enforcement agency which later became part of the Department of Homeland Security, and placed in the custody of the Office of Refugee Resettlement (ORR) in the Department of Health and Human Services (HHS). The objective was to provide a more child appropriate setting for children in U.S. government immigration custody.

An “unaccompanied alien child” is defined in the INA as a child who—

- (A) Has no lawful immigration status in the United States;
- (B) Has not attained 18 years of age; and
- (C) With respect to whom—
  - (i) there is no parent or legal guardian in the United States; or
  - (ii) no parent or legal guardian in the United States is available to provide care and physical custody. [Homeland Security Act of 2002, 6 U.S.C. 279(g) (2) (2002).]

In 2008 as part of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPA)

Congress expanded the definition of juveniles eligible for Special Immigrant Juvenile status to include not just those dependent on a Court, or in state custody, but also juveniles who are court ordered into the custody of an individual when reunification with one or both parents is not viable due to abuse, neglect, or abandonment.

As part of the TVPA, a distinction was made for unaccompanied children arriving from countries other than Mexico and Canada. Unaccompanied alien children arriving from Canada and Mexico are not automatically entitled to hearings before the immigration courts, whereas children from all other

### Historical Background

At the time of the Holocaust and World War II, United States law contained no provision for admission of refugees. After the war the United States adhered to the 1967 Protocol on the Status of Refugees. In 1980, the United States enacted the Refugee Act of 1980, which created an immigrant visa category for refugees. Our Refugee Act incorporated the United Nations Convention's definition of refugee.

In 1990, Congress amended the Immigration & Nationality Act (INA) to create a new category of Special Immigrant Juvenile, which accords visa numbers to certain children for lawful permanent resident status; INA §101(a)(27)(D). Originally, the provision covered only children dependent on a juvenile court who were placed in State custody, who had



By **Ian Churchill, Immigration Judge (ret), Past President, NAWJ**

been declared eligible for long-term foster care. As described below, the definition was expanded in 2008.

countries are.

Meanwhile, protracted litigation about the detention of alien minors by the INS which later became the Department of Homeland Security (DHS) led to a Court order, known as the Flores Settlement Agreement. The case, which began in 1985, and was the subject of a decision in the U.S. Supreme Court, 507 U.S. 292 (1993), was ultimately concluded by an agreement between the parties (the plaintiffs and government agencies) in the Central District of California on January 28, 1997.<sup>1</sup>

The Flores Settlement Agreement provides a guideline for the treatment of migrant children being detained by immigration authorities on charges of having come to the United States without authorization, while their removal cases are pending. Litigation has continued regarding specifics of treatment, as to whether it complies with the guidelines. A key provision of the settlement agreement is a requirement that children be released to licensed care programs within 20 days.

## Ongoing Developments

### I. Measures to discourage unauthorized migration

Against the above backdrop of legislative enactments and case law, an increasing number of family units from the “Northern Triangle” countries (El Salvador, Guatemala and Honduras) have been arriving with minor children at the U.S. Southern border, the last few years, seeking asylum, some presenting themselves at the ports of entry, others crossing without authorization and presenting themselves to the border patrol. In the past, family units seeking asylum who were arriving or apprehended without documents and who were found to have a credible fear of persecution were processed for removal proceedings and generally released pending adjudication of their cases in Immigration Court. Unaccompanied children from countries other than Mexico and Canada were turned over to the ORR, which is charged with finding family members or other suitable custodians. When the number arriving from the Northern Triangle increased to a level that it was labeled a “surge,” both the Obama administration and the current administration started detaining family units in immigration custody, hoping detention would serve as a

deterrent to others. The Obama administration took additional steps of providing more financial aid to the Northern Triangle countries and setting up a system for in-country processing for asylum claims at our embassies in the home country. Neither step has achieved the desired goals. In-country processing has not resulted in a significant number of applicants. The Trump administration has cut back on the financial assistance program.

### (a) Family separations

In May, 2018, the Trump administration announced that the zero-tolerance program [criminal prosecution for illegal entry to the USA], would no longer exempt families traveling with children. Under the Bush and Obama administrations, persons traveling with children were exempted from the zero-tolerance arrests and prosecutions. When numbers of migrants entering illegally surged upward again in 2018, this administration started arresting parents for criminal prosecution, sending them to Federal jails, while their children were turned over to ORR and flown to shelters located throughout the country, sometimes thousands of miles away from where the parent or parents with whom they had arrived were being held.

On June 20, 2018, President Trump issued an Executive Order directing DHS to detain parents and children together.<sup>2</sup> The practice of blanket family separation was ended by a nationwide preliminary injunction entered on June 25, 2018 by U.S. District Judge Dana Sabraw, of the U.S. District court for Southern California, which directed that the separated children be promptly returned to their parents. It was then revealed that DHS had not kept a record identifying which children came with which adults, so they had difficulty locating the parents, especially in the cases of very young children who were not yet vocal. According to press reports, parents were told that they would be reunited with their children if they agreed to be deported. Instead many were deported without their children. Currently, there are still a number of children whose parents cannot be identified or located.

Meanwhile, separation of children from parents at the border continues in some individual cases, at the discretion of the government, for reasons such as a criminal history, communicable disease, fitness, dangerousness, doubts of

parentage and criminal prosecution. Litigation is continuing, with the ACLU back in court arguing at a hearing before Judge Sabraw on Friday September 20, 2019, that the Government is abusing its discretion by separating families in which the parent poses no danger to the children.<sup>4</sup>

*“Litigation is continuing, with the ACLU back in court arguing at a hearing before Judge Sabraw on Friday September 20, 2019, that the Government is abusing its discretion by separating families in which the parent poses no danger to the children.”*

According to an article in the San Diego Union-Tribune dated September 20, 2019, there have been at least 1,050 family separations since Sabraw’s June 2018 injunction. Additionally, the Government continues to separate children who are brought by non-parent family members, such as older siblings or grandparents.

A number of other measures have been taken to discourage migration to the US by persons without documents. These impact children as well as the adults with whom they are traveling.

1. An interim rule was announced last fall that banned asylum for persons who entered the U.S. between ports of entry. This policy was criticized as being in violation of the INA which specifies that anyone in the U.S. may apply for asylum. The U.S. District Court for DC struck down this rule.

2. In January 2019, the administration instituted the Migrant Protection Protocols program, better known as the Remain in Mexico program, which requires that applicants for asylum at the Southern border must wait in Mexico for their hearings in immigration courts. The government of Mexico has agreed to cooperate with this. An injunction against this practice was initially granted by a U.S. District Court, but the stay was lifted shortly thereafter by a panel of the 9th Circuit U.S. Court of Appeals.<sup>5</sup>

The migrants are being housed in shelters in Mexico along the U.S. border. This policy is being criticized in the press as exposing the asylum seekers to unsafe conditions in the communities where they are housed, and making it difficult for them to assemble evidence in support of their cases, or even receive notice of when their hearings are scheduled.

3. Another new rule was issued providing that migrants are ineligible to apply for asylum in the U.S. if they passed through countries where they have not applied for and been denied asylum. Lower courts in the 9th Circuit issued a preliminary injunction against implementation of this rule, but the Supreme Court stayed the injunction on September 11, 2019, allowing its implementation to proceed.<sup>6</sup>

4. President Trump has been negotiating with Latin American countries to reach accords whereby the Latin American countries will undertake to consider a much larger volume of asylum applications for migrants passing through their countries. In the case of Guatemala, the two presidents have signed a “Safe Third party agreement” which the legislature of Guatemala has balked at ratifying. On September 20, 2019, the U.S. and El Salvador signed an “asylum cooperation agreement.” One was signed with Honduras on September 25, 2019.

### (b) Detention

Detention is costly to the taxpayer. Practical difficulties include the facts that the Immigration Courts currently have lengthy backlogs, (about 1 million at this writing, and rising) with many cases scheduled 3-4 years out. Another problem is that migrant flows are unpredictable, which makes it difficult to place adequate suitable facilities in the locations where they are apprehended.

President Trump has a stated goal to end the practice of “catch and release,” whereby apprehended aliens who enter without authorization are released into the general population. Some claim that apprehended aliens who are released typically disappear and fail to attend their hearings. Of course, notice problems may be a significant factor contributing to the no show rate. Advocacy groups cite statistics that show that a high percentage do attend their hearings, with the

attendance rate being over 90% for represented applicants. The government cites low grant rates for asylum applications, which it argues establishes that most cases are without merit. However, the government’s statistics include cases that were denied in absentia.

Family detention centers for asylum seekers are being opened throughout the country. Touted by the administration as being much like summer camps, critics decry the conditions as featuring cages and lacking basic health and sanitary needs, while being excessively cold, and kept lighted all night. New regulations issued August 23, 2019 authorize administration of the family centers by DHS, rather than require that they be operated by HHS in state licensed facilities.<sup>7</sup>

## II. Paths to Citizenship

### (a) Special Immigrant Juveniles

As explained above, Special Immigrant Juvenile (SIJ) is a visa category by which certain juveniles can be accorded a classification, which entitles them to apply for lawful permanent resident status. Lawful permanent resident status is a prerequisite for most applications for naturalization to become U.S. citizens.<sup>12</sup> The TVPA’s change in the definition of an SIJ significantly expanded the number of children eligible for SIJ status. As a result the role of state courts in the immigration process has increased greatly, as more and more state judges are being asked to make findings in court orders that foreign children in cases before them fit the category described in the TVPA of being a juvenile “whose reunification with 1 or both of the immigrant’s parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law,” and “that it would not be in the alien’s best interest to be returned to the alien’s or parent’s previous country of nationality or country of last habitual residence.” Being the subject of a court order containing these findings is a prerequisite to eligibility for SIJ status.

There is a numerical limit on the number of visa numbers that can be accorded annually for SIJ status. Since a large number of visa petitions for SIJ status have been filed and granted in recent years, a backlog for the numbers has arisen. According to the Visa Bulletin for September 2019 the category is currently oversubscribed and completely unavailable. The September 2019 Visa Bulletin states:

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## CONFERENCE RETROSPECT

## City of Dreams, City of Angels

### Looking Back, Looking Forward

### A Century of Women's Progress

**F**orty years ago, Justice Joan Dempsey Klein, Justice Judith McConnell, Justice Christine Durham and Judge Martha Craig Daughtrey made history when they, along with approximately 100 other women judges, attended the first ever gathering of what would become the National Association of Women Judges. This past October, all four women were back in Los Angeles for the 41st Annual Conference at the Omni Hotel. This time, they were joined by approximately 300 other members and friends, including 42 international judges from 22 countries, as we celebrated the 40th anniversary of NAWJ October 15–19, 2019.

Conference Chair, Judge Elizabeth Allen White, assembled an amazing team of judges and attorneys to put on an extremely successful conference. NAWJ President for 2018-18, Hon. Tamila E. Ipenra, presided over the five-day conference. From the beginning, NAWJ has been proud to provide cutting edge education at each gathering. This year was no exception.



Once again, attendees were treated to excellent educational programming. This year topics included sessions on DNA Science for Judges, Border and Immigration Issues, Tackling Homelessness, Judicial Security, Judicial Independence, Perspectives on the Future of Work in the World of Me Too and Repairing Justice, among others. Speakers included Jonathan Shapiro, Linda Greenhouse, Piper Kerman, Dean Erwin Chemerinsky and California Chief Justice Tani Cantil-Sakauye.

Judge Barbie, the 2019 Career Doll, also made her NAWJ debut. NAWJ worked with Mattel after Judge Bobbi Tillman and Judge Marguerite Downing suggested the toy maker highlight women judges. Along with Mattel, we are hopeful that the introduction of Judge Barbie will inspire more young people to explore judicial careers.

On Wednesday, October 16th, a reception was held at the Walt Disney Concert Hall to celebrate NAWJ's 40th anniversary and the Women Lawyers Association of Los Angeles' 100th anniversary. Guests were treated to the music of the Los Angeles Big Band of Barristers.



Annual Awards were presented to Hon. Holly J. Fujie (Justice Joan Dempsey Klein Honoree of the Year), Hon. Tani Cantil-Sakauye (Justice Yvonne Spencer Leadership Award), Jerilyn Malana (Florence K. Murray Award), Shikant Malhotra (Mattie Belle Davis Award) and Annette Boyd Pitts (Norma Wilner Excellence in Service Award). Kathy Ireland received a Lady Justice Award at the Gala dinner on Friday evening.

Judge Bernadette D'Souza was sworn in as President of NAWJ by the Honorable Anna Blackburne-Rigsby while her three beautiful children looked on. Her heartfelt and inspiring message will be placed on the NAWJ website.

Many thanks go to the approximately 40 members of the Conference Planning Committee. The contributions of each member are deeply appreciated. Special thanks

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## Looking Back at the 41st Annual Conference

to Judge Elizabeth White, Chair, Presiding Justice Lee Edmon and Judge Samantha Jessner, co-chairs of the Education committee, and to Donna Welby, the Chair of the Angels (Friends) Committee.

A conference of this size and quality is not possible without generous support from the community.

Nearly 60 groups and individuals stepped up to provide financial or in-kind donations. While we are grateful to each and every one, space does not allow us to acknowledge them all. Special thanks to

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University Law School, Panish Shea & Boyle LLP, Sheehers Foundation and University of San Diego

School of Law.



## Connecting the Dots Partners with the Equal Justice Initiative on

# The Maryland Lynching Memorial Project

By NAWI member Hon. Claudia Barber

A historical marker memorializing four lynchings in Anne Arundel County, Maryland was unveiled on Saturday, September 7, 2019. More than 300 people were on hand for the unveiling ceremony at Annapolis' Whitmore Park.

Former District 4 Director Claudia Barber was present for the event. Connecting the Dots, Anne Arundel County, coordinated this effort with the Equal Justice Initiative (EJI). The Maryland Lynching Memorial Project helped sponsor the event. It is the first EJI historical marker installed in Maryland. Similar efforts are in progress in other counties in Maryland.

The marker reads:

**Lynchings in Anne Arundel County**

At least five racial terror lynchings took place in Anne Arundel County, traumatizing the black community. These lawless acts of violence targeted African Americans accused of misconduct or crimes, all of whom were killed without trial, many under false accusation. In 1875, a white mob lynched John Simms at Simms Crossing after seizing him from the county jail, which stood on Calvert Street at the location where the marker was placed. On November 26, 1884, George Briscoe was being transported to the jail when a white mob abducted and lynched him by the Magdohy River Bridge. On October 6, 1898, Wright Smith was taken from the county jail by a white mob intent on lynching him. He attempted to escape, but the mob shot him in the back of the head as he fled. Henry Davis was seized from the jail on December 21, 1906, dragged by a mob through the nearby Clay Street black community, and hanged by College Creek. He was shot over 100 times. Five years later, a white mob abducted King Johnson from the Brooklyn Station House on Christmas Day, 1911. The mob beat Mr. Johnson, dragged him through the streets, and shot him to death. Although the perpetrators of this violence were often known to law enforcement, no one was ever convicted of crimes for these acts of racial terror.



who received a standing ovation. He said, "The truth is that people who look like me, and may have been related to me, deliberately and knowingly used torture and murder to terrorize the African American community of this county. We know it happened five times in the form of lynching, but we also know that those five lynchings were not isolated incidents."

Madison Medley, a 17-year-old senior at Meade High School, detailed those injustices in an essay that earned her first place in the EJI Racial Justice Scholarship contest. She and four other peers were recognized at the unveiling ceremony.

One of the most moving moments during the unveiling ceremony was the speech of Anne Arundel County Executive Stewart Pittman,



Former District 4 Director Claudia Barber is a member of Connecting the Dots, Anne Arundel County.

## CONFERENCE RETROSPECT

# District 4 Wellness Conference

By Julia B. Weatherly, District 4 Secretary

**O**n a beautiful fall weekend, members of NAWJ District 4 and the Virginia Women's Bar Association gathered at the Lansdowne Resort and Spa in Leesburg, Virginia to present District 4's Biannual Edna Parker Award and to participate in a Wellness Conference. District Director Hon. Judith Kline and the planning committee selected a perfect venue for a fall weekend conference.

The conference opened at the Lansdowne Resort and Spa in Leesburg, Virginia on Friday evening with a reception on the patio overlooking the Potomac River. Judge Kline gave a warm welcome to the attendees, who took the opportunity to introduce ourselves and make new friends. Nothing like a wine bar to encourage conversation.

Saturday morning started for some with the yoga classes offered by the resort. Others considered the walk from their rooms to the conference center sufficient exercise, and headed for the coffee and breakfast buffet. Once assembled, Judge Judy Kline (Juvenile & Domestic Relations District Court, Newport News, VA) opened the meeting, proudly introducing our NAWJ President, Hon. Tamila Ipena, (Superior Court, San Diego CA) who had flown in on the red eye to participate in the conference. She presented upcoming attractions for the October Annual Meeting in Los Angeles, discussed various enterprises undertaken by the organization during her year as president (including meeting Pope Francis at the Vatican), and reported that the selection committee had hired a new executive director, Priya Pundarec, who had been serving as the national interim executive director for the National Asian Pacific American Bar Association.

September 27-29  
Leesburg, Virginia

women in prison. Judge Heidi Paschow, a past D-4 Director, discussed the need for a bylaw amendment in the coming year to formally establish a District of Columbia Chapter, and her involvement in NAWJ which has landed her as Vice President. Publications for the national organization. We also noted that Judge Holland will also continue to serve on the national board as Director of Finance. In Virginia, Judge Karen Henenberg, (Ret. Arlington, Virginia General District Court) held a brunch for women judges and the local women bar association. Also attending the conference was Laurie Durham, our interim executive director, who had provided invaluable service to District 4 in putting together this conference, as well as to the national officers and association after the resignation of our former executive director. She was sincerely thanked by President Ipena and the attending NAWJ members.

Judge Kline next announced with an unexpected amount of glee the nomination of the slate of new officers for District 4, to serve a two year term:

- Director: Anita Josey-Herring, Associate Judge, DC Superior Court
- Vice-President: Gwen D'Souza, Administrative Law Judge, DC Dept of Employment Services
- Secretary: Julia B. Weatherly, Circuit Court for Prince George's Co, MD (Ret)
- Treasurer: Sharon Goodie, Administrative Law Judge, DC Office of Administrative Hearings

Hearing no objections (or additional offers to serve), the slate was unanimously voted in, to be sworn in at the annual meeting in Los Angeles, California, and Judge Kline is happily looking forward to becoming the immediate past director. Judge Kline deserves our gratitude for her excellent service as District 4 Director, during which time District 4 held a weekend conference at George Mason Law School, as

Judge Kline began the business meeting with introductions for the attendees and an overview of District 4 projects and programs in the District of Columbia, Maryland and Virginia. Judge Anita Josey-Herring, who co-chaired the July NAWJ meeting with the Congressional Caucus for Women's Issues along with Judge Marcella Holland, reported on their successful event. The program speakers offered

information for judges, courts and communities dealing with the avalanche of deaths, medical emergencies, expanded need for treatment, criminal cases, and impact on children and families created by the recent explosion of addictions from the opioid crisis. In February the Maryland Chapter held its annual Irma Baker Dinner with members of the Maryland Women's Legislative Caucus, a major focus was on issues of mental health of women in prison and the impact of solitary confinement. Judge Julia Weatherly gave a report on the continued programs at the Maryland Correctional Institution for Women. The Storybook Project provides the opportunity for women inmates to read and record a children's book, which is then gifted to their child. The reentry conference, Women Moving Forward, held its 14th conference last spring focused on mental health. Judge Brenda Murray (Chief Administrative Law Judge, Ret., US Securities and Exchange Commission) has for decades conducted a book club at the women's prison, providing the books, an English professor, and her commitment to

Alexis Johnson, a law student at the Liberty University School of Law. Ms. Johnson, who earned by the \$1,000 scholarship award by submitting the winning essay to the awards committee, was present and read her essay. Article and focused on the history of women in the legal profession. Ms. Johnson is a beacon of light for young lawyers and leaders. She received hearty congratulations, and more unsolicited advice from the judges than she could have ever expected. (But who doesn't love a law student who takes the time to tell us what role models mean to her?)

This year the Edna Parker Award was presented to The Hon. Joan Y. Churchill to recognize her contributions to the legal profession, the advancement of justice and service to the community. Judge Churchill (US Immigration Court (Ret.) served as the NAWJ President for



well as the present conference in Leesburg. Following the business meeting, we enjoyed a very relevant and rewarding program on Networking and Stress Management for Lawyers and Judges. Judge Anita Josey-Herring, who chaired the retreat planning committee, introduced Dr. Dacia P. Hastings Proctor, DM, LICSE, LCSW-C, CPM, our Wellness facilitator. Dr. Hastings Proctor, a licensed psychotherapist and motivational speaker, presented the well-received program which identified signs and symptoms of stress fatigue and secondary trauma, also known as compassion fatigue. The importance of sleep, exercise, good nutrition, and stress management were expanded upon, including how to fit them into our busy, overworked and stressful lives. Dr. Hastings Proctor presented us with important tasks to improve our wellness, and ended her program with the judges on their feet and dancing.

## The Edna Parker Award Luncheon

After a delicious lunch, the awards ceremony commenced with Judge Kline presenting the Gender Equality Scholarship Award to

2012-2013, and previously held many NAWJ leadership positions, including Director of District 4, Projects Director, Secretary, Vice-President for Districts and President Elect. Judge Churchill graciously accepted the award with many members of her family and friends present. During her comments, she reminded us why it is still important to have an organization for women judges, and the rewards for its members.

While the conference was officially adjourned at the conclusion of the awards ceremony, many conference participants stayed on to enjoy an excursion to the Stone Tower Winery, arranged by Judge Deborah C. Welsh (Louden Co, VA General District Court). Although she did not take credit for the beautiful afternoon, Judge Welsh did use her local knowledge of over 30 local Virginia wineries, to select a perfect one that would accommodate our group, offer delicious wines and tasty treats. The afternoon was spent enjoying the scenery, the wine, and the company of our fellow judges.

Many thanks to the judges that gave their time to arranging this wonderful weekend: Hon. Anita Josey-Herring, Retreat Planning Chair Hon. Judith Kline, Hon. Gwen D'Souza, Hon. Heidi Paschow, Hon. Mary Henry, Hon. Marcella Holland, Hon. Tanya M. Jones Bosier, Hon. Ann Wagner-Stewart, Hon. Monise Brown, Hon. Jennifer Long, Hon. Tara Feunress, and Hon. Kenia Soane-Lopez.

Accolades and our undying gratitude for their assistance to Lavinia Cousins, Laurie Denham, the NAWJ staff.



# GLOBAL JUDICIAL LEADERSHIP

NAWJ, under the leadership of Immediate Past President Tamila Ipena and President Bernadette D'Souza, has made extraordinary efforts to demonstrate global judicial leadership over the past year. This work is reflected in the ongoing work begun last summer at the Pan American Judges' Summit on Social Justice and at the two-day summit on "Human Rights for All Women" at the United Nations.

Many individual NAWJ members recognize the importance of this work and strive to carry out the principles embodied in the NAWJ mission in countries around the world. Judge Matthew Williams, a Superior Court Judge for the State of Washington and NAWJ member, devotes almost all of his free time to teaching and rule of law projects in pre/post conflict nations and emergency democracies around the globe. Through his important work with Justice Advocacy Africa, a trial advocacy program, Judge Williams met Ugandan attorney, Linda Alinda-Ikanza, who learned from his teachings and, in turn, has had a large impact on justice in Uganda.

## Linda Alinda-Ikanza

## Justice and Innovation in Sub Saharan Africa

By Judge Matthew Williams

Uganda, like many nations in Central Africa has worked hard to strengthen its response to issues of corruption and improving justice.

While working with Justice Advocacy Africa on a series of advocacy and anti-corruption initiatives sponsored by the EU and UK, I had the good fortune to meet and work with a remarkable Ugandan attorney.

For more than 20 years, Linda Alinda-Ikanza has fought for social justice in Uganda. As a practicing attorney, she advocates for the rights of women in a male-dominated society. She is a calm beacon of hope for those seeking social and economic justice in Uganda's tumultuous legal, economic, and political climate. Linda has been a leader in developing programs for governmental and non-governmental organizations to fight and prevent corruption and to promote social justice.

Uganda is not unique in how it relies on a strict economy of small businesses and sole-proprietors to provide basic goods and services to its population. The economy of Uganda is driven in large part by the entrepreneurial spirit of its female business owners. Of course, in a male-dominated society, these business owners face special challenges. Linda represents a wide

Linda is also the driving force behind



range of these female entrepreneurs against banks, "investors", employers, and those who would seek to disfranchise them.

Linda paused her life for a few minutes to answer a few questions about Uganda, her life, and her accomplishments. She responded with her usual understatement!

### Q: What are the most significant challenges that the Rule of Law face in Central Africa?

A: A significant challenge to the Rule of Law is a legal education system that is not equipped to produce legal practitioners that are practice-ready and efficient in delivering justice. For justice systems to work, the lawyers our law schools or legal training produce should make up a vibrant and effective bar that supports as well as holds the judiciary and other stakeholders accountable to deliver justice. That is not the case yet.

For example, many cannot present the factual and legal aspects of their cases persuasively to enable the Court to reach an enlightened and just result. Instead, they resort to using corruption to get decisions in their favor or join the bench as judicial officers who are either incompetent or corrupt or both.

Nothing is usually more crippling than finding corrupt or incompetent advocates on either side of the bar or bench. Their intentions may differ but their effect on the Rule of Law is the same.

### Q: What led you to a career in the law?

A: I am the last born of six children. My mum died in labor having me. Her cousin who was herself six months pregnant with her firstborn adopted me informally. She gave me a chance at life none of my other siblings got. So, I was raised by her (my maternal aunt's) family. Both her husband and father-in-law were lawyers and very successful ones at that. I grew up seeing them buried in law books and arguments and I knew from as early as Grade 5 that I, too, wanted to be a lawyer.

### Q: What gender barriers have you had to overcome?

A: My adopted family gave me the gift of education which has sheltered me from the gender barriers typical for women in my country. However, the practice of law is male-dominated in my country. Despite the number of students that leave law school being equal in gender, what it takes to be successful as a lawyer in practice, particularly as a litigation lawyer, does not favor the work-family balance and forces many women out. That makes our courtrooms typically a men's world.

So, despite all my skills, clients may still think I am a secretary at my firm, or clients may give their litigation business to male lawyers or offer a lot less pay for similar work. There are also those experiences where the lower staff at the institutions I teach may treat me as a student. But those perceptions based on gender stereotypes can work in my favor because then I am under-estimated by many, to my advantage.

In the summer of 2010, I was lucky to take the basic trial advocacy week-long training organized by Justice Advocacy Africa. I had been struggling 3 years into my trial practice career and it was either this training or I would give up litigation practice. The training was life-changing.

Particularly how it was taught, using the learning by doing method where most of the time was spent practicing and receiving feedback. To date, I cannot sufficiently describe how "found" I felt at the end of that training. The next year I undertook teacher training and got involved in organizing a sustainable program here in Uganda.

Currently our program takes about 40-50 people two times each year. Yet, our law schools produce hundreds of lawyers every year with little or no training in trial advocacy.

Like those lawyers, I left law school thinking I had been prepared for court practice, only to find myself stuck in a cycle of embarrassment and

frustration. Compared to the 100 advocates who went through the Justice Advocacy Africa training, the 1,000 plus students who left law school with little or no trial advocacy training created a gap in our system that our training at the time would never fill.

So, in 2013, I followed my heart and applied to join the teaching staff at the Law Development Centre (LDC), the only institution that trains lawyers to practice law in Uganda with the sole conviction and goal of changing how trial advocacy was taught there. It has been 6 years of sowing seeds of change at many levels of the Centre.

### Q: Tell us about your current work within the Ugandan Legal Education System.

A: Let me first explain a little about the Ugandan Law School system. We spend 4

years at a university to attain a law degree and then to practice, we go through 10 months at the LDC which is the Bar Course. Although over 10 universities offer the law degrees to hundreds of law students, all the thousand plus students must go through LDC successfully to be called to the Ugandan Bar.

I joined the LDC as a part-time faculty member in 2013, and in 2016 I was appointed to teach Trial Advocacy.

Although, "advocacy" was a key subject at the LDC, it was only taught through lectures. A lecture curriculum doesn't really lend itself to producing advocates who can actually present a case in court. Working with Justice Advocacy Africa (JAA) founder Steve Furi and Judge Matt Williams, I designed a new program that turned the "preparation" classes into practical training sessions where students get a chance



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to learn and practice specific trial skills. Working with very limited resources, this simple change in approach has revolutionized the trial advocacy learning experience for Ugandan law students.

In 2018 I was appointed Head of Trial Advocacy and Moos at the LDC. I enlisted the help of other practicing attorneys, judges, and advocates to create Justice Advocacy Uganda (www.jau.ug) where I serve as Chief Executive Officer. At JAU, we use these same techniques and processes to help Legal Aid Service Providers, prosecutors, and private attorneys.

**Q: What do you consider your greatest achievement?**

**A:** This year I was recognized as the Best Female Lawyer in Private Practice by the Uganda Law Society. The Award was in recognition of this work and its impact on lawyers and law students. Every student or lawyer I meet whose

career has changed because of this work is my greatest achievement and I have the Award to remind me of this work. Over the years the joy of seeing lawyers find themselves, like I did, in the training has become the gift that keeps on giving.

I use IT to innovate the law. One of my innovations is an app that creates awareness on labour law called Nkola App—www.nkola-app.com. The App was selected as one of the best justice innovations from Africa at The Hague Institute for Innovation of Law (www.hill.org) 2019 competition.

## Global Judicial Leadership Conference On Human Rights of All Women

By Elizabeth Lee

More than fifty NAWJ participants braved intrepid weather, including a torrential downpour of rain, to attend the all-day conference held at the United Nations (UN) in the heart of New York City. This was an educational journey not to be missed. The first part of the conference featured a guided private tour where members learned about the history and the important peacekeeping functions of the UN comprised of 93 member countries and 2 observer states. This international body is responsible for maintaining worldwide peace and security, developing relations

among and fostering cooperation between nations, and providing a forum for bringing countries together to meet the UN's purposes and goals. During the tour, members were escorted through the corridors of international diplomacy and passed by the General Assembly Hall and Security Council chamber. A stop at the gift shop at the end of the tour saw many members leaving with an assorted array of UN memorabilia.

Following the tour at the UN, participants enjoyed a delicious lunch at Zaika Restaurant which featured authentic Indian cuisine in a serene oasis setting. There, attendees learned more about the IFPSD and its mission from longtime President and Founder Salwa "Sally" Kader. In her remarks at the luncheon, Kader expressed her gratitude at being a part of this group of "amazing intelligent women" who are committed to the betterment of women in the U.S. and in the world. She hosted this conference



the Arab League Headquarters in Egypt, and at the annual UN International Day of Peace celebrations throughout the world. Kader is a tireless advocate for advancing the human rights of women and children around the world. Her work also includes helping refugee Palestinian women and hosting international conferences, including one on the Role of Immigrant Women towards International Peace in Stockholm, Sweden. Kader is an active and long-time member of the NAWJ.

Participants then heard from select members of Secretary-General Antonio Guterres' newly appointed team on sexual harassment and violence against women in the workplace globally. The panelists discussed the challenges they face in addressing sexual harassment and sextortion within the UN and the need for effective whistleblower protection both at home and globally.

Panelists included Lieutenant Commander Marcia Andrade Braga, Naval Officer, who graciously agreed to speak and flew in from Brazil for the conference and Ambassador Fatima K. Mohammed, who represents the 55 member states of the African Union and is an accomplished female ambassador and activist dedicated to the empowerment of women in Africa. Retired U.S. Air Force Colonel Linda Strie Murnane discussed her experiences both while serving in the U.S. Armed Forces as well as during her eight years employed by the UN. She provided practical guidance which, as she explained, she learned as a "graduate of the sexual harassment leadership lab, the U.S. military." A retired Air Force Chief Circuit Military Judge, Colonel Murnane described an instance where she addressed the sexual harassment of a staff member by a member of the judiciary, and gave a practical example



of how she resolved the issue while leaving the staff member with a clear path for success in her future. Lynne Goldberg, UN Special Coordinator on Improving the UN Response to Sexual Exploitation and Abuse, described efforts being made by the UN to address sexual exploitation and abuse within the UN and its peacekeeping forces. Ms. Jane Connors, a victim's rights advocate, also shared her experiences in this area.

During the afternoon session, members were entertained with chamber music by a talented ensemble of four members of the IFPSD's Music for Peace Program. Kader explained that the music program is a key part of IFPSD's educational initiative to empower youth leadership through education, art, and sports.

Conference Day One was hosted by IFPSD and organized by Founder and President, Sally Kader.

Conference Day Two was hosted by Columbia Law School and the School of International and Public Affairs with support from the Law School's Center for Gender and Sexuality Law. Co-Chairs Judge Myriam Leir (NAWJ Florida State Chair), Judge Lisa Walsh (NAWJ Past President, 2015-16), Judge Bernadette D'Souza (NAWJ



The "Immigration and U.S. Policies Affecting Immigrant Women" panel featured panelists Hon. Mimi Tsankov, a New York Immigration Court judge, Columbia Law School Professor Katherine Franke, and moderator Hon.



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Bernadette D'Souza. The speakers addressed the significant increase in asylum cases and the backlog and recent time standards metrics imposed on immigration judges. Professor Frankle spoke about conditions for migrants seeking asylum at the border.

The "Human Trafficking and Related Issues Including Surrogacy" panel featured panelists Hon. Elizabeth Lee, NAWJ Secretary and San Mateo County Superior Court Judge, and Columbia Law School Professor Yasmine Ergas, Director on Gender and Public Policy and Lecturer. The session was moderated by Hon. Judge Anna Blackburne-Rigsby, Past-President of NAWJ (2013-14). The panelists held a lively discussion concerning the issues raised by advances made in reproductive technology and transnational surrogacy. A child may now be conceived using an ovum donor from one country, a sperm donor from another country, a surrogate who is not a citizen of the host country where the child is born, and for intended parents who may be from none of these other countries. Complications such as citizenship arise when a surrogate decides she wants to keep the child or when the intended parents, for

whatever reason, decide to abandon the child before or once the child is born. Risks for trafficking increase when donors are from extremely poor countries and are exploited financially in the process.

Reaction to the conference by attendees was overwhelmingly positive. "I found it to be one of the most informative and thought-provoking conferences I have ever attended," said Bobbie J. McCartney, Judicial Officer, U.S. Department of Agriculture. She added, "I found myself energized and motivated by these wonderful speakers and newly introduced colleagues and as a result I have decided to make it a priority to become more actively involved in NAWJ activities."

NAWJ's Global Judicial Leadership Conference is the brainchild of NAWJ President Hon. Tamila E. Ipema for whom navigating and strengthening international frameworks that improve human rights of all women is a passion. NAWJ is hopeful that relationships created in this year's

partnerships with the International Federation of Peace and Sustainable Development, Columbia Law School, and Columbia School of International and Public Affairs, will lead to making NAWJ's Global Judicial Leadership Conference in New York an annual tradition.

## Global Judicial Leadership Conference

### At the United Nations

By Honorable Patricia Garcia  
Judge, California Superior Court, County of San Diego, South Bay Division

On June 10, 2019, I had the opportunity of a lifetime to visit the secure and mysterious complex of offices, halls, and meeting rooms in NYC known as the United Nations.

After successful entry through several security checkpoints, we toured the many lobbies, exhibition halls and meeting rooms. The exhibition halls contained unique gifts from various nations, consisting of artifacts and works of art, including the iconic mosaic by Norman Rockwell known as the "Golden Rule" presented to the UN in 1965 by then First Lady Nancy Reagan on behalf of the United States.

We visited grand meeting rooms, including the Economic and Social Council and the General Assembly where "leaders of nations speak to the world."

At our subsequent meeting at the UN, organized and hosted by the International Federation for Peace and Sustainable Development and its president, Sally Kader, the point was driven home that sexual harassment and violence against women happens everywhere, at all levels and to all women. No one is immune. Lynne Goldberg, the UN Special Coordinator on Improving the UN Response to Sexual Exploitation and Abuse confirmed that the very

**“I was particularly moved by the Immigration Session. It was learned that the Immigration Court suffers chronically from systemic problems, such as the lack of independence by being housed within the Department of Homeland Security, by having no control over its own funding, and by the imposition of arbitrary and unrealistic quotas. At this time, the Immigration Judges, 440 nationwide, must complete 700 cases per year, which would amount to 2 trials per day – without considering prep time. Inability to meet these quotas subjects the judge to potential termination. Next, Professor Katherine Frankle related her volunteer time with “Al otro lado,” an organization in Tijuana Mexico, which is assisting foreign nationals who are applying for asylum in the US, but waiting to be called in Tijuana. One of many tips imparted to these foreign nationals is to reverse the order of the clothes they are wearing so that they are wearing their warmest garment next to their skin, and the lightest furthest from their skin. This advice is given because, when they get called to enter the US, they will be placed in the “ice box,” a room kept at about 40 degrees, and they will**

be ordered to strip down and only keep the garment closest to their skin. These volunteers also use permanent markers to write important information on small children such as who their parents are as they may not be able to provide the information in the event they are separated from their parents. It was heart-breaking to hear about these scenarios and to imagine the crestfallen look on the faces of these foreign nationals when they are given this advice. They come from far and wide, not just Mexico, to escape violence and persecution but it soon becomes clear their journey for relief, security and protection is not over.

Thank you NAWJ, International Federation for Peace and Sustainable Development, Columbia School of Law, Columbia School of International and Public Affairs on Human Rights of All Women, and the Center for Gender and Sexuality for bringing attention to these important issues and educating our judicial leaders.

## NAWJ Visits Vatican for

### Pan-American Judges' Summit on Social Rights

By Joni Olesett

On National Association of Women Judges members led a delegation at a special summit on social justice at the Vatican in early June, joining judges from across the Americas to discuss the need to defend and protect human rights throughout the world.

The judges gave presentations on access to justice, shared ideas with judges from Central and South America, heard remarks from Pope Francis, and enjoyed individual meetings with the Pope. Following the conference, the NAWJ delegation also attended a special reception hosted by the U.S. Ambassador to the Holy See, Callista Gingrich, and her husband, former Speaker of the House, Newt Gingrich, at their home in Rome.

NAWJ president Tamila Ipema, who chose "Global Judicial Leadership" as the theme for her term, said she was thrilled to be invited to the Pan-American Judges Summit on Social Rights

problems, such as the lack of independence by being housed within the Department of Homeland Security, by having no control over its own funding, and by the imposition of arbitrary and unrealistic quotas. At this time, the Immigration Judges, 440 nationwide, must complete 700 cases per year, which would amount to 2 trials per day – without considering prep time. Inability to meet these quotas subjects the judge to potential termination. Next, Professor Katherine Frankle related her volunteer time with “Al otro lado,” an organization in Tijuana Mexico, which is assisting foreign nationals who are applying for asylum in the US, but waiting to be called in Tijuana. One of many tips imparted to these foreign nationals is to reverse the order of the clothes they are wearing so that they are wearing their warmest garment next to their skin, and the lightest furthest from their skin. This advice is given because, when they get called to enter the US, they will be placed in the “ice box,” a room kept at about 40 degrees, and they will

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and Franciscan Doctrine, which was organized by the Pontifical Academy of Social Sciences and held June 3-4.

"The Vatican Summit on social rights fit beautifully into our theme of Global Judicial Leadership," said Ipema, a judge on the San Diego County Superior Court. "I believe judges have to lead by example, and it is our duty to be global leaders in providing equal access to justice for all."

Ipema said she was asked to bring a delegation of 10 U.S. judges who could



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She began the delegation's presentation with an introduction explaining the roles of NAWJ and the International Association of Women Judges (IAWJ) in advancing justice, especially for vulnerable populations.

"I spoke about the effectiveness of our NAWJ and IAWJ organizations, in that we are making a great difference in the world," Ijema said.

"I also spoke about judicial independence and the importance of keeping the politics out of the judicial selection systems. I believe in fair and free courts, and we cannot have a fair and just system if we do not have judicial independence."

Each judge talked about programs in their jurisdictions that seek to improve access to justice.

**NAWJ president-elect Bernadette D'Souza, a judge on the Orleans Parish Civil District Court in Louisiana, said she drew on her more than 18 years of experience as a Legal Aid lawyer representing domestic violence victims in New Orleans, to shape her remarks at the summit.**

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"My topic was on equal access to justice and the delivery of justice to eradicate poverty," said D'Souza, who noted that, while criminal defendants are guaranteed representation, too many civil litigants cannot afford access to the courts. "As a former Legal Aid lawyer, I thought I could bring what I was able to gain in working with low-income families in our community. I talked about how I went about applying for funding from the U.S. Department of Justice

and how those funds allowed me to do the work I was doing."

D'Souza said she also described her work on a committee that coordinates with local law firms to provide pro bono attorneys to represent domestic violence victims and a joint effort with the New Orleans Bar Association to develop a self-help desk at the courthouse.

"Helping them to navigate how to fill out the forms is really the first step in access to justice," D'Souza said.

San Diego County Superior Court Judge Marian Gaston discussed the development and use of collaborative courts and how judges can act as agents of change.

"I addressed the creation of collaborative courts in the U.S. and throughout the world, and the efficacy of a style of communicating called 'motivational interviewing,'" Gaston said. "There is excellent research showing that the way judges talk to the people who come to court can encourage positive change – lower rates of drug use, better participation in therapies, lower incidence of criminal recidivism. And motivational interviewing is free. It's therefore an excellent tool, readily available to anyone willing to try it."

Judge Joy Cossich Lobrano, who serves on the Louisiana Court of Appeal's Fourth Circuit and chairs NAWJ's Juvenile Justice and Child Welfare Committee, gave a presentation on an early intervention

program and community model that brings together juvenile court, the schools, and community care centers to identify families in need of services, assess their needs, and provide services aimed at preventing problems such as truancy, violations of school rules, curfew

October as president of the California Judges Association (CJA), addressed judicial ethics. The topic was a natural fit – Nomoto Schumann has chaired the ethics committee for NAWJ for several years and has been a member of the CJA ethics committee since the 1980s and has chaired that committee as well.

"Ethics has always been very important to me," she said. "I basically wanted to learn from my international colleagues because I'm also an educator. I really wanted to hear their perspectives on ethics and how they handle things in their cultures."

**Recently retired Associate Justice Marcy Kahn, who served on the Appellate Division, First Judicial Department, of the New York Supreme Court, described her work with tribal courts and the history and treatment of indigenous people.**

Retired Los Angeles County Superior Court Judge Judith Chirlin wrapped up the NAWJ delegation's presentations.

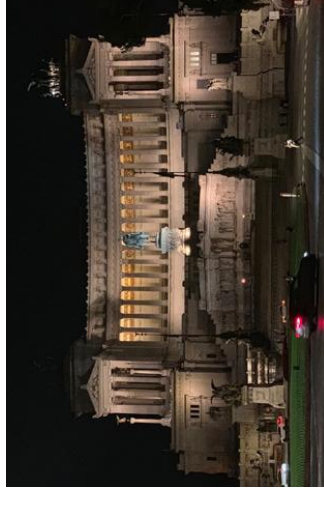
"Our overall point was that judges can best fulfill their responsibilities in societies governed by the Rule of Law," Chirlin said. "To make that point we agreed that Tamila would introduce the group and explain what NAWJ does, each of the others would speak about a program or programs in which they were involved in their jurisdictions."



Recently retired Associate Justice Marcy Kahn, who served on the Appellate Division, First Judicial Department, of the New York Supreme Court, described her work with tribal courts and the history and treatment of indigenous people.

"I spoke about my 18-year engagement with the Indian tribal nations' justice officials in New York, and our successful creation of a Federal-

State Tribal Courts and Indian Nations Justice



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and I would summarize them and put them in the context of how they support judicial independence, a fundamental concept in the Rule of Law."

Chirlin said she enjoyed the opportunity to learn from other judges, as well as to reconnect with judges she had met at prior NAWJ and IAWJ conferences.

"The most meaningful part of the experience was meeting and learning from all of the other judges," Chirlin said. "It was very interesting to hear of the differences among the judges from various countries. I also encountered some friends who have attended our NAWJ or the IAWJ conferences."

Lobrano said the summit successfully brought together judges from all over the Americas who



have an active role in the development of social, economic, and cultural justice in order to share their experiences, successes, best practices, and projects.

"It was quite a humbling and thought-provoking experience," Lobrano said. "Judges from diverse backgrounds shared information and best practices, and we gained new insights into initiatives that serve justice, the common good, and, especially, our most vulnerable populations."

The NAWJ delegates said they appreciated the opportunity to learn about innovative programs being used by judges in Central and South America to increase access to justice – such as a traveling judge program in Peru, where judges go to the remote indigenous regions of the jungle to visit residents with no access to the country's justice system.

"Judges, prosecutors and attorneys travel together to convene trials to resolve disputes and address criminal behavior," Walsh said. "This was the conference's best program presented addressing fundamental access to justice issues."

She added that she would like to see similar traveling judge programs reach U.S. residents who don't have easy access to the courts.



including in her own jurisdiction in Florida. "My jurisdiction is the fourth largest in the United States, yet its criminal courts are centrally located," Walsh said. "Our most remote rural areas are also our poorest. Both distance and poverty create real barriers to parties, victims and witnesses attending court. I would like to promote programs which make justice better available to the outer reaches of our jurisdictions."

Ipema said she also was impressed by the traveling judge programs in Peru and Brazil, and she noted that programs that provide court services outside the courthouse help ensure access to justice.

"It is not enough for us to sit in our courtrooms and render justice," Ipema said. "We need to take justice to remote areas where people have no meaningful access to our courts or justice."

Without access there can be no justice. San Diego Superior Court homeless court is a good example of this, where the judges pack their robes and go to a community center or a homeless shelter to conduct legal proceedings and handle cases of homeless persons accused of breaking the laws or committing crimes."

Nomoto Schumann said the summit provided a needed reminder that judges around the world face similar problems and are working toward similar goals.

"When you are in one country, your perspective is narrow, and you forget that you belong to an international club and that everybody is trying to



## COUNTERBALANCE

you are social poets. Be protagonists in the transformation of the justice system based on values, justice and the primacy of the dignity of every human being ... above any other type of interest or justification ... Your noble and onerous mission requires devoting yourselves to the service of justice and the common good with the constant calling to ensure that the rights of the people, especially those of the most vulnerable, be respected and guaranteed. In this way, you help guarantee that States do not relinquish their most sublime and primary function: to assume responsibility for the common good of their people."



**Esteemed magistrates, you have an essential role," Pope Francis said. "Allow me to tell you that...you are social poets. Be protagonists in the transformation of the justice system based on values, justice and the primacy of the dignity of every human being ..."**

Ipema said meeting and listening to Pope Francis was the most meaningful part of the summit for her.

"The highlight of the program was when Pope Francis walked into our session, shook my hand and sat right next to me, delivering one of the most passionate and compassionate speeches on social rights and social justice that I have ever heard," Ipema said. "He spoke about how poor and disadvantaged people around the world are deprived of access to justice and how the judges have a responsibility to provide equal access to justice for all."

Gaston also cited Pope Francis's remarks as the highlight of the summit.

"As a person of faith and admirer of Pope Francis, the most meaningful part of this experience was witnessing his deep commitment to justice,"

Gaston said. "His Holiness addressed us at the end of Day Two of the summit on a warm June afternoon, after we had been sitting in the same seats for hours, in close quarters, listening to multiple presentations by judges from throughout

the world. It was important work, but paying close attention for two days was exhausting. Then in walked Pope Francis, who delivered remarks that were warm, insightful, inspirational and even funny. He stressed his devotion to the poor and forgotten and encouraged all of us to work for justice on their behalf."

For D'Souza, the most meaningful moment was her personal meeting with Pope Francis.

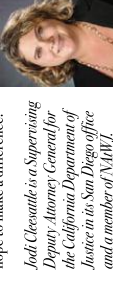
"The highlight of the summit was meeting Pope Francis and receiving his blessing. It was very special for me," D'Souza said. "As a Catholic, I grew up in a convent boarding school in India. I was raised by the nuns and my parents to always give back to your community. I knew attending the conference would be a great conversation on the subject of access to justice. I was interested to learn what other countries were doing about access to justice in their courts."

Shirdan-Harris said the Pan-American Summit was inspirational.

"My goal continues to be to look at ways to improve access to justice for all in my court in general and in my courtroom specifically," Shirdan-Harris said. "As a black female and leader in my court, I am also mindful that I bring a unique perspective to the bench and that I have a responsibility to share that perspective with my colleagues as we consider the ways in which access is denied and find ways to implement new programs and refine old ones. Ultimately, the Summit was an affirmation that despite room for improvement, we have an incredible judiciary doing amazing work every day in maintaining the Rule of Law."

At the conclusion of the conference, the Pontifical Academy of Social Sciences announced the formation of a standing committee, the Pan-American Board of Judges in Defense of Social Rights. Pope Francis appointed Ipema as one of six judges to serve a two-year term on the board.

"I was totally blown away," Ipema said. "I feel extremely honored by this appointment, and I hope to make a difference."



*Judge Cleantle is a Supervising Deputy Attorney General for the California Department of Justice in its San Diego office and a member of NAWJ.*



## Shining the Spotlight on Military Judges

# Women in the Military Recognizing those that serve

### Celebrating Veteran's Day

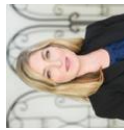
Each November 11, the United States celebrates the bravery and sacrifice of all U.S. veterans. Originally "Armistice Day" was created to honor the end of World War I and those who had fought in the "War to End All Wars." Unfortunately, that moniker was given too soon, and World War II and Korea followed. In 1954 the name was changed to Veterans Day and became a day to honor American veterans of all wars. Unlike Memorial Day, celebrated in May, Veterans Day is a day to thank and honor veterans both living and deceased who served honorably in the military during times of war or peace.

It was only six years before the name change to Veterans Day that President Truman signed the Women's Armed Services Integration Act, allowing women to serve as permanent members of the military, instead of being allowed to only serve during times of war.

The history of women in the military goes back much further than 71 years. At least three women are known to have fought in the American Army during the American Revolutionary War, all disguised as men. Between 400 and 750 women are estimated to have fought in the American Civil War, again, all disguised as men. Patriotism and service know no gender boundaries.



**Colonel (Col.) Linda Murnane**  
Colonel (Col.) Linda Murnane (U.S. Air Force, Retired), knew early on that she wanted to be a lawyer. When her father told her and her sister that only their brothers would go to college, she refused to give up on her dream. Working full time and going to school full time, she got what financial aid she could while working on her undergraduate degree. When financial aid funding was cut, she enlisted in the Air Force and used her GI Bill to pay the last year's tuition. After receiving her degree, she was competitively selected for commission (becoming an officer) and went to Officer Training School. Still pursuing her dream



By Renee N. B. Stackhouse

### Our Military Judges

The position of a military judge was created in 1969. Military judges preside over Special and General Courts-martial. A Special Court-martial is the intermediate court-martial level somewhat similar to a Misdemeanor Court. A General Court-martial is the most serious, similar to a Felony Court, where punishment can include a death sentence for certain offenses.

Colonel (Col.) Linda Murnane (U.S. Air Force, Retired), knew early on that she wanted to be a lawyer. When her father told her and her sister that only their brothers would go to college, she refused to give up on her dream. Working full time and going to school full time, she got what financial aid she could while working on her undergraduate degree. When financial aid funding was cut, she enlisted in the Air Force and used her GI Bill to pay the last year's tuition. After receiving her degree, she was competitively selected for commission (becoming an officer) and went to Officer Training School. Still pursuing her dream

to become a lawyer, she applied for the Air Force's funded legal education program. With only seven slots open annually, it was highly competitive. She was not selected. Her Commander arranged for her to speak with one of the panelists on the selection committee. She was told that her application "didn't show the level of commitment that other applicants' did." She asked what she could have done to demonstrate the commitment that they were looking for. His reply was, "If you had gone to the Air Force Academy, we would have known you were committed."

The problem? Women were not eligible to go to the Academy. She knew, then, that the problem wasn't her commitment, grades, or credentials. She had to make up for what she calls "an anatomical deficiency." But Col. Murnane is unstoppable. She enrolled in a night law program at Loyola, 100 miles away from where she was stationed. She drove there and back four nights a week during her first year of law school, all while serving as a Public Affairs Officer during the day. After a year, she applied again to the funded education program confident that she had demonstrated commitment.

The same day she learned that she had been selected for the program, Col. Murnane found out she was pregnant, just a few years earlier, that would have meant she would have been discharged. She was sent to a physical, where she was diagnosed with an "enlarged uterus" and was going to be removed from the program. Fortunately, she had a mentor and advocate, Gen. Jon Pustay, who went to bat for her saying, "I don't care if you've never sent a pregnant woman to a graduate program before, you don't know this woman." Provided that she was able to pass as physical six months after childbirth, Col. Murnane was allowed to stay in the program.

While in law school, Col. Murnane faced – and overcame – multiple struggles from her military husband becoming paralyzed and his subsequent surgeries and hospitalizations to the birth of her child. She was back in school 10 days after her cesarean.

Col. Murnane eventually requested a transfer to University of Cincinnati to finish her law degree, which she did right after the birth of her second child. Her daughter who was born legally blind and with hearing impairment. Despite the

adversity, Col. Murnane graduated a semester early, and with honors. She applied, and was accepted to, the Judge Advocate General Corps in 1981.

At the time, she hadn't received her results. When she reported, her supervisor started off their working relationship by remarking that she didn't know why they'd sent her to him since she couldn't do anything. He ended with the insinuation, "I don't know who you know that got your assignment changed." The second time she met with him, he gave her the ultimatum, "I need to know whether you are a mother or a lawyer and I need to know by 4:30p.m. You need to go Temporary Assigned Duty by Monday if you're a lawyer." At the time, her husband and her youngest daughter were in the hospital, her older daughter at home. With no real choice, she went on the temporary duty assignment. When she came back, she and two other women made formal complaints.

Col. McShane was the then-Chief Defense Counsel for the Western Circuit and brought her on his team. Years later, when he became Chief Trial Judge of the Air Force, he hired her again. Col. Murnane credits Col. McShane with taking her from the bottom of her career to the top.

In the Air Force, Col. Murnane served as a chief circuit military judge for ten years. She presided at the first criminal trials for the U.S. Air Force during Operations Iraqi Freedom and Operation Enduring Freedom in a war zone, deploying five times between 2001 and 2003. She was the Chief, International, Operations and Civil Law, while assigned to U.S. Forces Japan/Fifth Air Force. She was the Deputy Staff Judge Advocate at Ramstein Air Base (Germany) and the Staff Judge Advocate at Bitburg Air Base (Germany), advising commanders making decisions employing the Rules of Engagement. Her military decorations include the Legion of Merit and the Meritorious Service Medal with bronze and silver oak leaf clusters.

**Colonel (Col.) Kirsten Brunson**  
Colonel (Col.) Kirsten Brunson (U.S. Army, Retired) similarly knew that she wanted to be a lawyer, and a judge, when she grew up. She was finishing her first

year of college, majoring in Criminology when she saw a commercial that caught her attention: a man jumping out of an airplane, parachuting into a field, all before having his morning coffee. The tag line: "We do more before 9 a.m. than most people to all day." Despite not being a morning person, the commercial resonated. So, when she saw the Reserve Officer Training Corps (ROTC) at her student organization fair she signed up.

With the ROTC she did things she never thought she could like 40 push-ups, rappelling off a cliff, running 2 miles, and learning first aid. She got commissioned out of the ROTC and got an educational delay in order to get her law degree. From there she went into the military police and applied to the Judge Advocate General Corps.

During her time in JAG, she served as defense counsel, trial counsel (prosecutor), worked in the defense appellate division, and was deputy chief of a division for two years. She received her L.L.M. in Military Justice, a post-graduate degree not available to civilians at this time. As an African-American woman, serving as defense counsel early on in her career was an affirmative choice she made so that soldiers could see someone who looked like them or close to it, citing the stress of facing charges exacerbated by being the only person of color in the room. A proponent of diversity, Col. Brunson actively reached out to law school students throughout her career trying to reach those who might not otherwise choose the JAG.

At a DC women lawyers' luncheon, Col. Brunson was seated at a table with an Air Force Judge. After introductions, she asked the Air Force Judge how one became a judge and expressed interest in the becoming one. Later, back in the office, the Chief Trial Judge, Denise Vowell, called Col. Brunson and asked why she was hearing from someone else that she wanted to be a judge. It turns out the Air Force Judge – none other than Col. Murnane – took the initiative to reach out to the Chief Judge and let her know of Col. Brunson's aspirations. The two spoke at length about Col. Brunson's goals and, as a result, the Chief Judge made sure that Col. Brunson was sent to The Judges' Course so that when an opening became available, she would qualify. And that's exactly what happened in 2008, when she became the first woman of color judge in the Army.

Continued next page

When asked if she faced adversity as a "first," she found that while individuals might have their own hang-ups, the general rule is that the military is a disciplined organization. Everyone realizes that a judge is in charge of the courtroom. She wears a robe, and so they call her "Your Honor." The Army is a meritocracy. You perform, you get the rating.

Her military awards and decorations include a Legion of Merit, Meritorious Service Medal with bronze and silver oak leaf clusters, Army Commendation Medal with bronze oak leaf clusters, and the Parachutist Badge.

### Things to Know About Military Courtrooms

- Military judges are "real" judges, certified under Article 26 of the Uniform Code of Military Justice (10 U.S.C. 826)
- The military legal system includes real lawyers, real judges, trying real cases in a real courtroom.
- Military judges are trained at the Judicial College and attend initial training at the Judge Advocate General's Legal Center and School
- Being a military judge is an assignment. There is no guarantee you will continue in the position and, more often than not, a military judge leaves the bench in 3 years. After serving as a military judge, there is a high likelihood that you will return to the bench in a later assignment.

### Veteran Judges Bring Their Experience to the Courtroom

#### Justice Eileen Moore

Justice Eileen Moore joined the U.S. Army at 20, shortly after graduating from nursing school and received a direct commission as a Second Lieutenant before being deployed to Vietnam. She remembers to this day the smell of decay and tar and the omnipresent sound of mortar attacks.

She has recounted the tenuous position of being less than one percent of the military force, as a woman, and charged with caring for and healing the men fighting but also being in a position to have to protect herself from those same men at times.

She credits Vietnam with giving her the backbone to go to college, saying, "Once you've been to Vietnam you can probably do anything, so even though I came from a family where there is no education and there was no college

experience, and there was no grabbing for a brass ring, I think probably Vietnam helped me to just grab for that brass ring." From college at UC Irvine, she went on to law school at Pepperdine School of Law and eventually on to University of Virginia for a master's degree. She was appointed to the Superior Court of California, County of Orange in 1989 and to the Fourth District Court of Appeal, Division Three in 2000.

Her service experience has informed her work in the California courts. In 2008, she launched a statewide military and veterans committee

a natural fit for her to enlist. Judge Trapp remembers the slogan at the time was "The Navy is a good place to start" and it was just that for her. It was the 1970s, during the height of the civil rights era, and while the military was progressive in terms of race relations, as an African-American woman, she still experienced adversity because of gender and race. The good she experienced from her service in the Navy was the regimented life and the ability to focus on her future. She served 5 years, 5 months, and 5 days as a pharmacy technician. She enjoyed helping people and her service inspired her to go back to school and finish her education. She

finished her undergraduate degree in two years, then determined law would be a good way to go. She felt she had benefited from the sacrifices of the people who marched and died for equal rights and that she owed a debt to her community and wanted to help.

Judge Trapp embodied her goals through her work. She served as a Deputy Attorney General and then went into private practice focusing on construction defect and business litigation before going in-house with SDG&E/Scmpra.

#### Judge Randa Trapp

Judge Randa Trapp was in college and not really enjoying the experience when she fell ill. She took a break from college and returned home to San Diego, the Nation's largest concentration of military personnel. She had always been patriotic and had neighbors in the military to whom she looked up, so it seemed



She was appointed to the Superior Court of California, County of San Diego in 2003. Judge Trapp is one of five veteran judges and the only

As a military spouse, she found that she was hesitant to bring up her husband's service. Professionally, she says, it felt like she would be undermined by it. "If opposing counsel didn't like a settlement offer, they just had to wait until my husband was transferred," she joked. "I was also worried that judges or opposing counsel wouldn't take me seriously or that employers wouldn't hire me in the first place." It turns out that she was often hired by people who had served in the military themselves and appreciated her unusual resume as indicative of service, dedication, perseverance and flexibility.

### Military Spouses Serve Too. But In A Different Way

#### Hon. Erin Wirth



Hon. Erin Wirth is the first female Federal Administrative Law Judge appointed to the Richmond, Virginia Social Security Hearing office and a Coast Guard wife. She met her husband in her last year of law school.

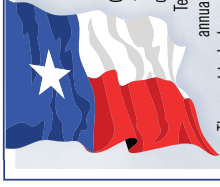
Since graduating, and due to his military career, she has worked in seven jurisdictions and had 11 jobs. Until her most recent position, she had not been able to keep a position for more than three years. She took 3 full bar examinations before realizing that the constant testing was not sustainable. Because military families typically move every two to three years, attorney spouses often can't meet requirements for admission by motion. When her husband was transferred to Minnesota and she had to leave a great job in D.C., she was faced with the choice between two jobs: the first was in private practice and the second was with legal aid. She opted for the legal aid position where she would not have to take a fourth bar exam. The experience prompted her to write a letter to the ABA proposing waived bar examinations for military spouses, which was published in 2007. In 2011, she co-founded Military Spouse JD Network that supports military spouses in the legal profession by advocating for licensing accommodation for military spouse attorneys, education the public about the challenges faced by career-minded military spouses and their families and encouraging the hiring of military spouses, along with providing a network connecting military spouse attorneys with each other and their supporters.

if she had stayed in the same place. In return, she has learned flexibility and became open to a different career path focusing on service.

### An Ongoing Commitment of Support

The NAWJ has a Committee for Military/Veteran Judges which is co-chaired by Hon. Kristen Brunson and Hon. Linda Murnane. Military Spouse JD Network, or MSJDN, has over 1,000 members and supporters. It continues to advocate for licensing accommodations for military spouses, including bar memberships without additional examination. In April 2012 Idaho became the first state to approve a military spouse licensing accommodation, following in December 2012 by Arizona. For a full list of states that have adopted military spouse rules, visit [www.msjdnet.org/rule-change/](http://www.msjdnet.org/rule-change/)

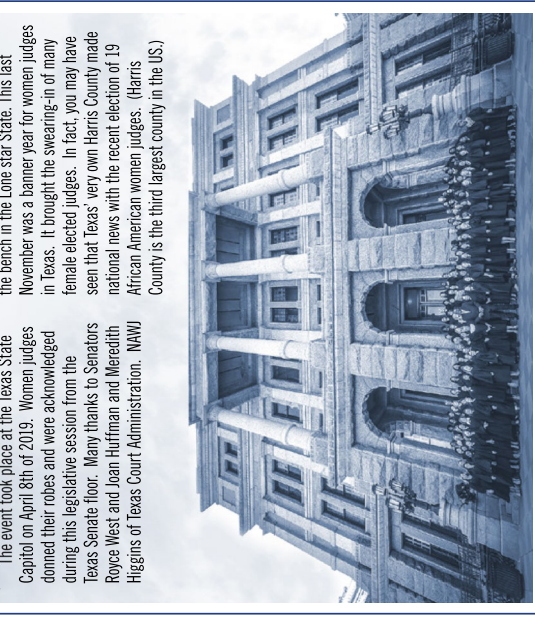
And while there have been challenges as a lawyer, ALJ, and military spouse, there are benefits, she says. She and her family value service. She values her husband's military service enough to give up financial and professional advantages that she could have had



## Second Annual Texas Law Day

Over one hundred fifty women judges came from all over Texas to the 2nd annual Texas Law Day.

The event took place at the Texas State Capitol on April 8th of 2019. Women judges donned their robes and were acknowledged during this legislative session from the Texas Senate floor. Many thanks to Senators Royce West and Joan Huffman and Meredith Higgins of Texas Court Administration. NAWJ County is the third largest county in the US.)



celebrated the event with a reception hosted in the Old Supreme Court building.

This event coincided nicely with the fact that last year brought 47 new women judges to the bench in the Lone Star State. This last November was a banner year for women judges in Texas. It brought the swearing-in of many female elected judges. In fact, you may have seen that Texas' very own Harris County made national news with the recent election of 19 African American women judges. (Harris County is the third largest county in the US.)

## NAWJ's Mimi Tsankov Leads Celebration of International Women's Day at Fordham

On March 11, the FBA Southern District of New York (SDNY) Chapter, the FBA International Law Section, and the FBA Judicial Division co-sponsored Fordham University's Second Annual International Women's Day Event—A Student-Moderated Evening of Discussion, hosted by the Fordham School of Law in New York City. This two-hour program involved presentations by eight distinguished speakers and FBA leaders. The National Association of Women Judges (NAWJ) and the Women's Bar Association of the State of New York (WBASNY) co-sponsored the program. FBA SDNY 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.

### By Fordham School of Law International Law and Justice Practicum LL.M. Students

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?" Challenging the presenters to consider how they see gender equality in terms of the stated theme, she 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 Lucia Cassido Ardizzi introduced the next speaker, FBA President Maria



Vathis. Vathis provided a detailed presentation about how gender balance is better for business, as it offers diversification of talent. She pointed out how highly regarded studies suggest that the inclusion of women increases the global gross domestic product. As to the role of women in the law in the United States, she pointed out a number of firsts, including (1) the first gender discrimination case dating back to 1872, (2) the first female admission to a state bar in 1876, (3) the right of women to practice law in all 50 states in the 1950s, and (4) the confirmation of the first woman to the U.S. Supreme Court in 1981. Despite these successes, she pointed out that, although women represent the majority of law school graduates, they still represent a minority within the FBA. She indicated that some industries are particularly affected by underrepresentation, especially in the science, technology, engineering, and math (STEM) fields, where only 1 in 4 women hold positions. She called on women to

Next, Fordham LL.M. student Vincenzo Debolini introduced Hon. Tanya R. Kennedy, immediate past president of the NAWJ. Justice Kennedy presented on "Women in the Judiciary—A U.S. Perspective." She began her remarks by noting that in order to truly achieve equality, we must invite men to the table and find ways to join forces. She remarked at the presence of so many males in the program's audience. Justice Kennedy said that 2018 statistics reflect that women make up 33 percent of the state court judiciaries nationwide, and that New York State courts are doing even better—at 37 percent. She explained that New York State Court's chief justice is female, and in the four appellate divisions, female judges outnumber male judges. She said that this should come as no surprise since women are effective judges due to their skills in compassion, thoughtfulness, listening, and multitasking. She



## Project Access

### Bringing civil justice relief to eight counties in rural Michigan

NAWJ members, Chief Justice Bridgett McCormack and Judge Michelle Rick, partnered with Detroit Mercy Law School & others to host a traveling expungement clinic this summer. "Project Access" brought civil justice relief to eight counties in rural Michigan.

More information can be found through this link to the media coverage & YouTube video: <https://cours.michigan.gov/News-Events/Pages/ProjectAccess.aspx>

"Clearing your record can make a difference in getting a job, in restoring a professional license, getting a student loan, getting into college, graduating from college, it makes a difference in securing housing and getting a loan for a home," said Chief Justice McCormack.

Project Access is funded by a grant from the Michigan State Bar Foundation and is spearheaded by Judge Rick. "Project Access is a daring innovation designed to restore dignity, pride and in some instances life necessities to persons among us who have paid their debt to society and who have otherwise atoned for their past wrongdoings," said Rick.

Another clinic will be held at our Hall of Justice on October 22, 2019. We are partnering with three counties, the Supreme Court, and the Lansing Mayor. The event will include service providers who will host a community fair.

Expungement relief is vital for those who have committed errors but have demonstrated they have their life back on track. It opens so many doors: better jobs, access to public



Left to Right: Michigan Assigned Appellate Counsel Director Brad Hall, 46th Circuit Court Judge George Merz, 46th Circuit Court Judge Colin Hunter and Chief Justice Michelle Rick

Left to Right: Governor Glickstein II, Detroit Mercy Law School Clinical Program Director Rebecca Smolins, Newark, Chief Justice Bridgett McCormack and Chief Justice Michelle Rick



explained how in the past, these qualities had not been viewed favorably, and yet these are the qualities that strengthen a judge. By embracing them, we exercise the full power being a woman. She said that the characteristics of a good judge include open-mindedness, patience, courage, firmness, understanding, compassion, and basic common sense. She compared these characteristics with those of being a female and highlighted how many qualities the two had in common. In addition, she pointed out how, in the pursuit of justice, women can provide a unique perspective and enhance the judicial experience by educating males to see things from another perspective. She closed by referencing the movement "#MeToo in the Legal Workplace," highlighting the need for women in the law to have greater equality to ensure equal access to justice for all.

Judge Lisette Shirdan-Harris appeared in her capacity as NAWJ international director and North American U.S. delegate to the International Association of Women Judges (IAWJ). She was introduced by LL.M. students Nandor Win Kerr and Mimosa Konjusha, both of whom wish to work in the areas of international human rights, gender-

motivated violence, and international criminal law. By way of background, Judge Shirdan-Harris presides over matters of gender and discrimination. In her leadership role at the IAWJ, she has led judges around the world in breaking down gender stereotypes, changing attitudes, and raising awareness through programs, partnerships, and training. She has presented at panels and programs around the world, including the Netherlands and Morocco. She is very interested in women's issues, and her presentation focused on women in judiciary from an international perspective and, in particular, the work of IAWJ. Judge Shirdan-Harris explained that IAWJ's key programs are gender-based violence, property rights, human trafficking, HIV/AIDS, child marriage, and abuse of power (also called "sextortion"). She explained that sextortion is a terrible issue to deal with in the equation of lack of freedom and equal rights for women. Also, women and girls are facing deeply entrenched attitudes and customs worldwide that pose potential for discrimination. These programs are designed to bring a new perspective in examining law and procedure and reinforcing the application of international law.

She added that, as a result of these programs, we are seeing an increase in the number of women on the bench. This is important because women judges around the world are helping to create "balance for the better." She added that IAWJ hosts a biennial

Continued on next page

worldwide conference, which will next be held in Auckland, New Zealand, in May 2020. The anticipated topic will be a celebration of diversity. She challenged the group to join IAWJ's efforts at achieving equality of justice and combating violence around the world vis-à-vis women and children, and to support appropriate judicial responses to these crises.

Fordham LL.M. student Melissa Mateo and Miaoning Lu, who plan to work in the field of international human rights, introduced the next speaker, Hon. Cencera P. Edwards. Judge Edwards presides in Kings County Civil Court and serves as the NAWJ's District Two director supporting New York, Connecticut, and Vermont. Judge Edwards provided specifics about women in the judiciary from a US perspective. She started her speech by sharing her experience within the courts and how she was surprised at the continued imbalanced ratio of women to men. Judge Edwards mentioned that of the four circuits in the Kings County Civil Court and in the remainder of the circuits, the majority of the attorneys that appear are men. She stated that, although the representation of women in law school is quite balanced, most trial attorneys are still men. Judge Edwards summarized that "we (women) do have a way to go in terms of our representation within the bar and the bench."

Fordham LL.M. student John Yehoon Mensah, a Ghanaian student planning to work in the area of public interest and international human rights, introduced the next speaker, Margaret Kuehne-Taylor, co-chair, American Bar Association, International Law Section, Immigration and Naturalization Committee. Kuehne-Taylor, appearing in her personal capacity, focused on Women's Issues in Immigration Asylum Proceedings. She noted the existence of gender bias in the rule of law and protection of gender-related asylum cases and acknowledged that leaders in the field are making a conscious effort to

bring about change. In her remarks, she discussed two cases: *In re S-A* and *In re R-A*. The first case, *In re S-A*, involved a Moroccan-Muslim woman who had been subject to strict dress code restrictions, limited educational opportunities, and a dearth of career opportunities. After suffering brutal abuse, she was able to seek asylum based not on a notion of gender-based persecution, but rather based on religious persecution on account of the fact that her religious beliefs were different—in this case more liberal—than those of her father. Since asylum law does not include gender as a basis for asylum, this case offered a different legal theory to address what clearly involved a gender component. The second case, *In re R-A*, involved a Guatemalan woman who fled to the United States to escape domestic abuse. She explained that the case is relevant because it considered a gender-based claim in the context of membership in a particular social group. Although the law didn't identify gender as a specific ground, the court crafted a specific particular social group that was cognizable and granted her asylum.

LL.M. students Stephanie Ro and Anwa Sharif introduced the next speaker, Emily Henry, policy specialist on transitional justice at UN Women. Ro and Sharif hope to work in the area of human rights and were very excited to present UN Women's approach to "investigating gender-based violence" and its award-winning interactive website, available at <http://interactive.unwomen.org/multimedia/infostory/justicewomen/index.html>. Henry explained how UN Women advocates for the notion that women and girls have a right to "nondiscrimination" and focuses on developing mechanisms for addressing large-scale crimes against women. Focusing on the Rome statute and the International Criminal Court, UN Women has helped female victims access justice in countries such as the Democratic Republic of the Congo where there are alleged widespread instances of war crimes, including rape. She explained that the Justice Rapid Response

team has supported Truth Commissions in Cambodia and the Solomon Islands, and in bringing about meaningful reparations and access to justice for women in Columbia and Kosovo. In her leadership role at UN Women, she has led works on women's access to justice in conflict-affected countries. She is very interested in women's issues, and her

presentation focused on UN Women's interactive website. She explained that sexual and gender-based violence is a pervasive human rights violation. This is important to know because sexual and gender-based crimes are considered especially grave violations of international law. She challenged the group to think about the survivors of these crimes and how their lives can be improved measurably when justice is served.

Closing out the evening was Clare Huntington, who serves as Fordham School of Law associate dean for research and Joseph M. McLaughlin professor of law. She was introduced by LL.M. student Tomoko Yamazaki, who hopes to work in the area of criminal procedure. Professor Huntington is an expert in the fields of family law and poverty law. She has published widely on a range of topics in these two areas, with a recent focus on nonmarital families. Professor Huntington discussed women's access to justice in the family law context related to three topics: (1) the problems of children and divorced or separated parents; (2) domestic violence; and (3) the child welfare system. She pointed out that 60 percent of victims of domestic violence are not represented by counsel. She said that many women try to handle divorce matters alone, such as divorce procedures, custody problems, and locating a safe place to live. She remarked that, although there are some nonprofit organizations and law school clinics providing support to women as they access assistance in the court systems, access to justice continues to be a fundamental challenge.

Following the series of presentations, the students led a discussion session during which many of the distinguished guests were able to participate substantively. Audience participation included the following distinguished guests: (1) Hon. Delissa A. Ridgway, U.S. Court of International Trade; (2) Greta Kolcon, WBASNY president; (3) Fay Parris and Maria Cortese, WBASNY committee co-chairs; (4) Linda Chaverini, WBASNY executive director; (5) Christina Blacklaws, president, The Law Society of England and Wales (The Law Society); (6) Lizzette Roleto de Howarth, international programs manager, The Law Society; and (7) Stephanie Brown, international policy assistant for the Americas et al., The Law Society. At the conclusion of the question and answer session, all participants enjoyed a catered reception.

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## RESERVING THE PAST

# A Look at NAWJ and the State of Women in the Legal Profession Through Our Past Presidents

Compiled by Karen Donohue

**E**sther Hobart Harris became the first female justice of the peace in the United States when the Sweetwater County Board of County Commissioners (Wyoming) appointed her to the position after the previous judge resigned in protest over Wyoming's passage of the woman's suffrage law in December 1869. Sworn in on February 14, 1870, she served a term of less than nine months.

The number of women holding judicial office increased slowly over the years, as did the prestige of some judicial officers. Georgia Bullock of Los Angeles served, beginning in 1914, over a woman's court where she would act as "a model of Victorian ideals of womanhood for female miscreants." Judge Bullock felt that women would be better served by a woman judge who could tell the "good girls" from the bad and help them reform their ways.

With the passage of the 19th amendment in 1920, women were presented with more opportunities. The number of women obtaining law degrees and seeking judicial appointments increased. Although there were many firsts, the focus of this introduction is not on the history of women in the judiciary, but rather a brief snapshot of where things stood prior to NAWJ being formed 40 years ago.

When Jimmy Carter became President in 1977, only eight women had ever been appointed to a federal judgeship. During his tenure, he appointed 41 women to the bench. By the late 1970s only 18 states had women who were serving or had served on their Supreme Courts. In 1979, the year NAWJ was formed, the number of women serving

as federal judges more than doubled. NAWJ members were at the forefront of this sea of change.

We are, of course, familiar with the origins of NAWJ. Justice Vaino Spencer, after having founded the Black Women Lawyers Association, joined with Justice Klein, who co-founded the California Women Lawyers, to coordinate their efforts in support of women nominated to federal and state supreme courts. Through their extraordinary vision and collaboration, an organization to promote increasing the number of women in the judiciary and to address the gender bias problems experienced by the few women who were on the bench was formed.

More than 100 women judges, gathered at the Westwood Marquis in Los Angeles, California from October 25-28, 1979 to convene NAWJ's first national conference. In the words of Justice Klein "If the founding of the National Association of Women Judges in 1979 was one of those ideas whose time had come."

As we celebrate the 40th anniversary of NAWJ, it is important for us to reflect on the many accomplishments NAWJ has celebrated and to recall, especially, the leaders who have shaped NAWJ into the organization that we treasure. Looking back, we see that many of the issues NAWJ has faced in our 40 years are issues that we are still facing:

The following is a very brief compilation of information about the terms of many of our NAWJ Presidents, either in their own words (edited in some cases for space issues) or from the NAWJ History Book, *Keeping the Promise of Justice*.

NAWJ Presidents not mentioned in this article:

1981-82 Hon. Vaino Spencer  
1982-83 Hon. Gladys Kessler  
1983-84 Hon. Clarice Williams  
1984-85 Hon. Martha Craig Daughtrey  
1985-86 Hon. Sybil Hart Kooper  
1986-87 Hon. Christine M. Durham  
1988-89 Hon. Marilyn Loftus  
1990-91 Hon. Bernice Bouie Donald  
1993-94 Hon. Judith M. Billings  
1996-97 Hon. Shirley A. Tolentino  
1999-00 Hon. Gina L. Hale  
2000-01 Hon. Noel Anketell Kramer  
2001-02 Hon. Karla Moskowitz  
2004-05 Hon. Sandra Thompson

Please send any information regarding the theme or accomplishments during their term to Judge Karen Donohue ([karen.donohue@kingcountycourt.org](mailto:karen.donohue@kingcountycourt.org)) or to Judge Anna Blackburne-Rigsby, the chair of the History Committee. ([ablackburnerigsby@dcappeals.gov](mailto:ablackburnerigsby@dcappeals.gov))

## 1980-81 Hon. Joan Dempsey Klein



Justice Klein continued her lifelong pursuit of full legal equality for all citizens during her presidency. Several states formed Women Lawyers Associations during this year.

Justice Klein participated in a roundtable event on this issue with women attorneys at an event at Vanderbilt University School of Law and spoke to the Arizona

Women Lawyers at their first statewide convention. The first-ever compilation of a directory of all legally trained women judges in the United States was completed. The directory, which included the names and addresses of all 727 federal or state court women judges, was reportedly passed on to the President of the United States with recommendations on how to increase that number. In September 1981, Justice Klein spoke on

behalf of NAWJ at the confirmation hearing of Justice Sandra Day O'Connor, summarizing for the Senate Committee of the Judiciary the legal status of women in the U.S.

#### 1987-88 Hon. Judith McConnell



I took office at the meeting in Seattle in 1987 and my presidency focused on expanding the work of the Gender Bias Task Forces in the various states. I was pleased that California finally instituted a task force during my term in office. My year as president ended at our annual meeting in New Orleans in 1988. At the time, we had a separate foundation called the Women Judges Fund for Justice and it was customary for the outgoing president of NAWJ to become the president of the foundation, which I did.

#### 1989-90 Hon. Sophia H. Hall



I was President of the NAWJ 1989-90. This was the 10th Anniversary of the founding of the Association. A highlight of the meeting at my swearing in was the participation of women judges from around the world in Washington DC to discuss whether an International Association of Women Judges should be established. The support for such an endeavor was unanimous. The Annual Conference was held in Denver, Colorado in 1990. Much work during my administration was focused on improving the relationship between the Association and the structures for putting on the Annual Conference.

#### 1991-92 Hon. Cara Lee Neville



I was sworn in as NAWJ President at the annual meeting in Chicago, which hosted Mary Robinson, then President of Ireland. It was also the meeting during the Clarence Thomas Hearings. The keynote speaker at my annual meeting a year later featured Anita Hill, which gave a bit of closure to the circle. The annual meeting during my Presidency was also the inaugural meeting of the International Assn. of Women Judges. To preside over a meeting looking out at an audience of so many courageous women of all different backgrounds and dress was truly amazing.

At my mid-year meeting in San Antonio there was a movement to pass a resolution supporting the Violence Against Women's Act. There was not only push back from Congress at the time but also by many of the Federal Judges who were amongst other things, fearful that all domestic violence cases would end up in Federal court. I called a late-night meeting in my hotel room for just a few members to see how it could be rewritten to accommodate the concerns of our members and those of the federal courts, as well as to strategize how to get it passed in congress. Judges Mary Schneider, Norma Shapiro and Cornelia Kennedy helped define the problems, pitfalls and draft the resolution. I asked Mary Schneider to take the lead and we spent many hours working by phone the rest of the year. Mary did great work and we can thank her for its ultimate passage.

I remember the battle over the necessity for an executive director in addition to, or instead of, using the National Center for State Courts as Secretariat. I, and many others, were thoroughly convinced we couldn't grow and become the professional association we had the potential to be, without an executive director. It was a fight but the membership eventually decided in favor of trying an executive director while maintaining the relationship with the National Center. We knew it would cost money but it represented a commitment to the continued viability of the organization.

#### 1992-93 Hon. Brenda P. Murray



I had a friend who knew a woman who managed an office building in DC so NAWJ got a rent-free office. Up to that point we operated from the National Center for State Courts. We negotiated with the Arthur and Elizabeth Schlesinger Library on the History of Women at Radcliffe/Harvard to archive NAWJ's papers. NPR reported on our affair at the Supreme Court to celebrate. We continued efforts to get funding for projects on women in prison and initiated a direct contact with the Director of the Federal Bureau of Prisons thanks to NAWJ member Judge Patricia Wald. Court of Appeals DC Circuit, who allowed us to use her considerable prestige to the effort.

#### 1994-95 Hon. Betty Weinberg Ellerin

I was sworn in as President at the 16th Annual Conference held in Scottsdale, Arizona. My year was very active on various fronts. From an organizational vantage we were at a crossroads. When it was initially organized, NAWJ set up a separate independent



educational arm, the Women Judges Fund for Justice, which was a tax-exempt entity under Sect. 501(c)(3) which NAWJ was not. When my term began, the Fund was being managed by the then NAWJ Executive Director who was retiring. After discussions with the officers and board it was decided that it was an appropriate time to merge the Fund into NAWJ, which we would move to make a tax-exempt group.

Having served as Chair of our National Task Force on Gender Bias in the Courts for several years, the progress of that movement was among my top priorities. While by then 40 jurisdictions had issued reports acknowledging the existence of such bias within their court systems, comparatively few of them followed the recommendations to establish permanent implementation Standing Committees to carry out the remediation steps suggested in the reports. I set up a Committee to track progress in that regard and to urge those jurisdictions that had not undertaken to study the extent of such bias within their court systems to do so. An exciting development in the fight against domestic violence was the passage by Congress of The Violence Against Women Act, which our Association strongly supported, particularly through the extraordinary efforts of Judge Mary Schneider, which were acknowledged with gratitude by then Senator Biden. I set up a Committee co-chaired by Mary and Judge Gladys Kessler to track the way the various provisions of the bill were being implemented.

Since the merged organization would be taking on increased educational responsibilities, I set up a new Committee named the Judicial Academic Network to utilize the expertise of our academic members as well as our many judicial members who were also involved in academic endeavors. The committee was co-chaired by Judge Phyllis Bamberger and professor Judith Resnick and they presented a series of exciting and provocative programs.

#### 1995-96 Hon. Cindy S. Lederman



During my term, the officers had the honor of going to the White House to present President Clinton with a plaque thanking him for appointing so many women judges to the federal bench.

which an immigrant had humbly engraved, "We Shall Overcome." That perfectly described the country's response to 9/11 and the intrepid women judges of NAWJ who showed up that year.

What a different scene two years later at the end of my term as president. We hosted our 25th NAWJ annual conference at the beautiful Mayflower Hotel in Washington, D.C. First Lady Laura Bush addressed our judges, who were also joined by three women judges from Iraq, and a host of foreign judges from around the world. The Joan Dempsey Klein award (not yet carrying her name) was awarded to Justice Ruth Bader Ginsburg at the newly remodeled National Building Museum. We were treated to a video honoring Justice Ginsburg's 70th birthday, where we learned the surprising news that she had once been a twirler! Mary Ginsberg also attended, glowing with pride. Coincidentally that birthday video was narrated by Tom Brokaw, who had addressed NAWJ in 2001. In a short two years, our slogan "We Shall Overcome" was becoming a reality.

#### 2003-04 Hon. Carolyn Engel Temin



I had the honor of serving as President of NAWJ from 2003-2004. My year was marked by a wonderful mid-year meeting in Philadelphia and a fabulous Annual Conference in Indianapolis. In the Spring of 2004, we had a very successful and well attended presentation of the Genome Project in Seattle. In September of 2004, I was appointed to serve as an International Judge on the State Court of Bosnia and Herzegovina and I actually flew in from Sarajevo to attend the Annual Conference. Unfortunately, my year was also marked by having to deal with what appeared to be some severe mental health problems experienced by our then Executive Director which required me to terminate our relationship with her at a very inconvenient time. Fortunately, our stalwart Staff, which at that time consisted of Lavina and Jeff, carried on and managed to save the day.

During my presidency, toward the end of the last century, we were greatly concerned about the financial situation of the organization and about securing a sound support staff. I think these are issues continually faced by non-profits who are working to enlarge opportunities for those who have been disadvantaged. We should never become discouraged.

#### 2002-03 Hon. Bea Ann Smith



My most memorial introduction to this gutsy organization came in September 2001. Our National Conference was scheduled to be held in New York City, at the Marriott at the World Trade Center, where we would enjoy splendid views from Windows on the World. We all know what happened next on September 11. It was just a few weeks before our conference was scheduled. Should we cancel or go forward? Our brave Executive Committee decided not to cower but to step up to the challenge. We moved to the Marriott in the theater district, where the only band of fearless women judges from across the nation. We saw the devastation first hand, while the ruins were still smoldering and that ghostly white powder covered everything. We witnessed the heroic efforts of firefighters and other rescuers. Tom Brokaw was our keynote speaker, and shortly after he spoke we held our business meeting at which I became President-Elect. We each took home a rugged Statue of Liberty.

#### 2005-06 Hon. Vanessa Ruiz



During Judge Ruiz's tenure as President, she worked to help identify and advance the appointment of women judges in courts with few or no women judges, including military and international tribunals. During her term in office, the Ethics, Policy Development, Conference Policy and New Judges Committees became standing

committees. Judge Ruiz also planned for the first meeting of women judges across the country with women in Congress. Judge Ruiz is the only NAWJ President to also serve as NAWJ President.

#### 2006-07 Hon. Brenda Sith Loftin



Prior to my presidency, I created and presented the Color of Justice Program in 2000.

The theme of my presidency was Judicial Diversity and Judicial Independence. To

help me celebrate this theme, Justice Sandra Day O'Connor attended my midyear conference in San Diego, California and delivered the keynote address on Judicial Independence. I planned the first Long-Range Strategic Plan for NAWJ. With the aid of a committee of NAWJ members and a hired facilitator, NAWJ implemented its first strategic plan in 2007. This plan remains today as an integral part of the fabric of NAWJ. I created the NAWJ Justice Vaino Spencer Award in 2006 recognizing our co-founding mother. This award continues to be presented each year by a president of NAWJ.

#### 2007-08 Hon. Fernande R.V. Duffly



The theme of my year as NAWJ's President, which ended in October 2008 at the annual conference in Portland OR, was that judges should be independent, but not isolated. Toward that end, I spent a good deal of the year speaking to and meeting with groups of women (and men) judges, lawyers and law students, law professors, legislators and members of the Executive branch about the importance of uniting our voices to increase the presence of women and minorities in all branches of government and at the top of law firms and corporations. With the support of our Resource Board member in California, we met with the Publisher of

Forster Long that gathers and publishes statistics of the numbers of women in each State sitting in the various court levels, who agreed to provide that information to NAWJ. For a number of years, their data graced the opening page of our online presence, which we used when urging State governors to increase the number of women on their bench. With the cooperation of State bar leaders and lawyers in prominent positions, we encouraged MALP to include questions asked of law firms that would highlight the low numbers of women and others who had achieved equity partnership level

highlight, a conversation with Justice Ruth Bader Ginsburg, newly appointed Justice Sonia Sotomayor, and Baroness Brenda Hale, the first and only woman on the United Kingdom's Supreme Court, moderated by Professor Judith Resnik. We also had a private tour of the Holocaust Museum, followed by a lecture on the judges of the Third Reich and a panel on judicial independence, moderated by Judge Gladys Kessler with an NAWJ member who was also a Holocaust survivor.

#### 2010-11 Hon. Marjorie Laird Carter



I was honored to serve as NAWJ President 2010 - 2011. It was a busy year, with district events and conferences. The mid-year meeting was most memorable. The whole country had been having a long cold and wet winter. Thanks to Mother Nature, our meeting in Laguna Beach, California, was perfect. Sun, surf and sand. The District directors had time to share ideas, and our immigration and human trafficking programs were introduced.

Alaska! Nearly 100 NAWJ members, family and friends gathered for our first NAWJ Cruise around the island passage, stopping at several towns. Kudos to Judge Fabe for organizing the trip and for the reception at her "big cabin!" I especially appreciated getting to know the devoted, dynamic, NAWJ members, across the country. Everyone is working hard presenting programs and spreading our messages.

#### 2011-12 Hon. Amy L. Nechtman



I have the distinct honor to be one of only two justices in our proud 40-year history, along with Judge Cindy Lederman, to serve as NAWJ Presidents hailing from the Juvenile Court Department, specializing in matters, policy and practice surrounding child welfare and juvenile justice in our courts and communities. Because of my passion in this area of practice, I advanced the conversation nationwide on issues affecting children and families. The NAWJ Committee on Child Welfare/Juvenile Justice was established during this year to begin focusing on equity and access to justice issues affecting this population. My message throughout this privileged year of leadership highlighted the importance for all of us to "walk in the shoes of and speak for those otherwise not so empowered." (And you know I love shoes...)

The NAWJ Leadership Conference in Cambridge MA, was an exciting event highlighting women's issues in the judiciary with a conversation with then recently appointed Justice to the U.S. Supreme Court Elena Kagan, moderated by then Dean Martha Minnow, at Harvard Law School. Also discussed at this Leadership Conference were issues relating to children and immigration and the role of judges.

#### 2012-13 Hon. Joan V. Churchill



The theme of my NAWJ year as President was, JUSTICE FOR ALL. Major initiatives my year focused on adoption of proposal to host the IAWJ 2016 Biennial in Washington DC, a membership drive to attract male members and a Midyear conference in Washington DC which included: a Forum at the Supreme Court on Special Courts; a reception at the Supreme Court Hosted by my member, Justice Ruth Bader Ginsburg, and attended by our member Chief Justice John Roberts and members of the NAWJ Board in town for their Annual Meeting; a joint activity with the Shakespeare Theatre on Rights of Women to Confer Benefits On Men with a play reading from Henry V; our annual Congressional Caucuses; and, an all-day symposium on Human Trafficking.

#### 2013-14 Hon. Anna Blackburne-Rigsby



The theme of my term as NAWJ President was "Ensuring Access to Justice for All". Two memorable moments from my tenure as NAWJ President come to mind. First, my successful hosting of 200 NAWJ members and guests in Washington, D.C., for the 2014 Midyear Meeting and Leadership Conference entitled Ensuring Access to Justice for All. During this action-packed three-day conference, we addressed the unique role that the judiciary plays in ensuring that all individuals have fair and equal access to our court system. Unforgettable moments at the midyear included a keynote address by former Attorney General Eric Holder and a special performance of Ms. Janet Langhart-Cohen's play, "Anne & Emmett" at the U.S. Supreme Court, graciously hosted by Justice Ruth Bader Ginsburg, along with a follow-up panel discussion on implicit bias moderated by Dan Rather. Second, I was honored to lead the NAWJ delegation at the 2014 NAWJ Biennial Conference in Anisnia, Tanzania. I was particularly touched by the theme—

members and guests in Washington, D.C., for the 2014 Midyear Meeting and Leadership Conference entitled Ensuring Access to Justice for All. During this action-packed three-day conference, we addressed the unique role that the judiciary plays in ensuring that all individuals have fair and equal access to our court system. Unforgettable moments at the midyear included a keynote address by former Attorney General Eric Holder and a special performance of Ms. Janet Langhart-Cohen's play, "Anne & Emmett" at the U.S. Supreme Court, graciously hosted by Justice Ruth Bader Ginsburg, along with a follow-up panel discussion on implicit bias moderated by Dan Rather. Second, I was honored to lead the NAWJ delegation at the 2014 NAWJ Biennial Conference in Anisnia, Tanzania. I was particularly touched by the theme—

Highlights of that year included creation of a Sustainability Committee to ensure the future of NAWJ, adoption of a resolution for judges to consider diversity when making judicial appointments, creation of an Elder Care education initiative and a relationship with AARP, and adoption of a priorities initiative for women in prison with the Bureau of Prisons. The NAWJ resolution was adopted by the Conference of Chief Justices, the Hispanic National Bar, the Defense Research Institute and several other organizations.

#### 2016-17 Hon. Diana Becton

My theme was Honoring our Past - Pressing Toward the Future for Access, Fairness, and Diversity. The inaugural Lady Justice Awards were presented at the Midyear Meeting at the Beverly Hilton in Los Angeles. Recipients included: Justice Sandra Day O'Connor - NAWJ Lady Justice Lifetime Achievement Award, 2017; Justice Joan Dempsey Klein - NAWJ Lady Justice Founders Award, 2017; Justice Vaino Hassan Spencer - NAWJ Lady Justice Founders Award, 2017; Judge Dorothy W. Nelson - Lady Justice Public Service Award, 2017; Jackie Lacey - Lady Justice Community Leadership Award, 2017; Janet Langhart Cohen - NAWJ Lady Justice Artistic Integrity Achievement Award, 2017; and, Sharon Stone - NAWJ Lady Justice Social Justice Award, 2017.



Also at the Midyear meeting, current and past NAWJ leaders gathered to learn from, and plan with, an expert retained to focus on strategic planning to ensure our survival in the future.

#### 2017-18 Hon. Tanya Kennedy



The theme of President Kennedy's term was "The Emerging Legal Landscape—Navigating a Path to the Future" where NAWJ convened cutting-edge legal education sessions featuring the nation's prominent thought leaders and experts to address such topics as, the Internet of Things, artificial intelligence, the dark web and virtual currencies; a live hack demonstration to illustrate the heightened importance of cybersecurity; non-consensual porn ("revenge porn"); bail reform; the opioid crisis; mental wellness; and engaging millennials.

#### 2015-16 Hon. Lisa S. Walsh

During my 2015-2016 term, which concluded at the annual conference in Seattle, I chose as my theme "Sustaining the Future for Women and Girls." In keeping with this theme, NAWJ focused upon the future for women in the legal profession, on the vulnerable populations we serve and the future for NAWJ.

After organizing a Legislative Caucus on Capitol Hill focusing on ensuring a healthy work environment free of sexual harassment, Justice Kennedy led NAWJ in trademarking "METOO IN THE LEGAL WORKPLACE." As a result of the Legislative Caucus, NAWJ received and accepted an invitation from Congresswoman Sheila Jackson Lee to attend the press conference regarding the reauthorization of the Violence Against Women Act (VAWA), which NAWJ submitted a letter in support of its reauthorization.

During President Kennedy's term the "Future of Justice Scholarship" was launched (which is to be awarded at all future annual conferences); the ADA Policy Compliance, Governmental Affairs, Law School Outreach, LGBTO, Technology and Social Media Committees were formed; and NAWJ went green by publishing digital versions of the Membership Directory and Counterbalance.

#### 2018-19 Hon. Tamila Ipema



The theme of my presidency was: Global Judicial Leadership. NAWJ took a team of 10 judges to Rome at the invitation of His Holiness Pope Francis to present at the Vatican Summit on Social Justice alongside of 50 judges from Pan-American countries.

Pope Francis, who attended the second day of the summit, delivered a compassionate and heart-felt speech on social justice asking judges to reform the justice system to provide equal access to justice for all. I am greatly honored to have been appointed by the Pope to serve on the 7-member Pan-American Commission on Social Rights and Access and Fairness for a period of two years. We had a successful conference in NY in Collaboration with the UN and Columbia University on human rights of all women with a special focus in sexual harassment and assault at the work place.

Much work during my administration was focused on moving our organization forward to new heights and a new direction with a sound and workable strategic plan of action in place to be implemented in the next five years. I am proud of the 2018-2019 NAWJ Board of Directors for achieving this monumental goal.

NAWJ celebrated its 40th anniversary in style at the Walt Disney Concert Hall at the Los Angeles Annual Conference.



# It's Time We Consider the Best Interest of the Child when sentencing parents and caretakers

**I**t is axiomatic in the family law arena that the best interest of a child be ascertained when the courts make a determination impacting the care and custody of a child.

Thus, for example, in the seminal Maryland case on the issue of legal custody, the court emphasized: "[W]e have variously characterized this standard as being 'of transcendent importance' and the 'sole question.' The best interest of the child is therefore not considered as one of many factors, but as the objective to which virtually all other factors speak." *Taylor v. Taylor*, 306 Md. 290, 303, 508 A.2d 964, 970 (1986).

Similarly, in the international arena, the U.N.



**By Judge Cathy Hollenberg Serrette**  
Associate Judge, Prince George's County Circuit Court, Maryland and Jada McElrath, J.D., Siegel Law, Ellicott City, Maryland

law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration." Article 9 of the convention mandates that states "respect the rights of the child who has been separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests." Article 12 mandates that children be permitted to express their views freely in judicial and administrative proceedings that affect them. U.N. Convention on the Rights of the Child, Nov. 20, 1989, 1577 UNT.S.3 (the Convention was signed, but not ratified, by the United States).

**Despite recognition of the paramount importance of placing the best interest of the child first and foremost, in most states, consideration of the well-being of the child is absent or merely tangential in criminal law and procedures.**

Despite recognition of the paramount importance of placing the best interest of the child first and foremost, in most states, consideration of the well-being of the child is absent or merely tangential in criminal law and procedures.

Why does this matter? "More than five million children, or approximately seven percent of all U.S. children, have had a parent who lived with them go to jail or prison. This percentage is even higher among black, poor, and rural children." (See, David Murphey and P. Mae Cooper, *Parents Behind Bars, What Happens to Their Children?* Child Trends, October 2015).

Nearly 2.6 million children had an incarcerated

parent in 2012, with the number of children with incarcerated parents having grown five times from 1980 to 2012. (See Bryan Sykes and Becky Pettit, *Mass Incarceration: Family Complexity, and the Reproduction of Childhood Disadvantage*. The

ANNALS of the American Academy of Political and Social Science, 654, no.1, (2014) at 127-49). Even more striking, the Bureau of Justice Statistics reported that the number of incarcerated parents with minor children increased by 79% between 1991 and midyear 2007, and the number of children with incarcerated parents grew by 80%. (*Parents in Prison and Their Minor Children*, Bureau of Justice Statistics, March 30, 2010).

Children who experience parental incarceration have been found to be vulnerable to an array of deleterious health and educational outcomes, including attention deficit disorder (ADD) and attention deficit hyperactivity disorder (ADHD), behavioral problems, learning disabilities, anxiety and developmental delays. (See Kristin Turney, *Stress Proliferation Across Generations? Examining the Relationship between Parental Incarceration and Childhood Health*, Journal of Health and Social Behavior, 55, no. 3, (2014) 302-319). Children whose fathers were incarcerated were found to be over five times more likely to be suspended or expelled from school. (Pew Charitable Trust, *Collateral Costs: Incarcerations Effect on Economic Mobility*, 2010, citing Johnson, 2009.)

Incarceration of a household member has been identified as one of the adverse childhood experiences (ACEs) that can impact a child's development and lifelong health concerns. Other ACEs include physical abuse, sexual abuse, emotional abuse, physical neglect, emotional neglect, intimate partner violence, violence against one's mother, substance misuse within household, household mental illness, and parental separation or divorce. (U.S. Department of Health and Human Services' Substance Abuse and Mental Health Services Administration (SAMHSA). ACEs have been linked to risky health behaviors, chronic health conditions, low life potential, and early death.

The greater the number of ACEs, the higher the risk of these outcomes. Center for Disease Control and Prevention, Violence Prevention. [https://www.cdc.gov/violenceprevention/acesstudy/about\\_aces.html](https://www.cdc.gov/violenceprevention/acesstudy/about_aces.html). Given that children of incarcerated parents are associated with a higher number of other major, potentially traumatic life events, (Murphey and Cooper, supra, at 2), it is imperative that our criminal laws and procedures give due consideration to reducing the trauma and stigma these children experience as a result of our criminal justice system, not only for the sake of our children, but as a matter of public health and safety. Accordingly, when sentencing a parent or caretaker with dependent children, the impact on the children should be a

requisite consideration.

While most states have yet to do so, there are jurisdictions that consider the impact of parental incarceration on children.

**“In North Dakota, among the factors that are to be considered in sentencing is whether imprisonment is whether imprisonment would entail undue hardship to the defendant or the defendant's dependents.”**

In North Dakota, among the factors that are to be considered in sentencing is whether imprisonment would entail undue hardship to the defendant or the defendant's dependents. NDCC, §12.1-32-04.

In Oregon, the Department of Correction oversees the Children of Incarcerated Parents Project, a 12-year-old public-private initiative that includes Head Start programs, mental-health services, and educational opportunities for children with incarcerated parents. (See [http://www.oregon.gov/DOC/OMR/PROGMS/pages/iam\\_children.aspx](http://www.oregon.gov/DOC/OMR/PROGMS/pages/iam_children.aspx).)

San Francisco employs a family impact statement at sentencing, focusing on the family's strengths and assets, as well as their challenges. The San Francisco Children of Incarcerated Parents Project created a bill of rights for children of incarcerated parents. The bill declares that children have the right to be heard when decision are made about them and to be considered when decisions are made about their parent. (San Francisco Children of Incarcerated Parents Project, <http://www.stopp.org/>)

Thanks to the efforts of the Osborne Association, since 2014, "Family Responsibility Statements" are highlighted as a best practice in the New York State Office of Probation and Correction Alternatives training for new probation officers.

Washington State has passed a parenting sentencing alternative for primary caretakers with a child under the age of 18 at the time of the offense. If a parent is found to be eligible, imposition of the sentence is waived and the parent is sentenced to twelve months of community custody. Among the conditions that may be ordered are parenting classes, chemical dependency treatment, mental health treatment,

vocational training, and life skills classes. RCW 9.94A.655

Evidence from Washington State suggests that family-centered sentencing provides a progressive alternative to incarceration that would otherwise separate children from their parents, while serving as an effective recidivism reduction tool resulting in substantial savings. (Etienne Miller, Katherine, *Bending the Bars for Mothers: How Prison Alternatives Can Build a Stronger Oregon*, Oregon Law Review 92:755-781 (2014)). Offenders who report higher levels of family contact and positive family relationships have better post-release employment outcomes and lower recidivism rates. (Nancy La Vigne, Elizabeth Davies and Diana Brazzell, *Broken Bonds, Understanding and Addressing the Needs of Children with Incarcerated Parents*, Urban Institute Report, February, 2008).

In Maryland, the Governor's Office for Children has identified the reduction of the impact of parental incarceration on children, families, and communities as a priority, and Maryland's Justice Reinvestment Act provides a philosophical foundation for the adoption of reforms such as child impact statements, community based alternatives to incarceration, and other family focused initiatives. In Prince George's County, the Circuit Court has teamed with the Department of Social Services and the Division of Parole and Probation to implement a pilot project that provides for the inclusion of a section on caretaking responsibilities in presentence investigations (PSIs) and an offer of voluntary family preservation services to families in which a caretaker is incarcerated. However, statewide, we have yet to sufficiently adopt policies and practices that appropriately consider and reduce the harmful impact of our criminal justice system on our children.

Michelle Alexander's "The New Jim Crow, Mass Incarceration in the Age of Colorblindness" meticulously documented "the rebirth of a caste-like system in the United States, one that has resulted in millions of African Americans locked behind bars and then relegated to a permanent second-class status—denied the very rights supposedly won in the Civil Rights Movement." (Michelle Alexander, *The New Jim Crow, Mass Incarceration in the Age of Colorblindness*, (2010), Newjimmcrow.com/about). Among the victims are the children of those ensnared, many of whom may also end up in this caste—the system of incarceration as a result of trauma and loss resulting from the incarceration of their parents or caregivers. And while there are

**Continued on page 47**

# #WeToo in the Judicial Workplace: Impacting the Future of the Movement

had the great honor of speaking on a panel at the U.S. Capitol at the invitation of the National Association of Women Judges (NAWJ). The subject was tackling sexual harassment in the judicial workplace. In conjunction with the Congressional Caucus for Women's Issues, my co-presenters and I shared ideas based on our experience. We presented "best practices" that could be used to improve the legal workplace culture. The comments were well reasoned and poignant. But my perspective was a little different than the other panelists and attendees in the room. Not because I was the only one from a state judicial conduct commission or the only one from Arkansas.

I was the only man.

Of course, it is not unusual that the attendees at an NAWJ event are women. Or even that the other panelists and moderator are as well. NAWJ and other women's professional groups provide a forum for discussion of issues that are particularly germane to women and are often presented by women. However, the #MeToo movement is about issues that are impacting both males and females in the judicial workplace. Not only was it an honor to be part of the program, but it was also a privilege to be invited to participate in an important dialogue that affects the future of our profession and system of justice.

Men cannot absent themselves from the discussion. I was overwhelmingly accepted and appreciated in July 2019. There is nothing for ethical male judges and legal professionals to fear by being actively involved in addressing gender-related equality issues. The "room" should always be an inviting place for anyone who wants to be part of the discussion. We should all join in to present solutions. But some men still tend to be reluctant. They may be worried about saying the wrong thing or fear they lack the personal knowledge to meaningfully contribute. They may be unsure of what to next or wonder whether a male voice is necessary for the conversation. They may simply be ignorant of where the discussions are happening and are hesitant to seek them out. Regardless, they are more likely to just stay quiet.

These are ideas to encourage NAWJ members on ways to advance the goals we spoke of at the U.S. Capitol. Just some simple suggestions based on my experience. I am the director of a judicial conduct commission. In that role, I have investigated and prosecuted judges for misconduct for over twelve years. Several of the most publicized and notorious cases that my office has handled were



By David J. Sachar, J.D.<sup>1</sup>

topic in the regular training schedule for judges and judicial staff.

It is important that female judges are willing to join in the push for regular and pertinent training on these subjects. Involving male counterparts is also vital - the movement is about all of us. Good judges need to avail themselves and their staff of effective training that improves the judicial workplace.<sup>6</sup>

## 3. Encourage male colleagues to speak up and join you.

Transformative efforts, like those highlighted here, are happening as women in the judiciary push reforms forward. Those females leading the way are also tackling the challenge of expanding the conversation. In the Counterbalance article, Judge Wendy McGuire Coats encouraged women in positions of power to engage "the good men" and teach them about the prevalence of sexual harassment.<sup>7</sup> This point cannot be emphasized enough. But be aware that securing male representation may not always be an easy task.

To be clear, it is not the fault of women when men are underrepresented in sexual harassment discussions, policy changes, or training sessions. When terms like "gender equality" and "sexual harassment" are highlights of an event, the experts that speak on the subject tend to be a female. Women often have experienced harassment and been subject to conduct their male counterparts have not personally faced. But many men, including myself, are appalled and just as angered as anyone each time it is revealed that the judicial workplace, the place where justice should reign, was the venue for injustice through horrible acts of sexual misconduct. Still, many of those men may not know how to get involved; they may not be certain what steps to take to respectfully contribute toward making a difference. They may be concerned about overstepping or offending those who are already leading the charge.

## 2. Champion training on sexual harassment in the judicial workplace.

Whether your administrative office of the courts or your own district is the sponsor, make sure that your voice is heard on the subject matter for training. Of course, there is a need for training on technology, new rules, and other relevant subjects. But sexual harassment in the judicial workplace should not be a rare or forgotten

influence change.

For example, in the last edition of Counterbalance, a report on the NAWJ #WeToo in the Legal Workplace meeting at the California State Capitol was recounted.<sup>4</sup> California Supreme Court Chief Justice Tani Cantil-Sakauye described the efficient changes that were shaped by the California Judicial Council. Rules that were considered ambiguous on public records access were quickly improved by amendment. Also, the Court addressed confidential concerns regarding the harassment of those who reported sexual misconduct, working alongside similar efforts in the legislative branch. These changes were made to foster a safe environment for reporters of harassment to be heard and for a meaningful review of allegations. All of these changes were made with input, advice, and leadership from the judiciary.

That same effect can be had when it comes to ICCs procedural rules and changes to codes of judicial conduct. Do you want to see gender-related issues get more specific treatment in the code of judicial conduct? Should a clear definition of sexual harassment be included in the comments to an ethical rule for judges? Then grab a seat at the table! Volunteer (or lobby) to get on the ICC. Draft meaningful changes to judicial ethics rules or procedures. Serve on an ethics advisory committee. The standards that are applied and developed by ICCs affect judicial conduct and the legal system as a whole. Help by lending your perspective and knowledge.

Chief Justice Earl Warren stated, "... law floats in a sea of ethics."<sup>5</sup> That sea counts on judges to be and be seen as ethical. Only then will the rule of law be given the respect and honor that is due. Getting involved, promoting training, and rallying male colleagues will further the goal of strengthening our independent judiciary. The fact that the halls and chambers of our judiciary have been defined by gender-related sexual misconduct is truly a blot on the face of our democracy. Find those of us who will join you. Our judiciary, the envy of the free world, is worth the effort.

<sup>1</sup>Executive Director, Arkansas Judicial Discipline & Disability Commission(JDDC), Board member and past president (2016-2019) of the Association of Judicial Disciplinary Councils, Center for Judicial Ethics for the National Association of State Courts, Expert panel Member, United Nations -Office of Drugs and Crime, Global Judicial Integrity Network, Amicus Juridici member, National Association of Women Judges, Special Thanks to Mark Maloney, JDDC Elected Fall 2019 for his insight and editing provided to the author.

<sup>2</sup>JDDC v. Magdes, Letter of Suspension and Removal from Office, Arkansas Judicial Discipline & Disability Commission (Aug. 6, 2014).

<sup>3</sup>Seortition is a term that has been popularized in the legal community by the International Association of Women Judges. See *Compton and Seortition*, International Association of Women Judges, <http://www.iawj.org/programs/corruption-and-seortition/> (last visited Aug. 30, 2019). See also, *JDDC v. Parker*, Press Release, Registration and Removal from Office, Arkansas Judicial Discipline & Disability Commission (Jan. 3, 2017), <https://www.jddc.org/WebSite/jddc/images/pdf/industry%20release.pdf>; *JDDC v. Beekman*, Press Release, Registration and Removal from Office, Arkansas Judicial Discipline & Disability Commission (May 9, 2016), <https://www.jddc.org/WebSite/jddc/images/pdf/0-5%20Beekman%20press%20release.pdf>.

<sup>4</sup>Clay Gray, *Sexual Misconduct in the Workplace Summaries*, National Center for Judicial Ethics, <https://www.ncse.org/last-visited-Aug-27-2019>. The author also relied on his own research to supplement information.

<sup>5</sup>Renée M. G. Stachhouse, *#WeToo 2019: An Exploration of Sexual Harassment*, COUNTERBALANCE Spring 2019, at 27-28, [https://www.nawj.org/uploads/files/counbalance/cb18\\_1.pdf](https://www.nawj.org/uploads/files/counbalance/cb18_1.pdf).

<sup>6</sup>For a good treatment on the type and style of training programs needed see, Amy Bass & Solina Montoni, *The Same Old Workplace Training Went Out!*, Corporate Compliance Insights, June 21, 2018 (available at <https://www.corporatecomplianceinsights.com/the-same-old-workplace-training-went-out/>).

<sup>7</sup>Renée M. G. Stachhouse, *#WeToo 2019: An Exploration of Sexual Harassment*, COUNTERBALANCE Spring 2019, at 32, [https://www.nawj.org/uploads/files/counbalance/cb18\\_1.pdf](https://www.nawj.org/uploads/files/counbalance/cb18_1.pdf).

<sup>8</sup>Renée M. G. Stachhouse, *#WeToo 2019: An Exploration of Sexual Harassment*, COUNTERBALANCE Spring 2019, at 32, [https://www.nawj.org/uploads/files/counbalance/cb18\\_1.pdf](https://www.nawj.org/uploads/files/counbalance/cb18_1.pdf).

<sup>9</sup>Speech at the Louis Marshall Award Dinner of the Jewish Theological Seminary, Americana Hotel, New York City (Nov. 11, 1952).

## District 6 Delivers

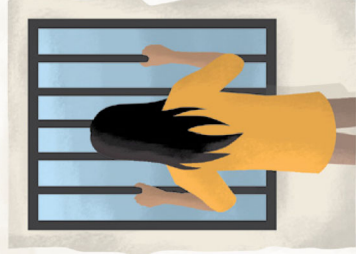
By Trina S. Vincent,

Louisiana Supreme Court, Community Relations Department

District 6 is passionately working on the Women in Prison Initiative. With support from Louisiana Supreme Court Chief Justice Bernette Joshua Johnson, NAWJ District 6 Director Judge Sheva Sims of Shreveport City Court, continues to focus on reinvestment efforts that strengthen employability skills for incarcerated women's success once they are released. While District 6 continues to build a cosmetology program at the Louisiana Transitional Center for Women (LTCW) in Tallulah, LA, it is also supporting the women by delivering books and toiletries.

On a humid Louisiana Saturday morning in September, members of District 6 arrived at LTCW

Frederick Douglass once said, "Once you learn to read, you will be forever free." Though

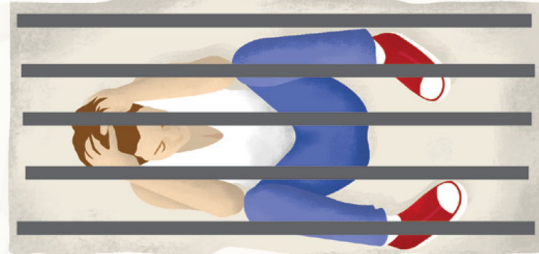


# WOMEN IN PRISON

to deliver loads of books and toiletries for the incarcerated women to Warden Billy Tigner and Program Manager April Baur. The members included District 6 Director Judge Sheva Sims; Second Circuit Court of Appeal Chief Judge Felicia Toney Williams; First Judicial District Court Judges Ramona Emanuel and Karelia Stewart; Angela White-Bazile, Executive Counsel to Chief Justice Bernette Joshua Johnson; Mrs. Synthia Tate of the Louisiana Supreme Court; and Lauren Bennett, Intern Chief Justice Johnson's Office. It had come to the attention of District 6 leaders that women of LTCW needed basic toiletries. This catapulted members of District 6 into action! They began to make appeals to nonprofits for books and toiletries.

Judge Sims secured numerous books from the Shreve Memorial Library Friends, Inc., a nonprofit, all-volunteer organization located in Caddo Parish that supports programs which enhance learning, reading and a love for the library. Captain James Gavin, the library president stated, "It is our hope

<sup>1</sup> <https://www.sprab.com/health/how-reading-can-improve-your-memory#czszziLzCQ>

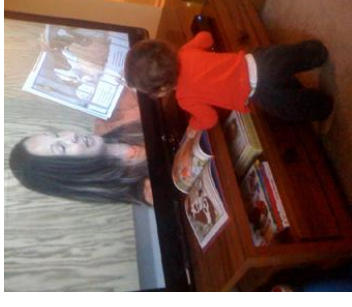


## NAWJ Works to Promote the Parent-Child Bond

Pemie K. McLaughlin, Commissioner  
San Diego Superior Court, NAWJ Projects Chair

**F**our years ago, my colleague Terric Roberts and I went to the local women's jail and kicked off the start of our Freedom Through Words book club. The women seemed confused that judges would care enough to spend a Thursday evening with them. They asked us outright why we were doing this, but one thing is sure, if we can figure out a way to strengthen the bond with them instead of in jail. It is so much more complicated than this, but one thing is sure, if we can figure out a way to strengthen the bond between incarcerated parents and their children, we may be able to change the narrative to something positive. If a parent feels a strong connection to their child while locked up, it will have the ability to be even stronger upon release. This in turn leads to a more law-abiding parent that has a very important reason to be a real and constant part of their children's lives.

their children from jail. NAWJ also has a similar program started by Judge Marcisa Bernard and Brenda Murray and a team of others in Maryland, Chicago and Alabama. With our new collaboration with an organization already up and running in California and Arizona, we are able to share tasks to make the implementation and continuity easier. In a nutshell, the incarcerated parent will be filmed reading a selected book. The book is then sent to the child with the film of the parent reading allowing the child to follow along in the book while his or her parent reads. We are looking for 8 other Districts to begin, or re-start, this program too. Reading Legacies will take on



### What you can do!

In January of this coming year, San Diego is kicking off a collaborative effort with Reading Legacies, a group that is responsible for an amazing program of having parents read to

book made them learn to see each other as people and they began to look forward to her release and a life free of crime. Hope entered slowly until this young woman believed that a different life was possible.

Now the tears in the room were many, we shared a smile, some silence to let the significance sink in and began to talk about the book. Our book club has brought many local attorneys and judges face to face with a group of twelve women in an intimate small classroom setting complete with tea and cookies brought in by the jail. We learn to see other sides of each other, we share parts of our own stories while relating to the characters and discussing the plot. Through these experiences, the women begin to feel worthy and their heads may in time, raise up a bit higher. For us, we learn that the person before us in court is not simply a name behind a booking number and penal code statute, but a whole other story that unfolded long before they reached our departments. This awareness makes us better bench officers and attorneys and ultimately, citizens.



the responsibility of filming the parents and coordinating with the local jails to get the books and thumb drive or an emailed video link sent to the children. We need NAWJ members to assist the mothers and fathers in reading and feeling comfortable and being present during the filming. In San Diego, we will have two NAWJ members (attorneys and bench officers) each take the one designated session per month. With each pair taking only one month of the year, it is not a big time commitment for any one NAWJ member.

Together though, we will be able to bring this important bonding program to parents and will have ten different parents read each month. This will add up to helping to strengthen the parental bond for over a hundred parents a year.

*Please contact me at Pennie.McLaughlin@advocacy.org to get started in your District. We need your help, and you will be a part of making a real difference.*

## Degrading Strip Search of 200 Women Prisoners Cries Out for Courts to Act

Opinion by Judith Resnik

Felicity Huffman's sentence of 14 days of prison time for participating in a college-admissions cheating scheme made international news. But the headlines about women prisoners we most need are about the degrading treatment of the nearly 110,000 women already in state and federal prisons, many of whose pleas for protection are being ignored.

A vivid example comes from a decision in July by a federal appellate court in Chicago. Asked to recognize that the Constitution protects women forced by prison officials to disrobe and reveal their inner parts

to strangers as part of a "visual cavity search," that court said no.

The case involved 200 women prisoners, rounded up by Illinois' female prison staff who wore helmets and vests, banged batons on cells and yelled obscenities. These cadets marched the women into a large day room, sent groups of ten to a side area, and told them to strip.

You can read the rest of the opinion at <http://www.cnn.com/2019/10/03/opinions/women-prisoners-have-rights-resnik/index.html>

## Diversity, Equity and Inclusion Summit

This July, the National Council of Juvenile and Family Court Judges (NCJFCJ) hosted the Diversity, Equity, and Inclusion (DEI) Summit in Orlando, Florida. The DEI is the "NCJFCJ's landmark initiative focusing on diversity, equity, and inclusion that will ensure that the legal profession and court system reflects and represents the communities they serve."

**NCJFCJ's landmark initiative focusing on diversity, equity, and inclusion, that will ensure that the legal profession and court system reflects and represents the communities they serve.**

The communities they serve." Judges from all over the United States met in a collaborative effort to address diversity, equity, and inclusion within the judicial system and the legal profession. Judge Joy Cossich Lobrano, NAWJ chair of Juvenile Justice and Child Welfare Committee, and Judge Terrie Roberts, NAWJ co-chair of the Access and Fairness



## Life After the Bench

### NAWJ 2019 Cruise, Budapest – Nuremberg

Prepared by Judge Joan Churchill  
Chair, NAWJ Retired Judges Committee

May 5-12, 2019  
On board the Amacerto

The NAWJ 2019 cruise began in Budapest, Hungary, at Loz Hall's Café Parisi, a most elegant tea shop where 10 of us assembled for lunch before boarding our cruise ship. The century-old Loz Hall is described on the Web as "one of the jewels of Budapest's glorious Belle Époque". "Frescoes by renowned Hungarian painter Károly Lotz, Belle-Époque chandeliers, huge mirrors and a lot of gold – the Loz Hall... is undoubtedly one of the most breathtaking locations in Budapest". The ceiling looks a lot like the Library of Congress in Washington DC. The location was recommended by Judge Agnes Galajda, President of the Hungarian Women Judges Chapter of IAWJ.

Our cruise ship, the Amacerto sailed the Danube River taking us to the fairy tale village of Bratislava in Slovakia, and to elegant Vienna, which along with Budapest served as a capital of the Austro-Hungarian Empire. We stopped at UNESCO Heritage site ports of Durnstein, the site of a fortress on a cliff where Richard the Lion Hearted was imprisoned, Linz, Passau and Regensburg, with their medieval architecture, before reaching our destination city of Nuremberg.

To travel that route, one goes through numerous locks, always a marvel of engineering. The food on board was terrific. We usually dined together. One night we were treated to dinner in the separate Captain's Table dining room. We took our group photo on banquet night.



The cruise ended in Nuremberg, Germany, where we visited Courtroom #600, the location of the famous World War II War Crimes Tribunal. The Courtroom is still in use, used for the most serious offenses. Photos of what it looked like when it served as the War Crimes Tribunal and of some of the participants line the wall of the entrance Hall, which serves as a mini museum in remembrance. One of the participants in the photographs is now the sole





surviving prosecutor from that period. Albert Firenze, whom Joan heard speak at the Library of Congress at a Federal Bar Association event a few weeks earlier as part of their distinguished speaker series. Age 100, Albert Firenze was born in what was then Romania. Brought to the United States at age 2, he joined the U.S. army after graduating Harvard Law School, which background is why he was tapped for the assignment after his unit liberated concentration camps and saw first hand the horrors of the camps.

Our group included 9 NAWJ members and 6 guests. We hailed from Massachusetts and Rhode Island in the North East, down the mid Atlantic to New Jersey and Maryland, to New Orleans in the Southern middle of the USA, over to Nevada in the Far West. Some of us went on the Pre & Post cruise tour organized by the cruise company. Others organized a few days in other parts of Europe before and/or after the cruise. The cruise was a wonderful experience for all of us who were able to go.

### Vignettes

#### Patricia Hurst - Friendships

The cruise boat setting was the perfect venue for reacquainting with old friends and making new ones. One of the highlights for me was to meet and travel with Judge Mumaz Bari-Brown to whom I had spoken many times but not met in person. We found common ground not only as women judges, but also that we shared many likes and dislikes. She will remain a friend forever. We extended our stay at both ends of the trip by

sixteen year old apprentice chef in the employ of Prince Metternich, whose son, Eduard, carried on the tradition, and about the intense litigation in the mid twentieth century regarding which establishment had the right to claim to serve the "original Sachertorte." The case was eventually settled out of court.

After mit schlag (a coffee break and desert) at one of Vienna's oldest cafes, we visited the Belvedere Palace where we saw the breathtakingly beautiful Klimts. Ellen opted for the evening concert, which featured musicians, as well as dancers demonstrating the famous Viennese waltz. We all agreed that this magnificent city warranted a return trip.

#### Dr. Margaret Haynes - Medieval Castles & Cathedrals

An educator myself, I was delighted to sail with a group of semi-retired women judges on the Danube River Cruise. I felt welcomed, warmly received, and immediately accepted as part of the group.

Passionate about medieval history, I was able to indulge my passion as I walked along cobble stone streets, experiencing first hand the incredible architecture of epic castles erected centuries ago, one still surrounded by remnants of a protective wall and moat. I got to relive visually, descriptions from my favorite novels of the 14TH and 15TH century period: stories of battles and wars fought for land, queen and looted treasures. I saw cathedrals of grandeur built of exquisite pure marble, statues richly adorned with gold, precious jewels and breathtakingly beautiful stained glass windows, many memorializing kings, who built the cathedrals to guarantee their entrance into heaven.

I was awe-struck considering that these magnificent architectural structures were built centuries ago over long periods of time, without modern day tools, equipment and technology. And it is incredible to think that these divine edifices have survived wars and other destructive forces over the many centuries since they were built.

Each country was distinctive and yet there was a common theme: warm and friendly people (like my traveling companions from NAWJ), enthusiastic to share the love and pleasures of their beautiful countries.

#### By Susan Moiseev

**O**n May 13, 1986, the call I'd been waiting for since the death of the former mayor and longtime judge of the community I'd lived in for 20 years came. The boy governor of Michigan called and told me that although I was too young to be a judge, he'd appointed me anyway. At the time, I was the youngest judge in the county and the fifth woman on the Bench.

Judges in Michigan are elected on a non-partisan ballot for six-year terms. To run for re-election you cannot be 70 on election day. On election day in 2012, for the first time in 28 years, my name was not on the ballot. A dozen years before Danube River Cruise. I hung up my robe to begin Life 2.0. I was the youngest of the judges who retired that year and the number of women on the Bench has increased 500%.

My immediate plan was to sleep in, not attend events every night, catch up on my reading (I still have boxes of unread books) and volunteer at the Detroit Institute of Arts. As an undergraduate, the most popular, and hard to get into class, was

## Current Immigration Issues Affecting Children

Continued from page 8

"Since June, USCIS demand for E4 numbers, primarily for Juvenile Court Dependent adjustment of status applicants, has increased dramatically. This has resulted in the E4 annual limit having been reached. Therefore, it has been necessary to make the entire E4 category "Unavailable" for September, and implement this effective immediately."

The availability of visa numbers shifts on a monthly basis. For example, the August 2019 Visa Bulletin indicated that the SJ [E4] category was available for natives of El Salvador, Guatemala and Honduras whose priority dates (usually the date the visa petition was filed) were earlier than July 1, 2016, and were "current" (i.e. available for natives of all other countries. With the new fiscal year starting October 1,

Art History, and I had never taken it. In my one semester in Grad school, I finally did; I was glad I had already gotten my degree and trained as a paralegal otherwise I might have majored in it. My friend who did ultimately went to law school.

I started as a Gallery Service volunteer. I gave directions, made sure no one touched the art, chewed gum or had food or drink in the galleries. We were trained to never discuss three things: security, the value of the art, and the art itself, only the trained docents were allowed to do that! I kept at it although I knew I was a bit over qualified knowing that I needed to be there and be visible to secure my place in the next docent training class.

In the fall of 2015, I finally began my training to be a docent. After a year of training, lectures by curators, tours of the museum, reading, testing I graduated in May of 2016 and began my new (volunteer) job.

I contribute approximately 500 hours a year, not including prep time, to the museum. I lead public tours, senior tours, work with Veteran's groups, Alzheimer's patients and children. We

are stationed in galleries to talk about the art, particularly in Rivera Court, the 27 murals painted by the legendary Mexican mural artist, Diego Rivera in 1932-33. I also give talks in the community.

My current "job" is not so different than my previous one: I talk a lot, I meet a lot of people from different walks of life and I need to know a lot of things.

Last spring, I volunteered for an event at the Museum: the Negligence law section of the State Bar of Michigan hosted an event for lawyers- and Judges. I wore both my museum ID and a Bar name tag complete with title. The chair was thrilled that I was the lead docent for the event. I showed off my Docent skills for a Sixth Circuit conference and for an ABA Board of Governors dinner. How when I get to mix my worlds!

Seven years into Life 2.0, I have no regrets about my decision to retire early. I am as busy as I want to be. I am intellectually stimulated. I travel, I sit as a visiting judge on occasion. Retirement is good, nothing to be afraid about-no matter how much you love your job, there's more to life!

## Life After the Bench

Continued next page

During President Obama's administration, a policy of Deferred Action for Childhood Arrivals (DACA) was created by Executive Action for a defined group of these young people, which temporarily shielded those who registered from removal and accorded them work authorization in 2-year increments. While announcing that he wanted to do something to help these young people, President Trump canceled the DACA program on the ground that it exceeded Executive authority and should be taken up by Congress. Cancellation of the DACA program has been stayed by Federal judicial orders while litigation about the program continues. Issues concerning the DACA program are currently on the docket of the Supreme Court for its coming term.

During the last Congress President Trump indicated that he would sign legislation that would give some protection to the Dreamers if the bill also included a substantial overhaul of the INA and many billions of dollars for construction of a border wall. Several versions

of bills were introduced, but none received enough votes to pass. After the 2018 Congressional election, the House of Representatives on June 5, 2019 passed a bill entitled the "Dream and Promise Act" that would grant lawful permanent residence to the

<sup>1</sup>A detailed description of the history of the Flores case and ongoing rulings can be found online at: [https://en.m.wikipedia.org/wiki/Flores\\_v.\\_Flores](https://en.m.wikipedia.org/wiki/Flores_v._Flores)

<sup>2</sup>The "zero tolerance" approach to unauthorized border crossing was initiated in 2005 during the George Bush administration under the same Operation Streamline.

<sup>3</sup>Executive Order 13841, titled "Honoring Congress an Opportunity to Address Family Separation."

<sup>4</sup>San Diego Union-Tribune, 9/20/19. "Judge to decide if government discretion should be curbed in ongoing family separations" <https://www.sandiegouniontribune.com/news/courts/story/2019-09-20/family-separation-congress-undocumented-immigrants-sabaw>

<sup>5</sup>Innovation Law Lab et al. v. McInerney (9th Cir. May 7, 2019).

<sup>6</sup>WILLIAM P. BARR, ATTORNEY GENERAL ET AL. v. EAST BAY SANCTUARY COVENANT ET AL., 588 U.S. \_\_\_\_ (2019)

<sup>7</sup>45 CFR Part 410 RIN 1653-A075, 0970-A042, Apprehension, Processing, Care, and Custody of Alien Minors and Unaccompanied Alien Children; Federal Register / Vol. 84, No. 164 / Friday, August 23, 2019 / Rules and Regulations, page 44392.

<sup>8</sup><https://oig.hhs.gov/oeo/reports-and-publications/featured-topics/uacl/>

<sup>9</sup>July 24, 2015, in *Flores v. Johnson* (DCDC/DCA 2015).

<sup>10</sup>Federal Register / Vol. 84, No. 164 / Friday, August 23, 2019 / Rules and Regulations

<sup>11</sup>*Jenny Flores v. William Barr* (9th Cir. August 15, 2019) The 9th Circuit panel which issued the ruling included a member who had himself been interned in the US during World War II in a camp for families of Japanese descent.

<sup>12</sup>Foreign citizens who serve honorably in the U.S. military during specified times of conflict are exempt from the requirement of first becoming lawful permanent residents before they are naturalized.

## It's Time We Consider the Best Interest of the Child

Continued from page 34

local and state initiatives demonstrating the viability of sentencing policies that require consideration of defendants' children and a plethora of well researched articles documenting the harm our current policies impose on children, for the most part, criminal justice legislation and policies fail to mandate that the best interest of children be considered.

Just as therapeutic jurisprudence has been widely adopted in the family law arena, therapeutic jurisprudence in support of children and families should be applied in the criminal law arena. We have seen the successful application of therapeutic jurisprudence with problem-solving courts.

(National Institute of Justice, *Specialized Courts*, <https://www.nij.gov/topics/courts/pages/specialized-courts.aspx>). The lessons learned in the family law arena and problem-solving courts should be broadly incorporated into criminal procedures, especially when children are involved.

An important first step would be a requirement that judges be advised of the needs of defendants'

defendant's children be considered at sentencing. This does not mean shorter sentences for all defendants who have children or giving parents preferential treatment over nonparents. Rather, consideration of the impact of a sentence upon the children of a defendant adds a heretofore too often

calculations. When a parent or primary caretaker is removed from the home, consideration should be given to the location in which a sentence will be served and visitation policies should be family/children friendly.

Child and family focused sentencing is a vital component in protecting millions of children injured by our current criminal justice policies. Clearly, however, the revision of sentencing practices is not enough. Consideration of the best interest of the child should be inserted into every aspect of the criminal justice system from arrest to re-entry.

(See, e.g., New Mexico has adopted protocols outlining the treatment to be afforded children in specific kinds of arrest situations, <http://nmilea.dps.state.nm.us/safePursuitAct/docs/Children%20of%20Arrested%20Parents%20Protocol.pdf>). Many of the tools we have incorporated into family law, such as parenting classes, substance abuse treatment, mental health treatment, mediation, community conferencing and employment training should also be employed in the criminal law arena with the understanding that the well-being of the child, the family and the community are intricately related.

Community-based sentencing options should be expanded, and when incarceration is imposed, the sentence should be designed to minimize the detrimental effect on children. In jurisdictions with sentencing guidelines based on points, consideration of parental or caretaking responsibilities could be factored into the

## COMMITTEE SPOTLIGHT

### NAWJ Committee Updates

*As NAWJ members, we are exposed to all the work that is done by our organization only at the mid-year or annual conference. But throughout the year, many NAWJ committees are performing important work which embodies the mission of our organization. The following examples highlight the work of some of these committees and their unsung leaders. This work cannot be done without our members. If you see something that interests you, sign-up and get involved!*

#### Awards Committee

The Awards Committee is chaired by Ariane Yuono. Other members include Judith Chirlin, Debra James, Elizabeth Lee, Brenda Loftin, Jamoa Moberly, Vanessa Ruiz, and Lisa Walsh.

The committee convened via conference call on August 6, 2019, to discuss the nominations for the Joan Dempsey Kien and Florence K. Murray awards. A unanimous decision regarding the recipients was reached by those who were able to participate on the call. Awards were presented at the banquet during the annual conference in Los Angeles.

#### By-Laws Committee

Judge Julie Frantz and Judge Fernande (Nan) R.V. Duffy co-chair the By-Laws Committee. The committee engaged pro bono assistance from the law firm of Hemenway and Barnes, in Boston.

Based on a limited review to this date, she notes that, because NAWJ is incorporated in DC, it must meet certain filing and registration requirements there; and our By-Laws must comply with DC corporate law. Since their own initial conference call, Eleanor has checked Guidestar <https://www.guidestar.org/> to learn that NAWJ filed its 2016 IRS Form 990 (IRS exempt organization information return) for the period ending Dec. 31, 2016, as well as its 2014 and 2015 Forms 990; she was unable to learn if NAWJ has filed any Forms 990 since then. She plans to inquire into the status of

that – as well as whether NAWJ is up-to-date with its DC business registration, and who is our registered agent. The co-chairs have agreed to provide her with the name and contact information of our accountants, and obtain authority to have them provide certain information to her if necessary.

Eleanor will also be looking into whether there have been any amendments to the articles since Oct. 11, 1995 and who is NAWJ's current DC registered agent, and will review the bylaws with the co-chairs further prior to the next conference call, which will have taken place in advance of the annual conference. She also plans to review our By-laws so that during the next conference call, we will be able to explore how NAWJ is currently doing things, what it is we aren't doing but should be doing, and how our by-laws might better reflect this; and suggest ways in which the By-laws might be better organized. It is our intent to share this information with any interested members of the By-laws Committee, and other interested NAWJ members, for further discussion.

The committee has also forwarded to Eleanor a proposal from Judge Pernie K. McLaughlin that we expand our Mission Statement to include not just access to justice, but delivery of justice. She explained how many individuals are denied "delivery of justice," and that the NAWJ could be a voice from this perspective.

#### Judicial Independence Committee

Led by co-chairs Justice Robin Hudson,

Supreme Court of North Carolina and Justice Debra Stephens, Washington Supreme Court, the Judicial Independence Committee provides leadership to the Informed Voter, Fair Judges Project, The Informed Voter, Fair Judges Project (IVP) was the brainchild of Justice Joan Itron of California in 2012. An Emmy-Award winning film was produced under Justice Itron's leadership. Retired Justice Sandra Day O'Connor narrated the project. Today the project has evolved into a national education initiative providing a variety of resources and model initiatives to NAWJ members, courts, bar association, and the public at large. Annette Boyd Pitts, Director of Law Education and the Justice Teaching Center of Florida, serves as the National Education Chair for IVP. Other members of the IVP leadership team include Chief Justice Tani Cantil-Sakauye, California Supreme Court, and attorney Linda Leati of Florida.

The committee has had great success this year getting the word out about the project and sharing the goals and objectives of strengthening knowledge of the courts and the judiciary so that judicial elections are free and fair and unencumbered by special interests and political influences.

Last fall, committee members participated in a nonpartisan national symposium for judges and journalists at the National Press Club in Washington, D.C. The historic program, Undermining the Courts and the Media: The Consequences for American Democracy, was sponsored by the National Judicial College and broadcast on C-span.

Justices Cantil-Sakauye, Pariente and Hudson participated in a Judicial Roundtable panel of federal judges and state Supreme Court justices to address challenges facing the judiciary and the potential consequences for judicial independence and American democracy. Annette Boyd Pitts also staffed an exhibit space provided by the National Judicial College throughout the event. Participants interacted with IVP leaders and learned about the valuable resources available to them.

and Judge Kristin L. Rosi, Chair of NAWJ's LGBTQ Committee.

In addition, the committee hosted a joint reception with the International Association of LGBTQ+ Judges. IALGBTQ+ President Judge Daniel Anders from the Court of Common Pleas in Philadelphia, PA was in attendance, along with many other IALGBTQ+ members.

### Membership Committee

Judge Kathy King and Judge Holly Fujie lead the Membership Committee. They are pleased to report that the Membership Committee's efforts to increase NAWJ membership are going strong! Since a year ago, NAWJ has added 7% new members, and since May 1st alone, 70 new members have joined! Thanks to all of the District Chairs for their hard work in encouraging renewals and bringing in new members – with particular thanks to Judge Barnes in District 5 and Judge White in District 14 who brought in the largest numbers of new members in the past quarter.

### Retired/Senior Judges Committee

The Retired/Senior Judges Committee, chaired by Joan Churchill, is a particularly active committee. The committee membership spans the United States from Florida to Alaska, from Massachusetts to California. The members of the committee have a wealth of enthusiasm and willingness to work on its activities. They had meetings in February, April and July by conference call. An in-person meeting was held at the 2019 Annual Meeting in October. Their members have been important contributors to Counterbalance this year, authoring no less than six articles. They organized a 7 day NAWJ river cruise on the Danube, from Budapest, Hungary to Nuremberg, Germany from May 5-19. The full report of that cruise, with photos, can be found in this article of Counterbalance.

### Strategic Planning Committee and Sustainability Committee

The Strategic Planning Committee and Sustainability Committee, chaired by Judge Anna Blackburne-Rigsby and Judge Amy

Nechtem, respectively, lead the Sustainability Committee retreat at the Mid-Year Conference in June 2017 in California. This past April, the Strategic Planning Committee, worked with President Ipeima and the executive board in updating the 2017 data compiled by the Collie Group's sustainability study. The Strategic Planning and Sustainability Committees worked together to plan President Ipeima's NAWJ Mid-Leadership Summit retreat. The Leadership Retreat provided invaluable feedback and input to frame NAWJ's Strategic goals for the next five years. The Strategic Planning Committee (working with the Sustainability Committee) is now in the process of finalizing a draft of the Strategic Plan for the NAWJ Board's review and consideration.

### Women in Prison Committee

Co-chairs Judge Brenda Murray, Judge Cheryl Gonzales and Judge Betty Williams lead the Women in Prison Committee. At the national level, things involving women in prison have been quiet. The federal Bureau of Prisons' Director of Women and Special Populations Bureau, Alix McLearn, reported that conditions at the new Danbury, CT, women's facility, which is using a new therapeutic treatment model are going well. Danbury has a new warden who is supportive and energetic.

Generally, conditions at BOP appear strained. The bureau still has an Acting Director after the administration's choice, Mark Inch, left abruptly in May 2018. In addition, the First Step Prison Reform act signed into law on December 21, 2018, which allows the early release of thousands of people under specific criteria, has given the bureau a tremendous administrative task. One former Attorney General told a committee member that the conditions of women in prison is all about money, and it is unlikely that the Federal BOP will get a bigger budget.

All the good projects that NAWJ members are doing locally continued. Judge Sheva Sims, Shreveport City Court, has energized District Six and has emphasized women in prison in the district. Counterbalance has featured several articles this year about the work of NAWJ members on women in prison issues.

## NAWJ RESOURCE BOARD

NAWJ is fortunate to have a wonderful group of dedicated men and women who generously donate their time and resources so that NAWJ can thrive. As adopted at the May 2013 mid-year conference, the Resource Board's mission is to support "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."

We are extremely grateful to each and every one of the Resource Board members and would like to highlight them and the work they do in this, and future issues of Counterbalance.

The board is led by Co-Chairs, Nicole Erb and Sarah London.

### Nicole Erb



Ms. Erb joined the Resource Board in 2009. She co-leads the international sanctions practice at White & Case LLP in Washington DC. She represents clients

in civil and criminal government investigations, voluntary self-disclosures, internal audits and investigations, compliance, licensing and other regulatory matters, as well as complex transnational litigation matters. Her clients comprise foreign states and their state-owned entities, international financial institutions and multinational corporations in the Americas, Europe, the Middle East, Russia, Africa and Asia.

### Sarah London



Ms. London joined the Resource Board as co-chair in July 2019. A partner in Lieff Cabraser's San Francisco office, Sarah is an experienced advocate for the injured, employees and consumers.

In September, Sarah presented on the health risks associated with e-cigarettes at HarrisMarin's "JUUL, E-Cigarettes & Vaping Conference." Sarah was also recently appointed by Judge Judith E. Levy to serve as Subclass Settlement Counsel in *In re Flint Water Cases*, the federal class action lawsuit seeking justice for the over 100,000 residents of Flint, Michigan who were exposed to seriously elevated levels of lead as a result of insufficient water treatment.

Sarah also serves in lead roles in women's health cases, including work as court-appointed Liaison Counsel and Interim Class Counsel in the federal class action filed on behalf of families in May 2018 against San Francisco's Pacific Fertility Center over the Center's March 2018 allegedly negligent destruction of hundreds of frozen eggs and embryos as a result of a leak in a cryogenic storage tank. Sarah also served in a leadership role in successful litigation recovering millions of dollars on behalf

Nicole's litigation matters typically involve questions under the Anti-Terrorism Act, the Foreign Sovereign Immunities Act, the Alien Tort Statute, the Terrorism Risk Insurance Act, the International Emergency

of women who suffered serious injuries due to complications from allegedly defective trans-vaginal surgical mesh.

Sarah is experienced in all aspects of trial work, from drafting and arguing motions in limine, opposing Daubert challenges to plaintiffs' experts and deposing defendants' experts, and serving as lead trial counsel to writing successful post-trial and appellate briefs. A Super Lawyers Rising Star for eight consecutive years and 2015 finalist for the Consumer Attorneys of California Streetfighter of the Year Award, Sarah has held multiple leadership positions in CAOC, including her current position as Women's Caucus Legislative First Vice Co-Chair.

She has served on the Board of Governors and was membership chair of the New Lawyers Division. She also serves on the Board of Directors for the San Francisco/Marin YWCA. Sarah is a graduate of Northwestern University and the University of California, Berkeley School of Law.

### NAWJ RESOURCE BOARD

#### CHAIRS

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

#### MEMBERS

**Elizabeth Cabraser**, Esq., Lieff Cabraser Heimann & Bernstein, LLP  
**Teresa M. Cavenagh**, Esq., Diane Morris LLP  
**Kelly M. Dermody**, Esq., Lieff Cabraser Heimann & Bernstein, LLP  
**Andrea Bear Field**, Esq., Hunton Andrews Kurth  
**Elizabeth M. Hernandez**, Esq., Akerman LLC  
**Elizabeth M. McDevitt**, Esq., Diane Morris LLP  
**Patricia P. Hollenbeck**, Esq., Hunton Andrews Kurth  
**Jamie Zysk Isani**, Esq., United Automobile Insurance Company  
**Robert Kaufman**, Esq., Proskauer Rose  
**Linda Leal**, Esq., Linda Leal, P.A.  
**Tomas C. Leighton**, Esq., Tomson Reuters  
**Alison McClellan**, LewisNelis  
**Heather K. McDevitt**, Esq., White & Case LLP  
**Diane L. McInnesey**, Esq., Sullivan & Cromwell LLP  
**Elaine Metlin**, Esq.  
**Christopher K. Poole**, JAMS  
**Christina Guerola Sarchio**, Esq., Dechert LLP  
**Cathy Winter-Palmer**, CWP & Associates

# District News

## DISTRICT DIRECTORS 2019 - 2020

**District Director 1 (ME, MA, NH, PR, RI)**

**Hon. Kathy Kirtz**  
Brookline District Court, Massachusetts

**District Director 2 (CT, VT, WY)**

**Hon. Vivian Medinilla**  
Superior Court of the State of Delaware District

**District Director 3 (DE, VA, NC, SC)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 4 (DC, MD, VA)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 5 (FL, GA, NC, SC)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 6 (AL, LA, MS, TN)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 7 (MI, OH, WV)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 8 (IL, IN, KY)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 9 (IA, MO, WI)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 10 (KS, MN, NE, ND, SD)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 11 (AR, OK, TX)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 12 (AZ, CO, NM, UT, WY)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 13 (AK, HI, ID, MT, OR, WA, GUAM)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 14 (CA, NV)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 15 (HI, ID, MT, OR, WA, GUAM)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 16 (AZ, CO, NM, UT, WY)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 17 (AK, HI, ID, MT, OR, WA, GUAM)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 18 (AZ, CO, NM, UT, WY)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 19 (AK, HI, ID, MT, OR, WA, GUAM)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

**District Director 20 (AZ, CO, NM, UT, WY)**

**Hon. Lyndia Jones**  
Metropolitan Nashville-Davidson County General Sessions Court, Tennessee

*Qatar and were to arrive in Nairobi, Kenya the next day. The tour group was small, eight people; four in each of the peeps when we left Nairobi for the savannah. First stop -- the Samburu National Reserve in the Rift Valley. Our "lodge" was smack in the middle of the reserve and our accommodations were "glamping" tents. There were no fences so they discouraged being outside the tent at night, but the only animals that ventured near us were the monkeys. We had singstons to wave around at them keep the monkeys at bay. We were up early and out on the savannah with our guide. Within minutes we were face to face with elephants, giraffes, zebras, lions and other creatures you just read about. These "game rides" were twice a day; early in the morning and later in the evening. We visited the Masai tribal village. We had a hot air balloon ride in Masai Mara at sunrise, followed by a champagne breakfast and visited the equator. Then it was off to Tanzania. We flew into Kilimanjaro and did get to see Mt. Kilimanjaro, although the top was in the clouds. More game rides, a quest for tanzanite and a trip to the Ngongoro Crater (a site for destination weddings). We spent most days in our east dirty clothes and there were no handypens to be found. Our last night was spent in a luxury resort, with me soaking in a hot tub! The trip was amazing. The people were all very welcoming (although they could not get their heads around the fact that we did not belong to tribes). The food was plentiful and, while we did have crocodile and ostrich at one meal in Nairobi, "familiar." Lunch and dinner went from soup to nuts. Every place we stayed was equipped with a full bar. We flew back on May 17 with wonderful memories and new friends.*

## DISTRICT TWO (CT, NY, VT)

**DISTRICT DIRECTOR: Hon. Cenceria Edwards**

New York State Civil Court, Brooklyn

## New York Chapter Annual Dinner



(Photo above (L-R) Hon. Kathie Davidson, Administrative Judge, 9th JD; Hon. Doris Gonzalez, Administrative Judge, 12th JD; Hon. Marguerite Grays, NAWJ-NY President & Deputy Administrative Judge, 11th JD; Hon. Mary Kahn, Associate Justice, ADJ; Hon. Deborah Kaplan, Administrative Judge, 1st JD; and Hon. Joanne D. Quinones, NAWJ-NY Treasurer)

On September 10, 2019, NAWJ's New York Chapter led by its President, Hon. Marguerite Grays, Deputy Administrative Judge, Civil Term -- 11th Judicial District, held its annual dinner at Manhattan Manor in New York City. The evening's honorees were: Hon. Deborah Kaplan, Administrative Judge, 1st Judicial District; Hon. Kathie Davidson, Administrative Judge, 9th Judicial District; Hon. Doris Gonzalez, Administrative Judge, 12th Judicial District and retiring Associate Justice of the Appellate Division, First Department, Hon. Mary Kahn. Also present at the dinner was Attorney General Letitia James, who gave welcoming remarks, and was presented with a Tiffany crystal vase.



(Photo above (L-R) Brooklyn Judges at NAWJ-NY Dinner: Hon. Joanne D. Quinones (NAWJ-NY Treasurer); Hon. Lizette Colon; Hon. Joy Campanelli; Hon. Robin Sheares; Hon. Marguerite Grays (NAWJ-NY President); Hon. Betty J. Williams (ret.); Hon. Cenceria Edwards (NAWJ District 2 Director); Hon. Rosemarie Montalbano; Hon. Cheryl Gonzales; and Hon. E. Niki Wain)

## District Director Judge Cenceria Edwards Elected Chair-Elect of the National Bar Association's Judicial Council

During the National Bar Association's 94th Annual Conference in Manhattan in July, 2019 an election was held that recognized Judge Cenceria Edwards as incoming president of the Association's Judicial Council. As District Director, Judge Edwards has also convened an "Access to Justice" panel at the New York State legislative caucus and other New York "Access to Justice" panels, and packaged toiletries for the Women in Prison annual toiletry drive led conscientiously by Justice Betty Williams (retired) and Judge Cheryl Gonzales.



(Photo above (L-R) Hon. Kathie Davidson, Administrative Judge, 9th JD; Hon. Doris Gonzalez, Administrative Judge, 12th JD; Hon. Marguerite Grays, NAWJ-NY President & Deputy Administrative Judge, 11th JD; Hon. Mary Kahn, Associate Justice, ADJ; Hon. Deborah Kaplan, Administrative Judge, 1st JD; and Hon. Joanne D. Quinones, NAWJ-NY Treasurer)

## New York Host a Delegation of Women Judges from the Republic of Georgia



The New York Chapter of NAWJ, through organizer Justice Marguerite Grays, hosted a visit of judges from the Republic of Georgia this summer. Both delegations spoke about the importance of an independent judiciary, and the support of organizations like NAWJ and IAWJ. Discussions included the variety of different types of courts and their jurisdictions, and how effective they can be to resolve cases. Judge Marsha Hirsh led a discussion on the effectiveness of dedicated court, e.g. Drug Court, to help communities at large. Justice Carmen Velasquez spoke about the need to support each other as justices and promoted the need of forums that can assist the justices. There was also discussion on elected and appointed judges, and the different authorities that govern judges, i.e. Mayor or Governor. The State Department provided interpreters for the visiting delegation.

## Immigration Judge Mimi Tsankov Sworn-In President of the Federal Bar Association's Southern District of New York Chapter

On October 2, 2019 Immigration Judge Mimi Tsankov was sworn in as President of the Southern District of New York Chapter of the Federal Bar Association. The ceremony will take place at the Daniel P. Moynihan United States Courthouse in New York City.



## Justice Carmen Velasquez Honored by the Peruvian American National Council with its International Gold Excellence Award

On July 19, 2019, Justice Carmen Velasquez received the 2019 International Gold Excellence Award from the Peruvian American National Council.



Council (PANC) in Washington, D.C. She was recognized for her work as a Justice in the New York Supreme Court mentoring young students, and her leadership in the Latino Community in the United States. Justice Velazquez is known for her exceptionally diverse mentoring and internship program.

#### **DISTRICT THREE (DE, NJ, PA, VI)**

**DISTRICT DIRECTOR:** Hon. Vivian Medinilla, Superior Court of the State of Delaware  
Email: Vivian.Medinilla@delaware.gov

NAWJ co-sponsored a wonderful Sisters in Success program at the women's prison in Delaware entitled "Empowered Women Empower Women."

Congresswoman Lisa Blunt Rochester, our first female and our first African American to serve in Congress for Delaware attended to give remarks. This was also the first time Delaware's Department of Corrections Commissioner was a woman.

District Director Medinilla is planning the annual all female judiciary cocktail event and it will include members from all state and federal courts.

#### **New Jersey Support Grows for Popular Fall Color of Justice Program**

In addition to the New Jersey Women Lawyers Association funding, contributions from attorney Barbara Comerford, Hispanic Bar Association of New Jersey, and the Pacific American Lawyers' Association have poured in. More to come. This year's program will take place October 26, 2019 at Rutgers Law School in Newark. Program Chairs include Judge Siobhan Feare and Judge Sue Pai Yang.

An esteemed set of speakers include: Dean David Lopez, Rutgers Law School; Dean Debra Edwards, Seton Hall Law School; Linda Harvey, President, New Jersey Women Lawyers Association; Melinda Colon Cox, President, Hispanic Bar Association of New Jersey; Andrew Sarro, President, Asian Pacific American Lawyers Association of New Jersey; William T. Rogers, III, Esq., President, Garden State Bar Association; Bankruptcy Judge Rosemary Gambardella, U.S. District Court, New Jersey; Justice Anne Fuentes, New Jersey Supreme Court; Judge Julio Puentes, U.S. Court of Appeals, Third Circuit; Judge Bonnie Mizool, Bergen County, New Jersey; Paulette Brown, Former President of the American Bar Association; Evelyn Padin, President of the New Jersey State Bar Association; Barbara Comerford, The Comerford Law Group; Michelle Davis, Executive VP, RWJ/Barnabas Health-Medical; Andrew Sarro, DAG in EEOC and President of APALAW; Brian Quinn,

Senior Manager for Legislative and Government Affairs for Audible.com; Sapana Shah, Law Offices of Sapana Shah; Jiles Shipp, member of Criminal Sentencing and Disposition Commission; Elizabeth A. Davies, Esq.; Karen Gomez, Financial Aid- of Seton Hall Law School; Professor Charles Aulrunt, Rutgers Law School; Elizabeth Abitonto, Managing Director of Programs, NJ LEEP; and Linda McDonald Carter, Esq., Director Essex County College Paralegal Program.

#### **DISTRICT FOUR (DC, MD, VA)**

**DISTRICT DIRECTOR:** Hon. Judith Mine, Newport News Juvenile and Domestic Relations District Court, VA

#### **Past President, Chief Judge Anna Blackburne-Rigsby Recognized by Washingtonian**

The Washingtonian recently named 150 of the Most Powerful Women in Washington. Chief Judge Anna Blackburne-Rigsby was recognized as one of the most influential women in the legal profession. Please see *Washingtonian's* Most Powerful Women for more information. Chief Judge Blackburne-Rigsby has held offices in several judicial organizations. Through her work with these organizations, Chief Judge Blackburne-Rigsby has sought to promote the rule of law and equal access to justice. In addition to her latest recognition, Chief Judge Blackburne-Rigsby has received awards for her legal, judicial and community service, including the Business and Professional Women's League "Sojourner Truth Award," the Women's Bar Association of the District of Columbia "2014 Star of the Bar Award," the National Bar Association "Heman Sweatt Champion of Justice" Award and the Greater Washington Area Women Lawyers Division (GWAC) Charlotte E. Ray Award.



NAWJ Holds 14th Annual Meeting with the Congressional Women's Caucus - The Opioid Crisis and its Impact on Women and Children: The Dilemma for Judges

NAWJ met with members of the Congressional Caucus for Women's Issues on Tuesday, July 16, 2019 in the Rayburn House Office Building on Capitol Hill in Washington, D.C. Meeting attendees of judges and attorneys discussed the national opioid crises, their effects on women and families, and challenges faced by state judges. Congressional Women's Caucus members giving remarks included Co-Chair

Congresswoman Ann McLane Kuster (NH.)

Top photo (l-r): Congressional Women's Caucus Co-Chair Congresswoman Brenda Lawrence (MI) at the podium. Bottom Photo right (l-r): Gary Tennis, Hendree Jones, Debra Pinals, Nancy Ware, Congressional Bipartisan Opioid Task Force Co-Chair, Congresswoman Ann McLane Kuster (NH.)

Congresswoman Brenda Lawrence (MI); Founder and Co-Chair of the Congressional Bipartisan Opioid Task Force, Congresswoman Ann McLane Kuster (NH); and Congresswoman Susan Brooks (IN). Co-Chair of the previous Congress' Women's Caucus, and an informative speaker on Congressional achievements toward ending sexual harassment at last year's meeting. The esteemed panel included moderator Nancy M. Ware, Former Director of the Court Services Offender Supervision Agency for the District of Columbia; Professor Hendree Jones, Department of Obstetrics and Gynecology, University of North Carolina; Professor Debra A. Pinals, MD, Medical Director of Behavioral Health and Forensic Programs for the Michigan Department of Health and Human Services; and Gary Tennis, President of National Alliance for Model State Drug Laws.

The moving presentations and discussions were the inspiration and efforts of the planning committee of Judge Anita Josey-Herring (Superior Court of the District of Columbia); Senior Judge Marcella Holland (Baltimore City Circuit Court, Maryland); Judge Tamila E. Ipena (Superior Court of California, County of San Diego); Judge Michelle M. Rick (29th Circuit Court, Michigan); Judge Paula Rosenstein (Superior Court of California, County of San Diego. Thank you to the State Justice Institute for your continued support of our programs.

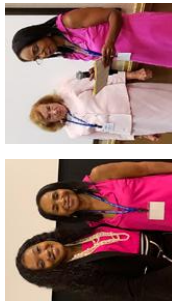


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#### **District Four Holds Retreat Tackling Common Causes of Stress for Sitting Judges, Honoring Past President Joan Churchill, Awarding Scholarship to Law Student**

The District held its first Wellness Retreat from September 27-28, 2019 at the Lansdowne Resort and Spa in Virginia. "The Talk Doctor" Dacia Hastings led the near 40 attendees through a discussion of common causes of stress including secondary trauma, compassion fatigue, expectations or pressures from the public, lack of proper balance between work and life, caseload and docket overload, social isolation, inability to "clap-back", among many other challenges. NAWJ Past President (2012-2013), the Hon. Joan V. Churchill was presented the district's Edna G. Parker Award. And, Liberty University School of Law student Alexis Johnson was on hand to receive a \$1,000 "Gender Equality: Yesterday, Today and Tomorrow" Award from NAWJ's Virginia Chapter. Following lunch there was trip to nearby Stone Tower Winery

White and Case to present a bi-annual Color of Justice Program with middle school students from the Washington School for Girls. NAWJ Resource Board member and White & Case partner Nicole Erb and associate Ting-Ting Kao, along with then NAWJ Executive Director Connie Pillich welcomed the 35 seventh and eighth graders to a full day of education of the law, mentoring and community building.



Administrative Law Judge Gwendolyn D'Souza (D.C. Department of Employment Services) and Chief Administrative Law Judge Bobbie J. McCartney (United States Department of Agriculture) guided students through icebreakers, "The Cyber Bully" and "Edibles." Created by Administrative Law Judge Yewande D. Aderoju (D. strict of Columbia Office of Administrative Hearings) with support from Judge Anita Josey-Herring (Superior Court of the District of Columbia), the skits help students understand the role of law as they took turns acting out the dramas of students lives intersecting with the power and reach of smartphones, and the lure and curiosity of drugs.

NAWJ members spoke directly to students in two panels: Law as a Career: Preparing the Way, and Judges Making a Difference. Joining the aforementioned NAWJ members were Bianca Garcia, Executive Director of the District of Columbia Judicial Nomination Commission, Administrative Law Judge Jennifer Long (Federal Energy Regulatory Commission) and Judge Heidi Pasichow (Superior Court of the District of Columbia). All shared stories of their own life paths that provided layered authenticity and inspiration for all involved.

White and Case Hosts Bi-Annual Color of Justice Program for Middle School Students

On May 14, 2019 in the law offices of White & Case LLP in Washington, D.C., NAWJ members and staff joined with the leadership of attorneys in the firm of



White and Case to present a bi-annual Color of Justice Program with middle school students from the Washington School for Girls. NAWJ Resource Board member and White & Case partner Nicole Erb and associate Ting-Ting Kao, along with then NAWJ Executive Director Connie Pillich welcomed the 35 seventh and eighth graders to a full day of education of the law, mentoring and community building.

Administrative Law Judge Gwendolyn D'Souza (D.C. Department of Employment Services) and Chief Administrative Law Judge Bobbie J. McCartney (United States Department of Agriculture) guided students through icebreakers, "The Cyber Bully" and "Edibles." Created by Administrative Law Judge Yewande D. Aderoju (D. strict of Columbia Office of Administrative Hearings) with support from Judge Anita Josey-Herring (Superior Court of the District of Columbia), the skits help students understand the role of law as they took turns acting out the dramas of students lives intersecting with the power and reach of smartphones, and the lure and curiosity of drugs.

NAWJ members spoke directly to students in two panels: Law as a Career: Preparing the Way, and Judges Making a Difference. Joining the aforementioned NAWJ members were Bianca Garcia, Executive Director of the District of Columbia Judicial Nomination Commission, Administrative Law Judge Jennifer Long (Federal Energy Regulatory Commission) and Judge Heidi Pasichow (Superior Court of the District of Columbia). All shared stories of their own life paths that provided layered authenticity and inspiration for all involved.



Later, students were joined by attorneys and other legal professionals to break into groups for a Legal Trivia competition, and lunch. Afterwards, Mentorlet ensured students had an opportunity to meet a variety of mentors. Hosts Nicole Erb and Ting Tao, along with school staff, presented certificates to the students.



#### **Hon. Erin Masson Wirth Elevated to Chief Administrative Law Judge of the Federal Maritime Commission**



NAWJ member Hon. Erin Masson Wirth was recently elevated to Chief Administrative Law Judge of the Federal Maritime Commission. An active member in District Four events since 2013, Judge Wirth joined the Commission as Administrative Law Judge in 2010, after serving as Administrative Law Judge at the Social Security Administration. She is an alumna of the William & Mary Law School and Smith College.

#### **DISTRICT FIVE (FL, GA, NC, SC)**

#### **DISTRICT DIRECTOR: Hon. Anne Barnes,**

Court of Appeals of Georgia,  
Email: judgebarnes@gmail.com

**Presiding Judge Anne Elizabeth Barnes** is serving the first year of a two-year term as NAWJ District Director. She won election in 1998 to the Georgia Court of Appeals in a three-way race without a

runoff, and took office January 1, 1999. She was the first woman to be elected in a state-wide judicial race without having been first appointed to the bench, and was re-elected, without opposition, to a second term in 2004. She was elected to serve a two-year term as Chief Judge from 2006 through 2008. She was elected to a third term in 2010. Receiving more votes than any other candidate in the State of Georgia, and was again re-elected in 2016.

The women lawyers of Smith, Gambrell & Russell, LLP are hosting a joint reception for NAWJ and Sisters in Law, an informal group of women attorneys, on Tuesday, November 19, 2019 from 5:30 – 7:30 p.m. at their offices in Atlanta, Georgia. NAWJ Membership materials will be made available and there will be a brief presentation promoting our organization.

#### Spotlight on Georgia Co-Chairs

##### Judge Amanda Heath



The Honorable Amanda M. Heath is a Juvenile Court Judge in the Augusta Judicial Circuit of Georgia that covers Burke, Columbia, and Richmond counties. Judge Heath was appointed by the Superior Court effective October 1, 2016 at the age of 31. She is the first African American female to serve in this position and is the youngest sitting judge in the Augusta Judicial Circuit. Judge Heath is innovative and passionate as she administers justice from the bench. Her goal is to hold children accountable for their actions, not to hold them hostage. In addition, to ensure families are connected with community resources to reduce the need for child protective services involvement and promote safe and stable families.

As the newly assigned presiding judge over the Children in Need of Services Program ("CHINS"), Judge Heath institutes preventative measures for children that are excessively absent from school and those that are at high risk or have been exploited through domestic child sex trafficking.

Judge Heath is the recipient of the 2019 O'Neal Foundation Father Daughter Gala Inaugural Community Impact Award and served as the Parade Marshal for the 2019 City of Augusta and NAAOP Augusta Branch Martin Luther King, Jr. Parade. In addition, Judge Heath was appointed by the National

Council of Juvenile and Family Court Judges to serve on the Child Welfare Juvenile Law Advisory Committee and International Committee. She currently serves on the Georgia Supreme Court Committee for Justice for Children and was selected to be a member of the Class of 2020 Leadership Augusta Program through the local chamber of commerce.

##### Presiding Judge Sara Doyle



Former NAWJ District 5 Chair and Georgia Court of Appeal's Presiding Judge Sara Doyle is currently running for an open seat on the Georgia Supreme Court in 2020. While on the campaign trail, Judge Doyle has spoken all over Georgia to the Athens Rotary Club, the Douglassville, Fayette and DeKalb County Bar associations, and the August Bar Association's Young Lawyer Division. In the near future, she will be speaking to the Statesboro, Rome and Savannah Bar Associations, the District Attorney's Association. The Rotary Club in Albany and Corners, and the Kwanis Club in Vidalia. On November 7, 2019, Judge Doyle will be receiving an award from Girl Talk, Inc. at its Live Confidentially, Lead Fearlessly luncheon honoring outstanding women in the Atlanta community who embody its core values of Leadership, Inclusion, Authenticity and Service.

##### Presiding Judge M. Yvette Miller

In January of 2019, Presiding Judge M. Yvette Miller established an endowed scholarship at the Mercer University School of Law to promote diversity and inclusion in the legal profession. This scholarship will assist law students with financial need, particularly active members of the Law School's Black Law Students Association (BLSA) chapter. This year, Judge Miller was honored with the unveiling of her portrait at Mercer Law School. She is the first African American alumni to have her portrait unveiled at the law school. Judge Miller has received many other awards for her service and contributions to the community.

##### Senior Judge Gail S. Tusan

Judge Gail S. Tusan assumed Senior Judge status, effective May 2019, after serving on the Superior Court of Fulton County for over 24 years. She received the 2019 Logan E. Bleckley Award from the Litigation Section of the Atlanta Bar Association for

her distinguished public service as a member of the judiciary. Now, she is spending her time building her mediation and arbitration practice as a neutral with JAMS, teaching and serving as a media contributor for Court TV.

##### Chief Judge Kathleen F. Gosselin

Judge Kathleen F. Gosselin took over as Chair of the Council of Accountability Courts of Hall County in July of this year for a one year term.

##### Superior Court Judge Sheryl B. Jolly

Judge Sheryl B. Jolly has served as a trial judge on Superior Court bench since the election in 2004. She is a frequent panelist on Family law issues with the domestic bar and provides death penalty training each year for the Superior Court Judges. Active with the family bar association, Judge Jolly hosts several bench and bar events each year at her home. She is active in community efforts and a strong advocate of public art. She is the current President of the board of directors of the Greater Augusta Arts Council.

In 2018, Judge Jolly was invited to serve as a jurist on the Georgia Supreme Court to hear a sovereign immunity case.

##### Superior Court Judge Ashley Wright Augusta Judicial Circuit

Judge Ashley Wright was appointed to the Augusta Judicial Circuit Superior Court bench by Gov. Nathan Deal in January 2017 to fill an unexpired term. Since that time, she has been reelected for a full 4-year term. Prior to this appointment, she served as a prosecutor for 22 years, with the last 8 ½ as the circuit District Attorney. With a strong background in criminal law, she is working to master domestic and civil practice, including providing training in the domestic realm, often with an emphasis on litigation practice. She has a strong interest in childhood development and education and the roles that they play in criminal and domestic dysfunction.

##### Chief Superior Court Judge Brenda S. Weaver

Athens, GA-The Appalachian Judicial Circuit's Drug Court, as well as the presiding judge, Chief Superior Court Judge Brenda S. Weaver, was recently recognized as a Model Court in Georgia. This recognition was given by the Council of Accountability Court Judges at their conference in Athens, GA, September 15-18th. The "Model Court" designation recognizes that the court goes above and beyond the standards for an accountability court. The Model Courts will serve as a mentor to newer courts, and personnel from this

Keynote Speaker for the Greater New Orleans Louis A. Marinnet Legal Society, incorporated 2019 Founder's Day Brunch on May 19, 2019.

Judge Ernestine Gray became a member of NAWJ on January 1, 2007. She has previously served on the Women in Prison Committee and the Juvenile Justice and Child Welfare Committee.

##### The Honorable Felicia Tony Williams Nominated for Oral History Initiative



Chief Judge Felicia Tony Williams has been nominated to become part of the Louisiana Bar Foundation (LBF) Oral History. She is the first woman and African American to serve as Chief Judge of the Louisiana Second Circuit Court of Appeal. The Louisiana Bar Foundation Education Committee produces a continuing series of oral histories. The series is a part of the Committee's plans to systematically broaden the LBF's work to preserve the history, culture and flavor of Louisiana Law. The goal is to put into place a system for regularly recording oral histories of retiring judges, bar leaders and other legal personalities. These video presentations will then be available for use in classrooms, Continuing Legal Education seminars and other venues to preserve, honor, and improve our system of justice.

##### NAWJ Student Member Jasmine Cooper Interns with Caddo Parish District Attorney



Southern University Law Center student, Jasmine Cooper is interning with the Caddo Parish District Attorney. She was recommended to the office by District Director Judge Shelia Sims. She has been working with the prosecuting team, gaining first-hand experience through several high profile cases and trials. She credits Judge Ramona Emanuel for her advice, as well as, Assistant District Attorneys Ed Blewer, Victoria Washington and Josh Williams for their mentorship. Jasmine Cooper desires to be a prosecutor.

The Appalachian Judicial Circuit also now has a Family Treatment Court, a Veterans Treatment Court, and a HELP court (serving those with mental health disorders). There have been over 500 graduates from all these programs.

Judge Weaver was also awarded the STAR ward at the Council of Accountability Court Conference. This award was established to recognize the best of the best in the various disciplines in the accountability court model such as a judge, treatment provider, defense attorney, prosecutor, probation officer, etc.

##### Louisiana Transition Center for Women

The Louisiana Transition Center for Women Cosmetology program is set to start around late fall or early winter. All supplies and equipment have been purchased with Department of Public Safety & Corrections and Justice Reinvestment Initiative (JRI) funds. The renovation will also be JRI funded, as well as the train-the trainer protocol. A certified instructor educator will bring our offender cosmetologists back into good standing with their cosmetology licenses. Thereafter, offender instructors will go through further training to be certified as cosmetology instructors.



**Judge Ernestine S. Gray gives Keynote**  
Judge Ernestine S. Gray, Orleans Parish Juvenile Court and President Legal Society President from 1981-1983 was the

##### 2020 Nashville Conference Planning Team

##### Member Elected Presiding Judge



On September 1, 2019, Hon. Lynda Jones, became Presiding Judge of the Metropolitan Nashville-Davidson County General Sessions Court. She was elected by the judges of the Court.

Judge Jones was elected to General Sessions Court Division 1X in 2014. Before her election, she practiced law in middle Tennessee for 22 years prior to becoming a judge. She has one child and is widowed. She received her Bachelors of Science in Communication with honors from the University of Tennessee at Knoxville. Her law degree is from the University of Memphis School of Law where she received the American Jurisprudence Award for Trial Advocacy. She is currently a member of the Nashville

Bar Association, President Elect of Tennessee General Sessions Judges Conference, fellow of the Inns of Court, and the National Association of Women Judges. She is a former Chair of the General Sessions Court Committee for the Nashville Bar Association and Fellow of the Nashville Bar Foundation. Judge Jones is also an Alumni of Young Leaders Council, Tennessee Leadership, Leadership Donelson Hermitage, and Leadership Middle Tennessee as well as a two-time Athena nominee.

#### Toiletries Donation Campaigns Draw Support Across Louisiana

The Shreveport Alumnae Chapter of Delta Sigma Theta Sorority, Inc. the Delta Lambda Omega Chapter of KKA/ Ivy Crown Community, Greater Provision Christian Church, Dr. Sharon Sims, and Pastor Helen Godfrey-Smith donated toiletries this year. Dr. Sharon Sims donated dental hygiene products as well. The donations were presented to April Bauer of the Louisiana Transitional Center for Women. The donated items will be presented to the Louisiana Transition Center for Women by Chief Judge Felicia Toney Williams, Judge Shera M. Sims, and other area judges. Toiletries and hygiene products are still being collected. If you are interested in donating any of the following items: paperback books, soap, lotion, sanitary items, facial cleanser, deodorant, toothpaste, mouthwash, toothbrushes, and underwear (all sizes), please deliver the donations to Greater Provision Christian Church, 3449 Gorton Road, Shreveport, LA, 71109 or call (318) 489-7828 to arrange the drop off or pick up of donated items.

#### Women in Prison Initiative Book Donations

The district's Women in Prison Initiative received two books donations from the Shreve Memorial Library Friends, Inc. The books were presented by the organization's president, Captain Jim Gavin. The first set of donations totaled five boxes and was presented to the Caddo Correctional Center for the female inmates. The second set of books totaled more than 20 boxes. This outreach initiative collects donations of the following items: paperback books, soap, lotion, sanitary items, deodorant, toothpaste, mouthwash, toothbrushes and underwear (all sizes). If anyone is interested in donating the above-mentioned items, please deliver the donations to Greater Provision Christian Church, 3449 Gorton Road, Shreveport, LA 71119. If you would like additional information on the National Association of Women Judges Women in Prison Initiative, contact Judge Shera Sims at (318) 673-5878 or by email shera.sims@shreveportla.gov.

#### DISTRICT SEVEN (MI, OH, WV) DISTRICT DIRECTOR: Hon. Maureen Sweeney, Mahoning County Court of Common Pleas, Youngstown, Ohio Email: msweeney@mahoningcountyooh.gov

#### Judge Michele Rick Launches Traveling Expungement Clinics to Serve Rural Communities



On July 29, 2019, NAWJ member Michelle M. Rick spoke at a Michigan Hall of Justice press conference about the development of Project Access (michiganlegalhelp.org), a traveling service of expungement clinics. Chief Justice Bridget McCormack, Judge Rick, Detroit Mercy Law School and other organizations – Michigan Supreme Court, Michigan State Bar and Legal Services Corporation – partnered to host traveling expungement clinics this summer. Please see more information about this project elsewhere in this publication.

MentorJet events are scheduled at Wayne State Law School and Western Michigan University Cooley Law School this fall and at Detroit Mercy Law School in the Spring.

#### DISTRICT NINE (IA, MO, WI) DISTRICT DIRECTOR: Hon. Emily Gould Chafa, Iowa Workforce Development, UI Appeals Bureau, Johnston Email: emily.chafa@iwd.iowa.gov

Hon. Emily Chafa agreed to serve as District Director in February 2019. Hon. Karen Romano, a former District Nine Director, agreed to serve as the State Chair for Iowa.

Over the past several months, Judge Emily Chafa and other Iowa NAWJ members informally encouraged (recruited) new and experienced women judges to join NAWJ. Judge Chafa has and will continue to encourage administrative law judges from Iowa and other states to join NAWJ during annual conferences for other professional organizations (NAUAP, ABA, NAAU).

Iowa NAWJ members participated in joint projects and programs with the state women's bar association (I.O.W.A.) focused on demystifying the judicial application process and actively supporting women and diverse applicants for judicial positions at the trial and appellate court levels. Iowa NAWJ members actively participated in I.O.W.A.'s celebration of the 150th Anniversary of the first woman admitted to practice law in the U.S., Arabella Babo Mansfield, in Mount Pleasant, Iowa, by re-creating her historic swearing in ceremony in the very same room exactly 150 years later, on June 15, 2019.

The active District 9 NAWJ members intend to actively participate in more joint projects and programs with other bar associations this coming year to promote, nurture and support women judges at all levels and categories, and to actively work to increase gender diversity on the bench at all levels and categories.

#### DISTRICT TEN (KS, MN, NE, ND, SD) DISTRICT DIRECTOR: Hon. Renee Worke, Minnesota Court of Appeals, St. Paul Email: renee.worke@courts.state.mn.us

#### Minnesota

Minnesota welcomes new women judges to the bench. Hon. Wendy Tien was named Judge on the special Executive Branch Court. She replaces Judge Joanne Turner, who had been serving on the court since 2012. Hon. Jenny Starr has been named Chief Administrative Law Judge. Since January 2019 six women have been appointed to the state court bench and several names remain pending for the Governor's consideration of appointment.

Minnesota judges continue to mentor within the legal community. We have hosted a variety of bench-to-bar gatherings, have opened up our courts to extern and internships, have held court at high school and law schools, and have committed to one-to-one mentorship with students at area law schools.

The annual Tea for Women in Law at was held at Mitchell Hamline School of Law this spring. This Tea is a scholarship event as well as a mentoring event. Minnesota is seeking contributions to allow our NAWJ chapter to award a scholarship. Members met with women law students and celebrated women in law.

Minnesota courts continue work in promoting reentry support for women in prison. An organization meets monthly to discuss obstacles facing women upon reentry and the completion of their sentences. A specific effort is underway to establish adequate

Nebraska Supreme Court Commission on Guardianship and Conservatorship, the Guardian and Conservatorship Forms and Rules Committee and the Bench-Media Committee. As a member of the Guardianship and Conservatorship Commission and the Guardian and Conservatorship Forms and Rules Committee, Judge Parsley has shown dedication to making the guardianship and conservatorship process less burdensome while still maintaining accountability to the judicial system. She has worked tirelessly to not only provide updated forms, rules, and procedures that will benefit all guardians and their wards and conservators and their protected persons statewide, but she also goes above and beyond in her courtroom. Judge Parsley is a highly valued member of the Bench-Media Committee having participated in rule-making and teaching journalists as well as fellow judges. She developed sample orders to accompany the launch of the camera rules and continues to work with review committees editing rules as needed. Additionally, Judge Parsley is well known for her creative problem-solving skills and forward-thinking when dealing with issues faced by Nebraska's judges.

The Rosalie Wahl Leadership Lecture series continues to be a rewarding event that is offered through our partner organization Minnesota Women Lawyers. The kickoff for 2019 will be in October and the announced theme is A Seat at the Table: Women Attorneys Achieving Success and Building Community.

In October the Minnesota Supreme Court will have hearings conducted at the Fairmont High School which is located in the southern part of our state.

Our upcoming calendar of events includes a judge/lawyer social hosted by the Hennepin County Bar Association. In 2020 a Conference for Women in the Law is being planned.

#### Nebraska

Nebraska notes that Douglas County Separate Juvenile Court Judge Elizabeth Crnkovich has retired from the bench. She has served the state from 1995 to 2019. In her letter to the Governor, Judge Crnkovich wrote, "It has been my honor and privilege to serve the children and families in Douglas County for Almost 25 years! I am forever grateful for having had such a wonderful opportunity." Nebraska remains active in its promotion of women. Retired Lancaster County Court Judge Jan Gradwohl was inducted into the Grand Island Public Schools Hall of Honor. Nebraska Supreme Court Justice Stephanie Stacy was appointed by the courts as a member of the newly created Access to Justice Commission.

And, Andrea Miller was appointed as a District Judge by Governor Pete Ricketts. Lancaster County Separate Juvenile Court Judge Toni G. Thorson has announced her retirement. Her last day on the bench is October 16, 2019. In her letter to the Chief Justice, Thorson wrote, "It has been an honor to work with my colleagues to try to help children and families experiencing difficult and challenging times in their lives." Thorson served on the juvenile bench in Lincoln for nearly 30 years. After taking the bench on August 31, 1989, she was retained in her position by area voters, most recently in 2016.

Lancaster County Court Judge Holly Parsley is being recognized as the 2019 Distinguished Judge for Improvement of the Judicial System. Judge Parsley is being recognized for her leadership serving on the

Forward. Panelists included: Federal Judge (10th Circuit Court) Mary Beck Briscoe, Kansas Court of Appeals Judge, Karen Arnold-Burger, Kansas District Court Judge, Cheryl A. Rios, Kansas Court of Appeals Judge Melissa Standridge, District Magistrate Judge, Renee Henke, and District Court Judge Rhonda Mason.

NAWJ member and former district director Judge Cheryl Rios was selected to participate in the Kansas Leadership August Class of 2019. An (edited) excerpt from the media reports:

*It's always a great day when a Kansas Women Attorneys Association ("KWAA") member is selected for participation in a distinguished program like the Kansas Chamber's Leadership Kansas. KWAA truly has cause to celebrate this year, as not one but four of its members were selected to participate in Leadership Kansas 2019—Kelly Trussell, Judge Cheryl Rios, and Amanda Stanley of Topeka and Eta Walker of Sharon Springs. According to its website, "Leadership Kansas is one of the oldest and most prestigious statewide leadership programs in the country." Each year only 40 participants are selected for the honor.*

*"Kansas is better when women are positioned to be leaders in our community," said Judge Rios. "Understanding the diversity in our state on many levels as well as developing an understanding of the needs of each community will continue to enrich my growth on the bench. I appreciate learning more about the communities where our attorneys grew up and continue to practice."*

*Leadership Kansas includes a rigorous travel schedule six months out of the year that requires its participants to visit a different area of the state at least three days out of every month. This year, the group has already traveled to Lawrence, Garden City, Kansas City, Goodland, and Colby. The remainder of the program will include trips to Pittsburg, South Central Kansas, Manhattan, and Topeka. Judge Cheryl Rios has served a District Judge in the 3rd Judicial District since 2008. Needless to say, the honor bestowed upon these four deserving women has shown the quality of KWAA membership as a whole. Judge Rios noted, "It's my hope that with this many women attorneys in the class of 2019, we will grow the numbers who are invited to participate in the future."*

#### DISTRICT ELEVEN (AR, OK, TX)

**DISTRICT DIRECTOR: Hon. Brandy Mueller,**  
County Court at Law #6, Austin, Texas  
Email: brandy.mueller@co.txtravis.us

### Outreach to Arkansas

benefit incarcerated women has received an overwhelming response from the bench in Colorado.

### NAWJ Colorado Hosted Annual Breakfast at Colorado Judicial Conference

In September, 2019 NAWJ Colorado hosted the annual NAWJ Breakfast at the Colorado Judicial Conference in Vail, Colorado. Approximately 400 judges, magistrates and water referees attend this conference every year and all are welcome to attend. This year, 60 female judicial officers attended. Judge Anderson reported data concerning the make-up of the Colorado bench.

On May 3, 2019 Judge Anderson was sworn in as Chief Judge of the 17th Judicial District in CO. She is the first female chief judge to serve in this district, a large metropolitan district with 33 judicial officers and nearly 400 employees.

### DISTRICT THIRTEEN (AK, HI, ID, MT, OR, WA) DISTRICT DIRECTOR: Hon. Pamela Washington, Anchorage District Court, Alaska Email: pwashington@akcourts.us



### Alaska Judges Honored on All-Women Court of Appeals

Alaska women judges from around the state, past and present, gathered at the beautiful home of NAWJ Past President, Retired Chief Justice Dana Fabe on August 20, 2019, to celebrate the amazing women judges on the state's Court of Appeals. It is the first time in its history that all three seats on the appeals court are filled by women. Judge Marjorie K. Allard, a graduate of Yale Law School, was appointed to the court in November 2012, and was the first woman to serve on the court since it was founded in 1980.

Tracey Wollenberg, a 2005 graduate of Columbia Law School, was appointed February 2017, and Judge Bethany Harbison, a 1993 graduate of Harvard Law School, was appointed November 2018. Judge Harbison, the newest addition to the appeals court, served as a trial court judge for 13 years before her appointment. All three judges are active members of NAWJ! The Alaska Court of Appeals is nationally recognized for its jurisprudence and all three judges

bring the wealth of knowledge and experience to continue the honored tradition of the court. The NAWJ celebration of Judges Allard, Wollenberg and Harbison gave Alaska trial court and appellate court judges an occasion to enjoy time together and away from the bench. Chief Judge Marjorie Allard thanked NAWJ and all of the sisters in the judiciary for the honor bestowed upon her and her colleagues.

### Alaska Court of Appeals Judges Tracey Wollenberg, Chief Judge Marjorie K. Allard, Judge Bethany S. Harbison (L-R)



### Anchorage Color of Justice at Boney Courthouse

On October 3-4, 2019, the Alaska Court System presented the Color of Justice program to encourage youth to pursue legal and judicial careers, and bring about a representative diversity across the legal professions. Nearly 80 high school students from Anchorage area high schools attended the two days of workshops and other activities presented by law professors from Gonzaga University School of Law, Seattle University School of Law, and University of Washington School of Law. The program is also supported by the Alaska Bar Association and the Anchorage School District. Anchorage area students are coming from Bartlett, East, and West high schools.



Color of Justice sessions included "MentorJet: A Speed Mentoring Experience," where students got the chance to meet with diverse lawyers, judges and justices, including NAWJ members, Alaska Supreme Court Justice Susan Carney, and Anchorage District Court Judges Pamela Washington, Karl McCrea and Jo-Ann Chung. "Constitutional Cranium," a quiz show on constitutional knowledge hosted by Professor Christian Halliburton with Seattle University School of Law, and Mock Trial took advantage of the many

equal rights and opportunities for women, and prevent discrimination against them.

### Short Films on the Women's Suffrage Movement

The Washington State Women's Commission is commemorating the 100th anniversary of the 19th Amendment, which granted women the right to vote. We commissioned two short films on the women's suffrage movement and the importance of voting. We encourage organizations to use the films for educational purposes and to spark discussion about the importance of voting. To watch the short films, visit each link here, The Untold Stories of Black Women in the Suffrage Movement, and here, A Seat at the Table: American Women's Sacred Right to Vote.

### 11th Annual Women's Conference – Mission Creek Corrections Center

The annual Success Inside and Out conference was held October 10 – 11, 2019 with NAWJ Members Judges Lisa Paglisotti, Cathy Moore, Marilyn Paja and Janet Garrow (ret) participating. The theme of this year's conference was Keys of Opportunity: Opening the Doors to Success.

### 8th Annual Judicial Officer & Law Student Reception

On November 15th, law students from Gonzaga University School of Law will have the opportunity to meet and mingle with judicial officers from the Spokane area, as well as from across the state. The event this year is co-hosted by Gonzaga University School of Law, Career Development Services & Women's Law Caucus, Washington State NAWJ Members, Washington State Association for Justice and the Washington State Supreme Court Gender & Justice Commission. Two scholarships will be awarded.

### DISTRICT FOURTEEN (CA, NV)

**DISTRICT DIRECTOR: Hon. Elizabeth White,** Superior Court of California, Los Angeles County

District 14 is pleased to announce 87 new members joined NAWJ this year. We are thrilled to have an active group carrying out NAWJ's mission of diversity and inclusion.

### NAWJ Attends "Sisters in Law" Premier

NAWJ Members from the Los Angeles Superior Court attended the West Coast Premiere of the play *Sisters in Law* by Jonathan Shapiro on September 29. The timing is fortuitous as Mr. Shapiro, along with Justice Judy McConnell, will be speaking at the Annual Conference on Staging Law Stories. The play

addresses the relationship between two polar opposites and modern day legends, Justices Ruth Bader Ginsburg and Sandra Day O'Connor. It celebrates their friendship, which transcends party, religion and culture, and explores the inexplorable bond between the U.S. Supreme Court's first two female justices as they grapple with matters of national law and personal belief.

### Judge Yolanda Orozco Leads Fall Outreach Efforts to Promote Diversity on the Bench

On September 21, 2019 NAWJ Member Judge Yolanda Orozco, Chair of the Los Angeles Superior Court's Diversity Committee, chaired her Diversity Committee's fifth summit on "How to Become A Judge". The new judicial appointments secretary, Justice Martin Jenkins, Chair of the JNE Commission and the LACBA Judicial Evaluations Committee spoke along with a panel of three newly appointed judges who discussed their own journeys to becoming a judge.

In March 2019, the Diversity Committee hosted its third Young Women's Leadership Conference at the Mosk Courthouse. One hundred fifty (150) high school young women heard presentations from three women judges who spoke about their journeys to the bench. The young women were also given presentations from the District Attorney's office, the Public Defender's office, an LAPD Captain, and the head of the Los Angeles Probation Department on how to achieve success as women while negotiating obstacles and minefields.

### Fourth Annual Pre-Law Speed Mentoring



On September 19, 2019 the Fourth Annual Pre-Law Speed Mentoring took place at California State University, Bakersfield. NAWJ Member Judge Sharon Metter (pictured in photo) and Dr. Jeanne Kraybill, Assistant Professor and Pre-Law Program Director at the University organized a program that brought attorneys and judges from across Kern County, California to share their experiences in the legal field, as well as important education, career, and professional advice to aspiring attorneys in CSUB's pre-law program. This event is supported by local law firms, members of CSUB's Pre-Law Advisory Committee, and NAWJ. Mentees and graduates of the program are currently attending UC Hastings College of Law, Thomas Jefferson School of Law, McGeorge School of Law,

California Western School of Law, and Santa Clara University School of Law, to name a few.

#### NAWJ Members Speak on Racial Reconciliation Panel



A Racial Reconciliation Forum took place on June 13, 2019, where NAWJ and Contra Costa County Superior Court Judge Anita Santos former NAWJ Vice President of Publications), Contra Costa County Judge Benjamin Reyes, II, NAWJ former President and Contra Costa County elected D.A. Diana Becton, Contra Costa County elected PD. Robin Lepetky, and two local attorneys: Robin Pearson (corporate and business litigation) and Philip Anderson (insurance litigation) spoke. The event was sponsored by the Contra Costa County Bar Association Diversity Committee, and was organized and moderated by Ms. Diana Washington, Esq. The event was at John F. Kennedy Law School in Walnut Creek, and had approximately 80 attendees.

#### San Francisco Color of Justice Program



The San Francisco Color of Justice Program, chaired by San Francisco Superior Court Judge Charlene Padovan Kieselbach, was held on April 23, 2019. Students attended from Balboa High School, a public high school in San Francisco, and from Holy Names High School, an all-girls private high school in Oakland serving many disadvantaged youth. This half-day program exposed the students to demonstrations by attorneys practicing their skills and candid discussions by judges and lawyers about their path to a career in the law, as well as an opportunity to talk informally with lawyers in small



group sessions. The half-day program included a mock closing argument, an interactive discussion with students on whether youth should be treated differently than adults, a Judge's panel discussion on their path to the legal profession and bench, and small group meetings led by practicing attorneys.

The San Francisco Color of Justice was started in 2004 by Judge Charlene Padovan Kieselbach, as the first such program in California. In 2012 it received the Public Service Award by the National Conference of Women's Bar Associations. The program is jointly sponsored by NAWJ, California Women Lawyer's, and Queen's Bench. The generous support of these organizations makes it possible for this program to be presented each year to high school students in the San Francisco area. Today, the program is Co-Chaired by Judges Kieselbach and Bolanos, proud members of NAWJ and District 14. The other members of the Steering Committee are: Drucilla Stender Ramsey, Kelly Robbins, Robbins Family Law, Eliza Rodrigues, Attorney at Law, and Alice Purdy, Flicker, Kern, Kruger & Bissada.

#### Fourth Annual Success Inside and Out Workshops



NAWJ San Diego held workshops inmates for the fourth year this past August led by NAWJ members Commissioner Terrie Roberts and Attorney Nadia Keilani. Along with inspiration and instructions on how to get out of bad relationships, reconnect with children, or fix their credit, the day also brought much needed information on available services to a few hundred female inmates at the Las Colinas Detention and Re-entry Facility. An added workshop entitled "Healthy Obsessions" was led by NAWJ Projects Chair Commissioner Pennie McLaughlin. Commissioner McLaughlin teamed up with the jail's popular Captain Madson to teach women how to eat healthy on a budget, and form an exercise routine for both

physical and mental well-being.

NAWJ President Tamila Ipena was on hand to greet the women, and the audience was also treated to remarks by both the Presiding and Assistant Presiding Judges of San Diego County, Peter Deiddeh and Lorna Alksne, and District Attorney Summer Stephan. Comments from this group made the women realize the importance of this event in our community and how all of us are collectively rooting a toletry bag with items donated by L'Oréal Paris.

#### Hon. Judith C. Chirlin Speaks on Judicial Responsibility at The Vatican



Judge Judith Chirlin (Ret.) was part of a delegation from the National Association of Women Judges at a "Pan-American Judges Summit on Social Rights and Franciscan Doctrine" at the Pontifical Academy of Social Sciences at the Vatican. She spoke on "Judicial Responsibility in Systems Governed by the Rule of Law." One highlight at the end of the Summit occurred when Pope Francis addressed them and then greeted each of them individually.

#### Judge Holly Fujie Honored by Berkeley Law with Citation Award



On June 13, 2019, Judge Holly Fujie received the U.C. Berkeley School of Law Citation Award – the highest award given by the law school. The award was presented by Dean Erwin Chernerinsky who will be speaking at the Los Angeles Conference on October 18.

#### Judge M. Margaret McKeown Receives ABA's 2019 John Marshall Award

The American Bar Association (ABA)'s Judicial Division and Standing Committee honored NAWJ member and U.S. Court of Appeals for the Ninth Circuit Judge, the Honorable M. Margaret McKeown, with the John Marshall Award. The award will be



presented at the Judicial Division Awards Luncheon Friday, August 9, 2019 during the ABA's Annual Meeting in San Francisco. The ABA notes: "When the #METOO issue hit the judiciary, McKeown was

appointed to lead the Ninth Circuit Task Force on the Workplace. U.S. Chief Justice John Roberts later named her to the national Workplace Environment Working Group. "Under her leadership," Llewellyn G. Pritchard of the Seattle-area firm of Helsell Fetterman wrote, "the Ninth Circuit is now recognized as a pioneer on a number of key changes in the judicial workplace." She is nationally recognized for her work on gender issues, judicial ethics and international rule of law. She was instrumental in creating a program to inform the public about court rulings, and the use of electronic media alerts on the federal courts. Judge McKeown chairs the board of the ABA Rule of Law Initiative and previously chaired the Latin America Council.

#### 2019 Margaret Brent Achievement Award



Justice Judith McConnell, one of the original 100 founding members of its 2019 Wilkin Award ceremony on October 17, 2019 at Tom Ham's Lighthouse in San Diego, CA. Attorney Heather L. Rosing will receive the Law Library's Excellence in Public Service Award.



NAWJ's Resource Board have been named as 2019 recipients of the Margaret Brent Women Lawyers of Achievement Award. Each year, this award honors up to five outstanding women lawyers who have achieved professional excellence within their area of specialty and have actively paved the way to success for other women lawyers. These women demonstrate excellence in a variety of professional settings and personify excellence on either the national, regional or local level.

#### Hon. Tam Nomoto Schumann Elected President of the California Judges Association

Retired Judge Tam Nomoto Schumann of the Orange Superior Court was elected President of the



California Judges Association (CJA) by the group's Executive Board. She will serve a one-year term beginning October 13, 2019. Judge Schumann was

appointed to the Orange County Superior Court in 1979. She has served on Family, Civil, and Criminal assignments, and is currently sitting on assignment. She graduated from Boalt Hall, University of California, Berkeley. After graduating, she was in private practice with Nossaman, Kuuger, Marsh & Rordan then with the Orange County Counsel's Office. Judge Nomoto Schumann was on the Judicial Council, Chair of the CJA Ethics Committee, and Past President of the American Judges Association. She is currently the Secretary-Treasurer for the California Judges Association.

#### San Diego Law Library Recognizes NAWJ Members Heather L. Rosing, Esq. and Renee Stackhouse, Esq.



The San Diego Law Library Foundation will honor NAWJ members at its 2019 Wilkin Award ceremony on October 17, 2019 at Tom Ham's Lighthouse in San Diego, CA. Attorney Heather L. Rosing will receive the Law Library's Excellence in Public Service Award.



#### NAWJ Collaborates with Palomar College to Highlight Pathways to Law

On April 12, 2019, NAWJ members Commissioner Pennie McLaughlin and Judge Michael Washington rolled out a new event for NAWJ that combines civic education elements found in our Informed Voter-Fair

Judges Project with real-world knowledge from the unique perspective of judges in a mentoring segment composed of small groups of five students per judge. Justice Judith McConnell, one of NAWJ's founding members, spoke to the large group of college students from Palomar College about the



importance of an independent judiciary. Justice McConnell showed two videos on the Informed Voter Project that captured the students' interest. NAWJ President Ipena and San Diego Superior Court



Presiding Judge Peter Deiddeh were on hand to welcome the students and serve with a group of fifteen judicial mentors. This program was coordinated with Palomar College's "The Pathway to Law" program that aims to create a clear pathway to California's top law schools for traditionally underrepresented students.

#### NAWJ San Diego Holds Court-Clergy Conference

On May 2, 2019, the San Diego County Superior Court presented its Third Biennial Court-Clergy Conference at the Hall of Justice in downtown San Diego. NAWJ member and the Co-Chair of the NAWJ Ethics Committee, Judge Laura Halgren chaired this amazing conference that has made a huge difference in the San Diego Community. Eighty-four clergy members attended, representing a wide variety of faiths, including Buddhist, Christian Science, Catholic, Islam, Jewish, Pentecostal, Protestant, non-denominational and many others. Thirty-one judges and commissioners from San Diego County Superior Court participated, either as speakers or lunchtime table discussion leaders.

#### The Honorable Teresa Guerrero-Daley

In April, longtime NAWJ member Teresa Guerrero-Daley passed away, she joined NAWJ in 2011 and served on several committees including Judicial Exchanges, International Courts and Domestic



Violence. Judge Guerrero-Daley was a pioneer in becoming the first independent auditor of the San Jose Police Department, leading the new office from 1993-2005. NAWJ

Secretary Judge Elizabeth K. Lee, who sits on a California Superior Court, jurisdiction (San Mateo County) bordering the Santa Clara County jurisdiction Judge Guerrero-Daley served, remembers Judge Guerrero-Daley as "a wonderful judge, a compassionate colleague, and inspirational leader who did so much for the community."

On August 11, 2019, NAWJ member Judge Marguerite D. Downing traveled to Huddersfield, England to participate at the International Coalition for Children with Incarcerated Parents (INCCIP). The INCCIP was created as a coalition of families, researchers and community organizations to address the impact of parental imprisonment from a global perspective and to create a worldwide network. The first conference of the network was successfully held in 2017 in New Zealand. At this second conference, Judge Downing along with two Children Law Center attorneys, Brenda Robinson, and Phyllis Strickland presented a program on eliminating barriers to reunification and best practices for practitioners working with incarcerated parents. Judge Downing chairs an Incarcerated Parents Working Group in Los Angeles County, a first of its kind, which seeks to eliminate barriers and provide services to incarcerated parents to assist in providing better outcomes for their children in foster care.

## INTERNATIONAL NEWS

**INTERNATIONAL DIRECTOR: Hon. Lisette Shirdan-Harris**, Philadelphia Court of Common Pleas, Pennsylvania  
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As we begin another membership year, I will be transitioning from my four amazing years as our NAWJ International Director and U.S. North American Delegate to the IAWJ board. My term will end in May 2020 at the IAWJ Biennial in Auckland, New Zealand. At that time, our NAWJ-US Association will nominate and vote on my successor, NAWJ Past President Judge Lisa Walsh, to fill my seat on the IAWJ board and assume her duties as NAWJ International Director. The IAWJ election takes place at our biennial North American regional meeting where we hold a joint meeting with our North American counterpart, The Canadian Chapter of the IAWJ (ISWCC) who will also vote on their Delegate to the IAWJ board. For those

attending the Biennial Conference, the regional meeting is a time to meet or get reacquainted with our Canadian Judges. One of the many benefits of NAWJ membership is that dues automatically provide membership in IAWJ. The Biennial Conference dates are May 7 - 10, 2020. Early bird registration is now open through January 2020 and more information can be found at [awj2020auckland.com](http://awj2020auckland.com). The conference will bring judges from around the world for an opening reception followed by three days of sessions on a variety of topics. The conference theme is "Celebrating Diversity" with three sub streams: indigenous issues, human rights, and diversity in the courts.

We are excited to welcome our colleagues from around the world, approximately 34 international judges representing 17 countries. Represented this year are judges from Armenia (3); Costa Rica (1); Democratic Republic of the Congo (1); Georgia (1); Ghana (2); Grenada (1); Kyrgyzstan (1); Liberia (2); Mali (2); Moldova (1); Morocco (5 including IAWJ Secretary/ Treasurer, Judge Mina Sougrati); Niger (1); North Macedonia (1); Peru (1); Philippines (6); Saint Lucia (1); Thailand (4). The scholarships continue to be funded by the U.S. Department of State's INL/CAP office in Washington, DC or the INL offices in U.S. Embassies around the world. Special thanks to Shilbani Malhotra from the INL who continues to be instrumental in securing the scholarships and to Judge Judith Chirlin for her long-standing work on the International Outreach Committee. There are several programs at this year's conference geared toward the international judges. All board members are invited to attend the International Judges Welcome Reception and the International/National Ethics Roundtable, which Judge Judith Chirlin and I facilitate.

Since the 2018 Annual Conference in San Antonio, the IAWJ board met in New York in March in conjunction with the Commission on the Status of Women (CSW) activities with participation in several sessions. I am just returning from the IAWJ board meeting held in Fez, Morocco at the invitation of the Chief Justice of Morocco. The board meeting was held in conjunction with a meeting of representatives from African countries on the status and challenges facing women in the judiciary. Thanks to Judge Mina Sougrati for handling all of the arrangements and hosting the board in Morocco. The time in Morocco also gave the board a preview of our 2022 Biennial conference which will be held in Marrakesh.

IAWJ continues to grow with close to 6,000 active members in more than 100 countries represented by 52 associations. There are 795 members in the Africa region; 1,314 in the Asia Pacific region; 412 in the

MENA (Europe, Middle East and North Africa) region; 1947 in the Latin America and the Caribbean region; and 1451 in the North America region.

NAWJ's international outreach with the NAWJ/Fordham Law School collaboration is now in its second year with New York Judges Tanya R. Kennedy, Kathy King, Mini Tsankov, Abena Donkeli, Marcy L. Kahn, Ellen Gesner, and Debra James volunteering to meet with international students and Visiting Scholars in their courtrooms. Professor Toni-Jaeger-Fine, Assistant Dean for International and Non-J.D. programs at Fordham serves as the coordinator of the program.

This will be my last annual report, but I look forward to continuing our work to further our collective mission to promote access to the courts and to advance women's rights to equal justice by eliminating gender bias from judicial systems, and by educating the judiciary about human rights and the role of the judiciary in protecting the rights of women. I am confident Judge Lisa Walsh will represent us well when she begins her term as North American Delegate in New Zealand and I look forward to being a resource as needed. My heartfelt thanks to President Judge Tamila Ipena and the Past Presidents and boards who have worked tirelessly during my tenure. Best wishes to our incoming President Judge Bernadette D'Sousa who I am confident will carry on the tradition of fierce leaders making a difference.

## Judge Claudia Caputi speaks on Judicial Decision-making with a Gender Perspective in Argentina

Judge Claudia Caputi, an NAWJ member in Argentina, spoke about "Judicial Decision-Making with a Gender Perspective" in a special activity within the "Course for the Judiciary" organized by the Judicial Education and Training Center at the Supreme Court of Justice of the Province of Santa Fe, in the City of Santa Fe, Argentina, on Friday, August 2nd, 2019. In her lecture, Professor Caputi analyzed several court decisions, showing how to focus on cases and reason under a gender perspective, and also how to better rule with this approach.



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### 2019 ANNUAL CONFERENCE

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**National Association of WOMEN JUDGES**



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