



# NATIONAL ASSOCIATION OF WOMEN JUDGES COUNTERBALANCE

Summer 2013 Volume 31 Issue 5

## CELEBRATING THE HISTORY OF WOMEN IN THE LAW



From left: Chief Justice Bernette Joshua Johnson, Louisiana Supreme Court; Chief Judge Mary Ellen Barbera, Maryland Court of Appeals; Judge Sheila Abdus-Salaam, New York State Court of Appeals; and Judge Shirley Watts, Maryland Court of Appeals.

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## NAWJ MEMBERS CONTINUES THEIR MARCH OF FIRSTS

### LOUISIANA APPOINTS HON. BERNICE JOSHUA JOHNSON AS ITS FIRST AFRICAN-AMERICAN CHIEF JUSTICE OF THE LOUISIANA SUPREME COURT

The Hon. Bernette Joshua Johnson is the first African-American Chief Justice of the Louisiana Supreme Court. Chief Justice Johnson's years of appointed and elected service on the high court gave her the seniority to succeed former Chief Justice Catherine "Kitty" Kimball, the Court said in a unanimous vote.

Chief Justice Johnson was elected to serve on the Louisiana Supreme Court in 1994, and was re-elected, without opposition, in 2000 and 2010. As the Senior Justice on the Court, she was sworn in as Chief Justice on February 1, 2013. As Chief Justice, she chairs the Louisiana Judicial Council and the Human Resources Committee, and is a member of the Judicial Budgetary Control Board. Chief Justice Johnson has also served as the Court's appointee on the Council of the Louisiana State Law Institute, and as a member of the Court's Legal Services Task Force and the National Campaign on Best Practices in the area of Racial and Ethnic Fairness in the Courts. Chief Justice Johnson has worked closely with the Court's Mandatory Continuing Legal Education Committee and the Committee on Bar Admissions.

Chief Justice Johnson's judicial career began in 1984 as the first woman elected to serve on the Civil District Court of New Orleans. She was re-elected, without opposition, in 1990 and was elected Chief Judge by her colleagues in 1994. There, she took the initiative to establish a system

to refer custody, alimony, and child support issues to mediation conducted by certified social workers of the Children's Bureau and Family Services prior to court appearances. The mediation was provided to needy families based on a sliding scale system for payment of fees.

For much of her life, Chief Justice Johnson has worked as an advocate for social justice, civil rights and community organizing. During the 1960's, she worked as a community organizer with the National Association for the Advancement of Colored People (NAACP) Legal Defense & Educational Fund. She worked with community groups in Alabama, Mississippi, Georgia, North Carolina, South Carolina, Tennessee and Louisiana, disseminating information about recent school desegregation decisions, and encouraging parents to take advantage of newly desegregated schools. She later used these skills to help organize household workers receive Social Security benefits and a minimum wage.

### CHIEF JUSTICE BERNETTE JOHNSON GIVES HER FIRST ADDRESS TO STATE LEGISLATURE

On April 9, 2013, Chief Justice Bernette Johnson gave her first "State of the Judiciary" speech, thanking lawmakers for working with the courts to improve the state's juvenile justice system and treatment programs for addicts and alcoholics. "Our respective two branches of government have a history of mutual respect and cooperation and as Chief Justice I will do everything I can to continue to build upon that relationship," Chief Justice Johnson said.

☞ Continues on Page 8

## PRESIDENT'S MESSAGE

### 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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In addition to the honor and privilege I feel to serve at the helm of this dynamic organization, I find myself impressed and amazed by the breadth of NAWJ activities. We can use our acronym, NAWJ, as a shorthand guide to summarize the many different roles NAWJ plays.

**N** – for networking,

**A** – for advocacy and awards,

**W** – for women, children, and the disadvantaged,

**J** – for Judicial education,

**Networking** - Our networking takes several forms.

1. We network with each other, meeting judges from around the country and around the world, from different types of courts and different levels of the judiciary. NAWJ thus provides a professional mutual support system. It provides an opportunity for perspective into the similarities and differences of the issues faced by judges in different types of judicial systems, in different localities.
2. To facilitate networking with each other we put on national conferences and local meetings. We held a most exciting and successful Midyear this May in Washington D.C. Planning is ongoing for our upcoming annual conferences, which will be held in 2013 in New Orleans, 2014 in San Diego, and 2015 in Salt Lake City, and next year's Midyear in Washington D.C. We have been chosen to host the IAWJ Biennial in Washington D.C. in the spring of 2016, and are looking ahead to that exciting occasion. The Site Selection Committee is actively engaged in finding a venue for our 2016 Annual Conference.
3. It is my goal as President to get to an event in most of the Districts. So far I have been with members of:
  - District 2 at the NY Chapter Holiday Party;
  - District 3 at a tribute event to our member Hon. Sandra Robinson who received an award from the NJ Bergen County Bar;
  - District 4 for all its spectacular events including a Mentor Jet program in D.C.;
  - District 5 for the sensational Annual Meeting in Miami Beach;
  - District 6 for the investiture of NAWJ member Hon. Bernette Johnson as Chief Justice of Louisiana;
  - District 7 for a Mentor Jet program at my alma mater, the Michigan Law School;
  - District 9 for the Infinity Project Summit in Iowa; and
  - District 14 for a kickoff event for the 2014 Annual conference in San Diego.
4. We network with numerous professional and women's organizations with which we partner. These include national and local bar associations and women's organizations. Just this year we have been involved in activities with the:
  - a. American Bar Association
  - b. National Association of Women Lawyers
  - c. Conference of Chief Justices
  - d. American Judges Association
  - e. National Judicial College
  - f. The National Association of Administrative Law Judiciary
  - g. National Consortium on Racial & Ethnic Fairness in the Courts
  - h. National Center for State Courts (NCSC)
  - i. Infinity Project
  - j. Iowa State Bar Association
  - k. State Justice Institute
  - l. Center for Public Policy Studies
  - m. Immigrant Defense Project
  - n. ConSource
  - o. American Association of University Women
  - p. National Women's History Museum
  - q. League of Women Voters



5. One of my roles as your President is to attend conferences and events of partner organizations to establish and maintain close ties with them. So far I have been to the NCSC Rehnquist Award Dinner, the IAWJ Canadian Chapter Conference, and the annual Infinity Project Summit, and I have plans to attend the NAWL Annual Award Luncheon, the annual conference of the Conference of Chief Justices, the American Bar Association Margaret Brent Award ceremony, and the annual conference of the American Judges Association. NAWJ has co-sponsored ABA programs on human trafficking and other topics, the Infinity Project's Annual Summit, and the National Association of Women Lawyer's Annual Meeting & Awards Luncheon.
  
6. Our Executive Director, Marie Komisar, and I represent NAWJ at public events to foster NAWJ's visibility. We attended the signing of the Reauthorization of the Violence Against Women's Act and the White House celebration of the 50th Anniversary of the Equal Pay Act. We attended the investiture of member Jenny Yang as Commissioner of the Equal Employment Opportunity Commission. Lynn Schafran attended a Congressional briefing on the Hague Treaty on International Abductions. Hon. Sheila Woods-Skipper attended a symposium of the National Judicial College.

**ADVOCACY & AWARDS**

Our advocacy this year has included resolutions and efforts on behalf of filling Federal vacancies; support for consideration of women and minorities in the appointments of judges; support for the reauthorization of the Violence Against Women Act, including expansion of the jurisdiction of tribal courts; support for a bill to restrict shackling of pregnant detainees in Maryland, a project to educate voters on proper criteria in states which hold judicial elections; and consideration of the best ABA model rule for judicial disqualification as a result of campaign contributions to judicial elections.

Through its annual awards to members and non-members, NAWJ recognizes both members and non-members who make significant contributions to the goals we espouse. Our Awards Committee is currently considering candidates for this year's annual awards. In addition, the Awards Committee has expanded its scope to include considering occasional nominations of our members for awards that are awarded by other organizations. This year we are proud that one of our founding members, and our third president, Judge Gladys Kessler of the U.S. District Court for the District of Washington D.C., was selected by the ABA Commission on Women in the Profession for its prestigious Margaret Brent Award, with the support of NAWJ.

**WOMEN & CHILDREN & THE DISADVANTAGED**

Our signature projects:

1. Color of Justice,
2. MentorJet,
3. Outreach to law schools,
4. Women in Prison programs, and
5. Human Trafficking programs are being put on in our Districts throughout the country.

**JUDICIAL EDUCATION**

Our Midyear conference included topics on judicial independence, immigration, human trafficking, and entitlement rights. We publish Counterbalance which not only keeps us up to date, but includes scholarly articles.

Through your activities to organize, put on, and/or attend programs, through your work as District Directors and officers, through your work as Committee chairs and members, together we make NAWJ a vibrant, busy organization, which plays different roles for different folks. You help keep us in the policy arena as a voice to be consulted. You keep us engaged in community outreach to women in prison and girls in detention, and to youth and law students. You keep us focused on the needs of speakers of other languages to assure they have access to justice. You help organize conferences and local events. You undertake strategic planning. All of this activity is breath taking.

Many Thanks to our hardworking staff:

- Marie Komisar, Executive Director;
- Craig Evans, who oversees our finances;
- Lavinia Cousin, publications manager; and
- Mary-Kathleen Todd, a wonderful addition to our staff who focuses on conference planning.

Our staff struggles mightily to keep up with it all, and to provide us with top quality member services.

Many Thanks to all our Members, who make NAWJ a truly wonderful organization. Special Thanks to our Landmark Sponsors and Conference Friends who help us keep afloat financially.

With a solid foundation from our past, and A dynamic present, NAWJ is well poised for the future.

*Joan V. Churchill*



## **MIDYEAR SUMMARY BY HON. JOAN V. CHURCHILL**

NAWJ's 2013 Midyear Meeting and Leadership Conference was a smashing success in every respect. Nearly 300 people attended the three day conference which took place at locations around Capitol Hill, Washington, D.C. A wide range of timely topics were covered, including: Violence Against Women Act, Tribal Court jurisdiction, federal judicial appointments, judicial independence issues with a special focus on administrative and magistrate judges, historical discrimination against women's rights to inherit and pass benefits to others, immigration, and human trafficking. The conference was also a financial success with special thanks to the generosity of our wonderful Friends Committee – co-chaired by Elaine Metlin of Dickstein Shapiro and Nicole Erb of White and Case; Life Members who made special donations; board member contributions; and to the large number of NAWJ members.

### **MEETING ON CAPITOL HILL**

Our Midyear Conference began with our annual meeting on Capitol Hill in the Rayburn House Office Building with the Congressional Caucus for Women's Issues' represented by Congresswoman Eleanor Holmes Norton of the District of Columbia. Leading the meeting, she spoke on the recent passage of the Violence Against Women Act, federal judicial appointments, and lack of voting representation for District of Columbia residents. We were inspired and enthralled by Keynote Speaker ABA President Laurel Bellows, and by Interior Department Solicitor Hilary Tompkins who drew on her own experiences as a Native American who chose to work for the tribal justice system when she was a young lawyer. Former Maryland Lt. Governor Kathleen Kennedy Townsend put in a plug for the importance of our continuing to meet with different branches of government to work on matters of mutual concern. Senior Counsel Maggie Whitney from the Senate Judiciary Committee's majority staff shared the frustrations they face in trying to move nominations for judicial appointments.

### **SHAKESPEARE AND THE LAW**

A special feature of the Midyear Conference was a joint program with the Shakespeare Theatre, which included a reading of the passage in *Henry V*. This passage discussed Salic Law and its prohibition of women's rights of succession. This inspired us to consider the topic of barriers in modern times to women's rights to confer benefits on men, such as social security benefits for widowers and military housing benefits for husbands of female officers, which were considered in Supreme Court cases argued by Justice Ginsburg before she became a member of the Court. Well known attorney Abbe Lowell graciously welcomed us on behalf of the Bard Association of the Shakespeare Theatre Company. The law firm of Fulbright & Jaworski, L.L.P. (now Norton Rose Fulbright) again hosted us for an elegant reception at their office.

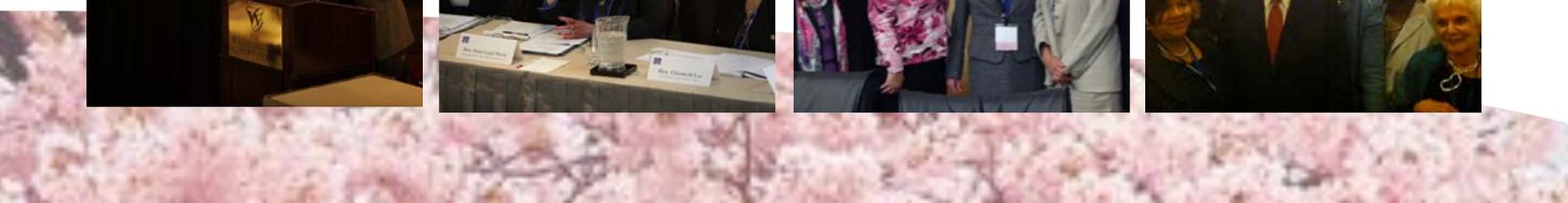
### **UNITED STATES SUPREME COURT**

A major highlight of the Midyear Conference was our tour, Forum, and reception at the U.S. Supreme Court. Chief Justice Roberts, an NAWJ member, joined us and mingled at the reception. Justice Ruth Bader Ginsburg greeted us with a historical nod to the connection of the Supreme Court Building to the women's movement, given it was built on the site of what was formerly the location of the headquarters of the National Women's Party. A reception followed a thoughtful discussion at the Court which Professor Vicki Jackson of Harvard Law School masterfully moderated on comparing judicial independence issues for judges on different types of special courts with those on general courts. Chief Judge Eric Washington of the District of Columbia Court of Appeals; Judge Pauline Newman of the U.S. Court of Appeals for the Federal Circuit; Michael Ponsor, U.S. District Judge for the Western District of Massachusetts; Dana Marks, Immigration Judge and President of the National Association of Immigration Judges; and Ann Breen-Greco, State Administrative Law Judge and Immediate Past Chair of the ABA Administrative Law Conference provided a panel from diverse types of benches. An earlier panel reviewed the latest Supreme Court immigration decisions, including one decided a few days earlier, to bring us up to date on that hot topic.

### **HUMAN TRAFFICKING TRAINING**

Our all day trafficking training program received such high acclaim that we have been invited to discuss ways we could assist the Department of Homeland Security in its Blue Campaign to eradicate human trafficking; and partner further with the American Bar Association's Task Force on Human Trafficking. Organized by NAWJ President Judge Churchill and NAWJ Human Trafficking Subcommittee Chair Judge Elizabeth Lee, with special thanks to and support from Ellen J. Rosenthal, Vice President and Assistant General Counsel at Pfizer Legal Alliance, the presentations enthralled attendees with meaningful information and insights. Among the presenters were Professor Louise Shelley, Director of the Terrorism, Transnational Crime and Corruption Center, George Mason University; Catherine Chen, Director of Investments, Humanity United; Judge Virginia Kendall, U.S. District Court, Northern District of Illinois; Dr. Jose Hidalgo, Massachusetts General Hospital; Agnieszka Fryszman, Esq., Cohen Milsten; Karima Maloney, Deputy Chief, Department of Justice, Civil Rights Division; Martina E. Vandenberg, Founder and President, The Human Trafficking Pro Bono Legal Center; John Martin, Director, Center for Public Policy Studies; Honorable Alice Hill, Senior Counselor to the Secretary, U.S. Department of Homeland Security; Judge Dana Marks, Immigration Court, San Francisco, CA; Steven Weller, Senior Consultant, Center for Public Policy Studies; and Judge Joy Cossich Lobrano,





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& all that JAZZ

NATIONAL ASSOCIATION OF WOMEN JUDGES

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NAWJ gratefully acknowledges the artwork services of Marian Herbert-Bruno.

## CONFERENCE HIGHLIGHTS

### WEDNESDAY, OCTOBER 9

First Time Attendees and Mentorship Gathering

International Judges and Mentors Reception (By Invitation)

Welcome Reception at the Ritz Carlton Hotel

### THURSDAY, OCTOBER 10 JAZZ BREAKFAST AND WELCOME CEREMONY

#### PLENARY SESSION

“The New Politics of Judicial Selection”

#### CONCURRENT SESSIONS:

- Pre and Post Disaster Planning
- International Roundtables
- Film Screening: “The Invisible War” - a documentary on sexual assault in the military

#### KEYNOTE LUNCHEON

Speaker: Kenneth Feinberg, Esq.

#### CONCURRENT SESSIONS PART ONE:

- Assisted Reproductive Technology: Brave New World?
- Prison Is Not Just for Punishment Anymore
- Sexual Assault in the Military: Panel and film discussion with Amy Ziering, producer

#### CONCURRENT SESSIONS PART TWO:

- Assisted Reproductive Technology: Just a Little Help From My Friends?
- Incarceration Alternatives & Re-Entry Programs
- Film Screening: “Girl from Birch Creek” – a biography of the Hon. Rosalie Wahl

Reception at Louisiana Supreme Court

### FRIDAY, OCTOBER 11

#### PLENARY SESSION

Writing a Woman Judge’s Life: Judicial Biography as History

#### CONCURRENT SESSIONS:

- Multi District Litigation by the Federal Judges of the Eastern District of Louisiana
- Beyond the Bench: Life after Retirement
- Film Screening: “Sin by Silence” – a documentary on domestic violence and imprisoned battered women

#### FRIENDS LUNCHEON

Keynote Address by Barbara Arnwine, Esq., Lawyers’ Committee for Civil Rights Under Law

Remarks by U.S. Senator Mary Landrieu

#### PLENARY SESSION

Landrieu Family Panel on Public Service – “The Family Business”

#### CONCURRENT SESSIONS:

- At the Intersection of State Courts & Federal Immigration Law
- The Judge as a Public Servant
- Women, Domestic Violence and Mass Incarceration

#### CUISINE IN THE QUARTER

San Diego 2014 Annual Conference Committee Hospitality Suite

### SATURDAY, OCTOBER 12

- Investiture & Annual Business Meeting

#### SPECIAL SESSION

Human Trafficking: Aiding Survivors

Optional Lecture on Creole and Cajun Food by Marcelle Bienvenu

Optional Eden House and Garden District Tour

Gala Awards Banquet

## REGISTRATION INFORMATION

The deadline for registration is **September 8, 2013**. To register, visit [www.nawj.org/annual\\_2013.asp](http://www.nawj.org/annual_2013.asp) where you can register online or download the registration form to fax or mail. Be sure to check off the appropriate boxes if you want to attend either of the two optional excursions on Saturday, October 12.

Registration fees includes all educational sessions, receptions, meals, transportation to events listed in the program and admittance to the hospitality suite.

## REGISTRATION FEES

(Please add \$50 to each category after September 8, 2013)

NAWJ Member First Time Attendee: \$525.00

(Attending after the first three years of joining)

- NAWJ Member Attendee: \$595.00
- Non-NAWJ Member Attendee: \$625.00
- Guest: (Does not include education sessions) \$575.00

## LODGING

The conference host hotel is The Ritz-Carlton, located at 921 Canal Street in New Orleans, Louisiana. Rooms at The Ritz-Carlton are guaranteed at the rate of \$245.00 plus applicable state and local taxes, single or double occupancy. Reservations must be made on or before September 20, 2013, to guarantee the conference rate. The group rate is being offered three days pre/post based on availability. Rates and rooms are subject to availability. To reserve accommodations at the Ritz Carlton find an online link by visiting [www.nawj.org/annual\\_2013.asp](http://www.nawj.org/annual_2013.asp) or call (504) 524-1331 or (800)-826-8987. The group name is “NAWJ 35th Annual Conference.”

Continued from Cover



(From left to right: Representative A.B. Franklin, Dist. 34 (D); Representative Regina Ashford Barrow, Dist. 29 (D); Representative Terry Landry, Dist. 96 (D); Chief Justice Bernette Johnson, Louisiana Supreme Court; and Representative Vincent Pierre, Dist. 44 (D).)



(Senator Edwin R. Murray, Dist. 4 (D); Representative Chuck Kleckley, Dist. 36 (R), Justice Marcus R. Clark, Chief Justice Bernette Johnson, and Representative Jim Fannin, Dist. 13 (D).)

Chief Justice Johnson specifically mentioned the improvements to the state's drug courts and juvenile detention facilities as examples of the success of legislative-judicial cooperation. "Drug courts continue to be the most effective alternative sentencing option in Louisiana," she said. She added that the courts, first established in 1998 to provide treatment options as an alternative to incarceration for drug addicts and alcoholics, have helped more than 10,000 Louisianans overcome addiction and avoid hard jail time.

Louisiana currently operates 48 drug courts that serve 2,779 clients a month. An additional juvenile drug court will be added this month, Johnson noted. Courts provide a combination of treatment, rehabilitation, and educational services.

Chief Justice Johnson also urged lawmakers to continue to carry out reforms of the juvenile justice system, which she called "imperative." She thanked Gov. Bobby Jindal for proposing legislation this year to further overhaul the state's Families in Need of Service program, a pre-delinquency intervention program for families and educators." This legislation effectively draws attention to this issue, and hopefully will result in a dialogue among FINS stakeholders about necessary reforms," Chief Justice Johnson said.

Many believe Families in Need of Service, originally designed to help families bypass court adjudication by accessing services for at-risk youth, has strayed from its original mission and instead created what state Rep. Patricia Haynes Smith, D-Baton Rouge, has dubbed a "cradle-to-prison pipeline."

Chief Justice Johnson also addressed improvements to court interpreter standards, public access to court information on the Internet, and the state bar exam. She concluded by reiterating the importance of a cooperative relationship among the three branches of government and pledged to maintain "open lines of communication."

## HON. SHEILA ABDUS-SALAAM IS THE FIRST AFRICAN-AMERICAN WOMAN APPOINTED TO NEW YORK'S HIGHEST COURT, THE NEW YORK STATE COURT OF APPEALS



Judge Sheila Abdus-Salaam, an NAWJ member since 1992, was the first African-American woman appointed to New York's highest court, the New York State Court of Appeals. She was nominated by Governor Andrew M. Cuomo on April 5, 2013 to fill the vacancy created by the death of Judge Theodore T. Jones. She was confirmed without opposition by a voice vote held on May 6, 2013.

When her appointment was announced Judge Sheila Abdus-Salaam said, "I am honored to be nominated by Governor Cuomo to serve on the New York State Court of Appeals. Throughout my legal career, I have sought to uphold the laws of our state and treat all those who appear before me fairly and with respect and dignity. This nomination presents me with an opportunity to continue to serve New Yorkers and advocate for justice and fairness here in New York State. I thank Governor Cuomo for this opportunity."

Judge Abdus-Salaam has served as an Associate Justice of the Appellate Division, First Department, since April 2009. She was elected Justice of the Supreme Court of the State of New York in November 1993 and re-elected in November 2007. From January 1992 to December 1993, she served as Judge on the Civil Court of the City of New York.

Judge Abdus-Salaam's legal experience extends beyond the bench. She served as General Counsel in the New York City Office of Labor Services from June 1988 to December 1991, and as an Assistant Attorney General in the Civil Rights and Real Estate Financing Bureaus from August 1980 to May 1988. Judge Abdus-Salaam is a graduate of Barnard College and received her J.D. from the Columbia University School of Law.

Announcing her appointment Governor Cuomo said: "As one of our state's most respected and experienced jurists, Justice Abdus-Salaam will bring a wealth of judicial and legal expertise to the New York State Court of Appeals." Rising from working class roots to serve for decades on the bench of the New York State Supreme Court, Justice Abdus-Salaam has a deep understanding of the everyday issues facing New Yorkers, as well as the complex legal issues that come before the state's highest court. Judge Abdus-Salaam's respect for the law and commitment to making New York a more just place to live will continue to benefit all New Yorkers, and I am pleased to send her nomination to the State Senate."

R. Nadine Fontaine, President, Metropolitan Black Bar Association, said, “The Metropolitan Black Bar Association commends Governor Andrew M. Cuomo in his decision to appoint the Honorable Sheila Abdus-Salaam to the New York State Court of Appeals. We congratulate Justice Abdus-Salaam in this historic achievement as the first African-American female judge to sit on the bench of this Court. As she elevates to this position, we strongly believe that she will continue to demonstrate the judicial traits that has garnered her the respect of her peers and the members of the legal community.”

Maureen E. Maney, President of the Women’s Bar Association of the State of New York (WBASNY) said, “The appointment of Justice Abdus-Salaam, a WBASNY member, is not only a source of great pride to our Association, but a benefit to all New Yorkers who are, every day, impacted by the decisions of the state’s highest court. Her experience, intelligence and judicial temperament make her the perfect nominee for this position. The Governor’s nomination not only recognizes the outstanding qualifications she possesses, but also promotes diversity. Governor Cuomo has once again succeeded in serving the people of New York by nominating Justice Abdus-Salaam.”

**WOMEN TO LEAD MARYLAND’S HIGHEST COURT**

By Erin Cox, The Baltimore Sun

Maryland achieved several milestones on July 3, 2013, as Gov. Martin O’Malley named the first woman to lead what will be the first female majority on the state’s top court. The appointments, announced July 3rd in Annapolis, mark a shift in a male-dominated profession and put Maryland among a minority of states with their highest courts led by women.

O’Malley elevated Court of Appeals Judge Mary Ellen Barbera to be chief – the highest-ranking judge in Maryland – and he appointed Court of Special Appeals Judge Shirley M. Watts to take the seat of retiring Chief Judge Robert M. Bell. If confirmed by the Senate, Judge Watts would be the fourth woman on the seven-member court – the first time women would hold a majority in the court’s more than two-century history. Judge Watts also is the first African-American woman to be appointed to the court.

Legal observers say the expanding role of women in Maryland courts represent the culmination of a trend that began 40 years ago when female enrollment in law schools spiked.

“We’ve made some historic strides, but really that’s attributable to the women in the legal profession here in Maryland who have demonstrated such outstanding skills in the courtroom and as lawyers and judges,” said O’Malley, whose wife, Catherine Curran O’Malley, is a Baltimore District Judge.

“Hopefully it will become the norm,” said Joan Churchill, president of the National Association of Women Judges and a retired U.S. immigration judge who lives in Montgomery County.

Hon. Mary Ellen Barbera and Hon. Shirley Watts are “just great, great appointments,” Judge Bell said Tuesday. Judge Bell is required by law to retire from the Court of Appeals when he turns 70 on Saturday.

Judge Barbera, 61, was appointed to the Court of Appeals in 2008 after jobs as an assistant attorney general, as legal counsel to

Gov. Parris N. Glendening and a Court of Special Appeals judge. Watts, 54, was appointed to the Court of Special Appeals in 2011, following nine years as a Baltimore City Circuit Court judge and stints as an assistant state’s attorney and federal public defender.

More than three-fourths of the women on top courts across the country were appointed since 2000.

“That’s the progress that’s been made: Enough women have had the opportunity to prove themselves,” said Sheila K. Sachs, a Baltimore attorney who is chair of the judicial nominating commission. That panel recommended Watts along with four other candidates – three of whom were men – to represent the Baltimore area, a position Bell has held since 1991.

When Judge Barbera graduated from law school in 1984 and when Judge Watts graduated in 1983, roughly 40 percent of law students were women – up from 23 percent a decade earlier, according to data compiled by the American Bar Association.

In 1979 Judge Rita Davidson was the first woman appointed to the state’s top court. Davidson’s five-year tenure ended nine years before the next woman, Judge Irma Raker, was appointed. Judge Raker served nine years before a second woman, Judge Lynne A. Battaglia, was appointed to join her on the court in 2002.

“Studies show that if you have one woman in isolation that her influence is quite limited, because she’s just a token,” said researcher Joan Williams, a law professor who has specialized in gender and employment for 20 years and currently works at the University of California’s Hastings College of the Law. “The important point is that we’re not there anymore.”

In 1989, Maryland’s legal community launched a commission to study gender bias in court rulings, law school educations, and judicial appointments. It found only one woman on an appellate court, and 19 Maryland counties with no female judges at all. When the Select Commission on Gender Equality issued its second report in 2001, it found that between 1989 and 2001, women went from 9 percent of Maryland judges to 23 percent.

Judge Bell, then the Chief Judge, wrote that despite the progress, “We have yet more to do.” The report found no women serving on district or circuit courts in 14 Maryland counties.

“For everyone in the legal system, to see a judiciary or a professional staff that looks like their community, I think that emphasizes trust and confidence that they are going to get a fair shake,” said retired Montgomery County Administrative Judge Ann Harrington, who chaired the commission in 2001. “Our past four administrations have been very focused on making sure that our appointments reflect our community. ... There were a lot of minorities appointed, a lot of women appointed, and the sky didn’t fall. Everyone did well.”

In late April, Supreme Court Justice Ruth Bader Ginsberg remarked at a conference about women on the Supreme Court: “Sometimes I’m asked the question ‘When will there be enough?’ and I say, ‘Well, when there are nine.’ For most of the country’s existence, there were nine of the same sex and they were all men, and nobody thought that that was out of order.” *(This article has been edited.)*

# JUDGE JANE MATILDA BOLIN: BEYOND THE HEADLINES OF HER APPOINTMENT

By Jacqueline A. McLeod, Author of *Daughter of the Empire State: The Life of Judge Jane Bolin*



In 1958, Judge Jane Bolin wrote, “I am always impatient with those who say, ‘You women have come a long way,’ Since I am no gradualist I think to myself that 150 years is too long a time to come ‘a long way’ in and that those gains we have made were never graciously and generously conceded. We have had to fight every inch of the way ... and in the face of sometimes insufferable

humiliation.” Half a century later Bolin’s words still ring true for women in general and African-American women in particular, in the legal profession, whose gains have never been graciously and generously conceded.

A daughter of the Empire State, Jane Bolin was a descendant of a long line of free Dutchess County African-American residents who left an impressive legacy of civil rights protest upon which she built. Once when asked to describe her early life, she said, “I was born April 11, 1908 in a redbrick, three-story house at the foot of one hill and the top of another in Poughkeepsie, New York.” She had framed her life in terms of status and class, situated as she was in a solid middle-class family, (having been born into a professional household with her father, Gaius Charles Bolin, being the first, and for decades the only, African-American lawyer in Poughkeepsie and Dutchess County), at a time when the majority of African-Americans in Poughkeepsie were among the class of domestic servants, day laborers, porters, and janitors. Nevertheless, her words betrayed an in-between-ness suggestive of the obstacles that she would have faced as an African-American woman despite her standing and belonging.

Jane Bolin is easily remembered as a woman of many *firsts*. In 1931, she was the first African-American woman to graduate from Yale University Law School. In 1937, she became the first African-American woman to join the New York City’s Corporation Counsel, and two years later, in 1939, in the shadow of the New York World’s Fair, she became the nation’s first African-American woman judge, when Mayor Fiorello LaGuardia appointed her to the city’s Domestic Relations Court. In 1943, after four years on the bench, she was elected to membership in the Association of the Bar of the City of New York, making her the first African-American woman to be accorded the honor.

This signification of *remarkable firsts* however has limited our understanding of Jane Bolin’s lived visibility beyond the headlines of her appointments. To be sure, her entrance and trajectory in the legal profession are significant nodes in an illustrious career, and have much to teach about the distance that African-American women have traveled in the legal profession. An understanding of her brand of professionalism and how she utilized the authority of her position as a social justice advocate, however, insist that she be

historicized beyond the prescriptive nature of her appointments. It is this *performative* characteristic that excited my interest in Jane Bolin, and with which my book is concerned as it situates her squarely in the milieu of early 20th Century New York City law and politics.

Bolin believed that any judge should possess an acute facility with the law, but thought that it was equally important for a judge of the Domestic Relations Court (or Family Court as it became known in 1962) to have common sense, patience, courtesy, and “a broad sympathy for human suffering, because she will see enough of it.” Yet, she was certain that she could render the greatest service in such a court, designed as it was to protect the rights of children and families. Her efforts to transform the Domestic Relations Court into one more responsive to the needs of the city’s children, regardless of race, are numerous, but she is widely remembered for successfully challenging, early in her career on the bench, the race-specific assignments of probation officers and race-specific placement of children into private child-care agencies that routinely accepted and rejected children based on racial and ethnic background. Bolin’s reformist zeal helped to transform the juvenile justice system for the better when the director of the New York City Office of Probation for the Courts was forced to discontinue the practice and the *Brown-Isaacs Amendment* to the city charter in 1942 prohibited segregation by race in private child-care agencies that received public funds. A similar persistence and advocacy moved her to co-found with Justine Wise Polier, Eleanor Roosevelt, and some other “forward-thinking people,” the new Wiltwyck School for Boys in upstate New York in 1942 to address the discrimination in the placement of African-American boys.

Described as a “militant and a fighter” by judicial colleagues, Jane Bolin possessed an uncommon outspokenness that at times manifested itself in a veritable letter-writing campaign to expose social injustice and demand accountability. Fittingly, this legal professional of many remarkable firsts when properly historicized is also to be remembered as a civil rights trailblazer, who was an active member of the NAACP’s national leadership, and one who functioned just as effectively beyond the confines of organization. Upon Judge Bolin’s retirement from the Family Court in 1978, Justice Constance Baker Motley wrote, “There is a great deal to be said for role model influence. I thought you would like to know that you provided a role model for me at a time when there were very few, if any black women in the law. I also recall hearing nothing but praise with respect to your legal ability when I first came to New York in 1941. When I thereafter met you, I then knew how a lady judge should deport herself.” In 2013, African-American women have more than a few role models in the judiciary. However, Motley’s tribute to Judge Bolin still resonates because it speaks of a standard of professionalism that is timeless with utility for any generation.

\*All quotes taken from Jacqueline A. McLeod, *Daughter of the Empire State: The Life of Judge Jane Bolin* (Urbana: University of Illinois Press, 2011).

## New Judges Corner

### **HONORABLE BERNADETTE D'SOUZA**

NAWJ welcomes the Honorable BERNADETTE G. D'SOUZA who has been elected as the first dedicated Family Court Judge at Civil District Court for Orleans Parish in New Orleans, Louisiana.

Judge D'Souza is no stranger to 'firsts.' She was the first lawyer and judge in her family; first year as a jurist; first Indian-American judge in Louisiana; and, first year NAWJ member. We can thank Judge Mary Hotard Becnel, co-chair of the New Orleans Annual Conference for reaching out to Judge D'Souza as soon as she was elected. Judge Becnel gave her the "gift of NAWJ membership" and invited her to the Miami conference, which she did! Now Judge D'Souza plans to gift it forward!



After graduating from college, Judge D'Souza left India for a psychology exchange program at a hospital in Tehran, Iran. However, revolution seemed imminent and marriage was the only way when Judge D'Souza's boyfriend came to her rescue in Tehran. The two married in Tehran and she moved to New Orleans with her new husband, Dr. Terence D'Souza, also from Goa, India, for him to complete a neurology residency at Tulane.

Judge D'Souza decided to pursue her dream and enrolled in the Tulane University School of Law, when her youngest child reached kindergarten age. Her lifelong involvement with local community organizations addressing issues concerning women and children began prior to law school. While serving on the Board of Directors of the YWCA, Judge D'Souza gained knowledge about battered women's programs and was instrumental in obtaining funding sources for battered women. As President of the YWCA of New Orleans, which she proudly describes as having the premier battered women's program, she realized that no lawyers were representing the victims and that women survivors were without legal representation. After law school graduation, Judge D'Souza embarked upon an eighteen year career as an attorney with Southeast Louisiana Legal Services, where she managed the Family Law and Domestic Violence Unit which she helped establish. Early in her legal career, over ten years ago, she taught both family law and domestic violence as an adjunct professor at Tulane Law School.

The structure and customary practice of the court system often thwarted her efforts to bring order and closure to lives that were disrupted through family violence. All new judges were assigned to the Family Court bench whether or not they had experience with family matters. As soon as an opening became available in another division, the new judge would request reassignment which often resulted in three or more judges presiding over a case from its inception to conclusion. Due to the diverse views and experiences of the presiding judge, decisions were inconsistent within a single case.

As a result of practicing family law in this atmosphere for over fourteen years, Judge D'Souza was determined to find an alternative to the swinging door effect of judicial turnover in the Family Court divisions. She enlisted the assistance of likeminded individuals,

legislators and judicial colleagues to improve this system. Their efforts came to fruition in 2012 when the Louisiana legislature passed a bill creating the first dedicated Family Court for the City of New Orleans. Dedicated Family Court judges are now assigned long term.

In response to her election to the bench, Judge D'Souza enthusiastically says that she is honored for the recognition she received for her commitment and dedication to bring justice to those who often have difficulty navigating the court system. Her vision for the newly created court is "to lay a good foundation and model for best practices while providing an opportunity for everyone to have equal access to the courts." She wants to make a difference in the lives of families and believes that her appointment to the bench will foster and facilitate that process.

Because of Judge D'Souza's dedication to community service, she is frequently sought out as a public speaker. Due to her experience in family law and dedication to ensuring that legal services are available to all who need them, Judge D'Souza was appointed by Louisiana Governors Hon. Mike Foster and Hon. Kathleen Blanco to the Louisiana Commission on Women's Policy and Research. Additionally, she has served on the City of New Orleans Mayor's Domestic Violence Advisory Committee.

Responding to the relevance of NAWJ for new judges, Judge D'Souza has found women's organizations a good opportunity for developing leadership skills. In addition to the YWCA, she has served as President of the Tulane University Women's Association and as President of the Auxiliary Board of the American Academy of Neurology.

Another highlight in Judge D'Souza's professional career came after attending the National Judicial Institute's training on domestic violence when she was invited to join their faculty.

Judge D'Souza expresses gratitude to her colleagues that were NAWJ members who encouraged her to seek a position on the bench. "I am humbled that they believed I would be a wonderful addition to the bench for the dedicated family court seat." Shortly after she was elected to the bench, Judge D'Souza had the opportunity to attend the NAWJ conference in Miami. It was her first NAWJ meeting as a new judge where she attended sessions on domestic violence and human trafficking. Of this experience she says, "I came away with the thought that it is a wonderful organization that provides new judges an opportunity to meet other judges and to attend some good sessions."

In addition to her commitment to developing a successful and accountable Family Court, Judge D'Souza is interested in working with international judges. She believes that her membership in the NAWJ will foster this interest and will serve as liaison to the international judges for the NAWJ conference in New Orleans.

Judge D'Souza and her husband, Dr. Terence D'Souza, have three adult children: Lloyd, a writer/director; Vanessa, a patent attorney; and Christine, an agent with William Morris. Judge D'Souza also has one grandchild and another one on the way.

## DISTRICT DIRECTORS

**District One (MA, ME, RI, NH, PR)**  
Hon. MaryLou Muirhead  
Boston Housing Court  
Massachusetts

**District Two (NY, CT, VT)**  
Hon. Phyllis Orlikoff Flug  
New York State Supreme Court

**District Three (NJ, PA, DE)**  
Hon. Sheila Woods-Skipper  
Court of Common Pleas, 1st Judicial  
District, Philadelphia, PA

**District Four (MD, DC, VA)**  
Hon. Claudia Barber  
District of Columbia Office of  
Administrative Hearings

**District Five (FL, GA, NC, SC)**  
Hon. Diana S. Eagon  
First District Court of Appeal  
Tallahassee, FL

**District Six (AL, LA, MS, TN)**  
Hon. Mary Hotard Becnel  
40th Judicial District Court, LA

**District Seven (MI, OH, WV)**  
Hon. Margaret A. Clark  
Brown County Probate/Juvenile Court  
Georgetown, OH

**District Eight (IN, IL, KY)**  
Hon. Ann Breen-Greco  
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**District Nine (MO, IA, WI)**  
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Hon. Renee Worke  
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**District Eleven (TX, AR, OK)**  
Hon. Orlanda Naranjo  
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**District Twelve (AZ, CO, NM, UT, WY)**  
Hon. Ann Scott Timmer  
Court of Appeals, Arizona

**District Thirteen (WA, OR, AK, HI, ID, MT)**  
Hon. Catherine Easter  
Anchorage Superior Court  
Alaska

**District Fourteen (CA, NV)**  
Hon. Diana Becton  
Contra Costa County Superior Court  
California

## SPECIAL DIRECTORS

**International**  
Hon. Ann Walsh Bradley  
Wisconsin Supreme Court

**ABA Delegate**  
Hon. Norma Shapiro  
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Eastern District of Pennsylvania

## DISTRICT ONE (MA,ME,NH,PR,RI)

In December, Judge Amy Nechtem was recognized at the Annual Meeting by its President Judge James Collins for her many accomplishments as President of the National Association of Women Judges, and particularly for her courage in leading the organization to achieve justice for the disenfranchised and to empower women in the United States and around the world. Judge Collins said, "I am not only proud to call her a colleague in the Juvenile Court and a friend, but to draw attention to a leader among leaders within the Massachusetts judiciary."

Judge Angela Ordoñez, First Justice of the Norfolk Division of the Probate Court, presented her **Beyond the iPad Basics** program at the Flaschner Judicial Institute in January. Judge Ordoñez, who is a master with the iPad and uses it on the bench, makes it easy for her colleagues to utilize this device for more than just social media. The program was well attended and a lot of fun. Keep your eyes peeled for a reprise of this program or the **iPad Basics** program.

Judge Mary Dacey White has been named Acting Chief Justice of the Brookline District Court. Judge White was appointed to the bench in 2006 and is the daughter of the late Judge Kathleen Ryan Dacey, an Administrative Law Judge for the Social Security Administration who was also an NAWJ member.

Judge Dina E. Fein of the Western Housing Court and Judge Cynthia Cohen of the Appeals Court participated in a seminar "Building Your Practice with Limited Assistance Representation."

First Justice of the Probate and Family Court, Judge Paula M. Carey, and Judges Linda S. Fidnick, First Justice of the Hampshire Division of the Probate Court, Beth A. Crawford and Anne M. Geoffrion, First Justice of the Hamden Division of the Probate Court served on the panel for "Sophisticated Issues in Western Massachusetts Family Law Practice." Judge Carey also participated in the Probate and Family Court Lawyer for the Day training.

Retired U.S. District Court Judge Nancy Gertner was honored with the Judicial Excellence Award at the Massachusetts Association of Criminal Defense Lawyers' winter meeting.

Massachusetts has ten new women judges. Two women judges were elevated to the Massachusetts Appeals Court and one was named the Chief Justice of the United States District Court. District One members should look for an invitation to a reception to honor these women in the near future!

## DISTRICT TWO (CT,NY,VT)

Hon. Kathy J. King was sworn in as President-Elect of NAWJ's New York Chapter on January 26, 2013 by Chief Judge Jonathan Lippman.

### METROPOLITAN BLACK BAR ASSOCIATION HONORS NAWJ PAST PRESIDENT LA TIA MARTIN AS JURIST OF THE YEAR



The Metropolitan Black Bar Association (MBBA) held its 29th Anniversary Awards Gala on Friday, May 10, 2013 at Gotham Hall in New York, NY. The theme of the Gala was "Celebrating Visionaries and Leadership." The Honorable Cheryl J. Gonzales, Housing Court Judge, New York County, and the Honorable Alvin M. Yearwood, Acting Supreme Court Justice, Bronx County, served as the Co-Chairs of the MBBA Gala Committee. MBBA Jurist of the Year, Justice LaTia W. Martin, Supreme Court, Bronx County, and NAWJ Past President for 2008-2009, is pictured with her husband Steven "Steve" Young, Esq.

### NAWJ MEMBER JUDGE SHEILA ABDUS-SALAAM HONORED AS FIRST AFRICAN-AMERICAN WOMAN APPOINTED TO THE NEW YORK STATE COURT OF APPEALS

On June 3, 2013, the New York Chapter of NAWJ held its Annual Summer Dinner to honor NAWJ member Judge Sheila Abdus-Salaam and Judge Jenny Rivera for their appointments to the New York State Court of Appeals. Judge Abdus-Salaam is the first African-American woman to serve on the New York State Court of Appeals. NAWJ President-Elect Judge Anna Blackburne-Rigsby travelled from Washington, D.C. to recognize NAWJ Past President Justice La Tia Martin's ten years of service to NAWJ's Board of Directors. Justice Martin was NAWJ's 29th President.

Plans are underway by Hon. Debra James and the Hon. Marcia Hirsch to hold a conference on the topic of quotas and *Fisher v. University of Texas*.

Judge Pamela Jenkins of the County Court in Victoria, Australia enjoyed a working vacation visiting several courthouses and court personnel in New York in an effort to exchange ideas regarding the latest court technology innovations.

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

**NATIONAL JUDICIAL COLLEGE SYMPOSIUM**

On April 7-8, 2013, District Director Judge Sheila Woods-Skipper represented NAWJ at the National Judicial College Symposium on Civility in the American Justice System: Promoting Public Trust and Confidence.

The goal of the Symposia was to:

- Produce educational proposals that can be used to conduct programs/presentations throughout the justice system and in the community.
- Determine issues that should be addressed in future justice improvement initiatives.
- Identify educational material for justice system entities.
- Promote collaboration among all who seek to improve justice.

Judge Woods-Skipper was honored to represent NAWJ, a recognized leader in the justice system which contributes to developing improvements.

**ANNUAL DISTRICT BREAKFAST MEETING**

The District met in Hershey, PA on Saturday July 27, for a breakfast meeting at the Hershey Hotel in Hershey, PA during the Pennsylvania State Trial Judges Conference.

**DELAWARE**

**SISTERS IN SUCCESS: A CONFERENCE FOR AND ABOUT WOMEN**

The Delaware Chapter of NAWJ sponsored its first annual Sisters in Success: A Conference for and about Women. Delaware's First Lady, Carla Markell, presented the keynote address for the Sisters in Success Conference on Monday, May 13, 2013, at the Baylor Women's Correctional Institution. The day-long conference, led by the Hon. Jan R. Jurden, Delaware Superior Court Judge, brought together a team of professional women from the local community and offered a series of workshops designed to provide Delaware's women inmates with the tools necessary to make a successful transition back into the community. Following First Lady Markell's keynote address, the women participated in a variety of workshops moderated by various Delaware experts on topics focusing on emotional and behavioral changes critical for success. Workshops explored issues related to personal growth and health awareness, intimate partner violence, grief and loss, educational needs of children, positive relationships, employment skills, emotional development, and re-entry services.

The event was sponsored by the Delaware Department of Correction, Baylor Women's Correctional Institution (BWCI), the Delaware Women in the Law Section, Delaware State Bar Association, Delaware Chapter of National Association of Women Judges and the Delaware Criminal Justice Council.

**NEW JERSEY**

New Jersey recognizes the enthusiasm and energy of its State Chairs Judge Michelle Hollar-Gregory (Chair) and Judge Estela M. Delacruz (Co-Chair).

**HON. MARILYN LOFTUS**

On March 14, 2013 Judge Marilyn Loftus, former NAWJ President (1988-1989) and founder of the New Jersey chapter, was honored at the Historic Courthouse in Newark. Every year the Essex County Bar Foundation honors judges and attorneys who passed in the prior year. Former District Three Director Judge Sue Pai Yang was asked to speak about Judge Loftus. Her remarks are below:

*Good afternoon everyone. My name is Sue Pai Yang. Last year I retired as a Workers' Compensation Judge here in Newark. I thank Fred Miceli for this opportunity to speak on behalf of Judge Marilyn Loftus.*

*I had the privilege of serving as Judge Loftus' law clerk during the 1984-85 term when she sat here in the Law Division of the Essex County Superior Court. That was soon after Chief Justice Robert Wilentz appointed her the first Chair of his newly established NJ Supreme Court Task Force on Women in the Courts. I recall after a full day in court, I would then drive Judge Loftus to all these meetings and hearings. I was enthralled to be present at the discussions of this august group of judges and advisors. To the surprise of many, the published findings of this Task Force demonstrated that bias against women indeed occurred in the courts and laid out its extent and impact. The New York Times quickly published it on its front page.*

*This Task Force which Judge Loftus served as Chair from 1982 to 1990 was the first in the nation and soon thereafter similar task forces were established throughout the nation. Judge Loftus became a sought after speaker and chaired a national task force. During this time, Justice Wilentz also appointed Judge Loftus to the Appellate Court in Morristown making her busier than ever.*

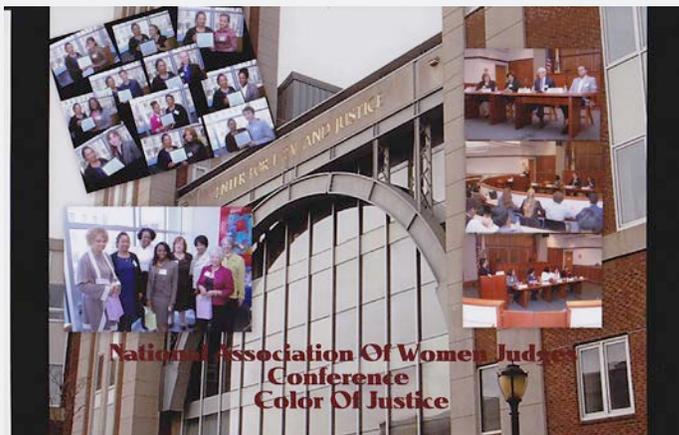
*Judge Loftus was a trailblazer who served as the President of the National Association of Women Judges from 1988 to 89. Our present NAWJ President, Judge Joan Churchill of Maryland, credits Judge Loftus' success to her perseverance in the face of much ridicule when she first set the agenda for the task force. Judge Loftus deservedly has been the recipient of numerous awards for her efforts to bring awareness of gender bias that in fact undermines fairness for everyone. Soon thereafter, Justice Wilentz also established a Supreme Court Task Force on Minority Concerns that I had the privilege to serve on. Judge Loftus' efforts have thus effectively changed the judicial landscape forever.*

*On an individual basis, Judge Loftus was a mentor to many in the law. I for one am indebted to her for the guidance she gave me at every stage of my legal career. Every time I had a fork in the road or a setback, she was there to give me advice and encouragement. Judge Loftus had genuine care for her law clerks, kept up with our career developments and helped us by opening doors and providing guidance. Former law clerk Jennifer Kinsley remembers how Judge Loftus spoke fondly of her law clerks at our reunions as a "United Nations" family and was proud that she was able to select great law clerks from immense diversity as to age, gender, ethnicity, religion and work experience. She is missed by many.*

*Now may she rest in peace with God at her side.*

Sue Pai Yang

**COLOR OF JUSTICE AT RUTGERS**



New Jersey held its Color of Justice Program on April 6, 2013 at Rutgers Law School, Newark, NJ. This year's program built on prior programs which high school students from Essex County attended. The Program presented panel discussions hosted by judges, attorneys and various other legal professionals who discussed the legal profession as a career, and answered questions from student participants.

## DISTRICT NEWS

### NAWJ JOINS STREET LAW

This year, New Jersey will partner with the Rutgers School of Law Street Law program to educate inner-city communities and Newark residents about the workings of government, the encounters they face in daily life, and their legal rights and responsibilities.

### DIVERSITY AWARD DINNER OF THE BERGEN COUNTY BAR ASSOCIATION



On March 21, 2013, the Diversity in the Profession Award was presented to

Hon. Sandra Ann Robinson, an Administrative Law Judge and former District Three Director, by the Bergen County Bar Association and Women Lawyers in Bergen. Attorney Paulette Brown, NAWJ 2011 Annual Conference Friends Committee Chair, was a

featured speaker. Approximately one hundred (100) guests attended including NAWJ President, Hon. Joan V. Churchill from Maryland. During the award dinner, Charles Kahwaty, Esq. announced that the family of the late Honorable Isabel Starks had presented Judge Robinson with Judge Starks' NAWJ brooch.

Judge Sandra Ann Robinson was also honored by the Garden State Bar Association on June 1, 2013.

### NEW JERSEY WOMEN'S LAWYERS PLATINUM GALA



(From Left: Judge Estella DeLaCruz, Dean Frances Bouchoux of Rutgers Law School, Judge Michelle Hollar-Gregory and Judge Rosemary Gambardella.)

Judge Estella DeLaCruz joined Dean Frances Bouchoux of Rutgers Law School, Judge Michelle Hollar-Gregory and Judge Rosemary Gambardella at the New Jersey Women's Lawyers Platinum Gala where New Jersey Supreme Court Justice Jaynee La Vecchia received the Judicial Sector Award. U.S. Bankruptcy Court Judge Judith Wizmur received The Federal Judicial Sector Award. Dean Frances V. Bouchoux received the Trailblazer Award. Over 650 persons attended the Gala. The keynote speaker was Dee Dee Myers, former White House Press Secretary to President Clinton. The New Jersey chapter of NAWJ also received a grant award for its 2013 Color of Justice Program at the event.

### NEW JERSEY ATTENDS THE NATIONAL CONSORTIUM ON RACIAL AND ETHNIC JUSTICE IN THE COURTS ANNUAL CONFERENCE



Former District Director Sue Pai Yang attended the National Consortium on Racial and Ethnic Justice in the Courts Conference held in Washington, D.C. in March 2013. Judge Yang, along with D.C. Administrative Law Judge Caryn Hines, pictured below, was elected to the Consortium's Advisory Board. Read more about the Conference in District Four news.

### PENNSYLVANIA

NAWJ recognizes its leadership in Pennsylvania: Judge Andrea Marceca Strong (State Chair); Judge Maria M. Cook (Co-Chair, Central); Judge Stephanie Domitrovich (Co-Chair, Western); Judge Debbie O'Dell Seneca (Co-Chair, Western); Judge Cheryl Austin (Co-Chair, Eastern); Judge Doris Peckurow (Co-Chair, Eastern).

Members met on February 23, 2013, during the Pennsylvania State Trial Judges Conference in Pittsburgh. Planning for future projects were discussed as well as increasing membership and involvement.

NAWJ members Judges Karen Shreeves-Johns, Lisette Shirdan-Harris, Elizabeth Jackson, Ida Chen and Sheila Woods-Skipper participated in the Growing Judge Program sponsored by the Clifford Scott Green Chapter of the National Bar Association at the University of Pittsburgh Law School. The panel discussed the road to the bench and granted eight summer internships to the school.

Led by Judge Doris Peckurow, the Philadelphia NAWJ Chapter sponsored its second Success In and Out Conference at the Riverside County Correctional Facility, inclusive of 15 agencies participating, on June 27, 2013. Strong sustained enthusiasm by the facility's Prison Commissioner and Warden sustains the initiative's success, as well as that from other participating agencies who presented at the conference two years ago.

Hon. Carla Pratt from Carlisle, PA, an Associate Justice of the Standing Rock Sioux Supreme Court, will be publishing *Sisters in Law: Black Women Lawyers' Struggle for Advancement* in the Michigan State Law Review.

Judge Linda Ludgate, who had been a Trial Judge for twenty-three years in Reading, PA, this year moved to Senior Judge status. She is active in her community, serving on a local hospital Board, assisting the Bernadine Sisters OSF. Judge Ludgate was recently honored with the Justice William Strong Award by the Berks County Bar Association. This award is named for Supreme Court Justice Strong, who practiced law in Berks County, and was awarded for outstanding contributions to the profession and community, and for exemplifying the values and life of Justice Strong.

On March 14, Judge Doris Peckurow participated in a program at the United Nations on Laws Against Violence Against Women. Salwa Kadar, Founder of the U.S. Federation Middle East Peace, reached out to NAWJ, Violence Against Women Committee for judges to join one of several programs centered on women's rights. Judge Peckurow joined Hon. Cathy Serrette, Maryland Circuit

Court Judge and Hon. Elizabeth Lamb, United States Immigration Judge on the panel, along with professors from Harvard University School of Law and Istanbul University School of Law.

**VIRGIN ISLANDS**

NAWJ recognizes the support of State Chairs Justice Maria M. Cabret (Chair) and Judge Audrey L. Thomas (Co-Chair). They both continue to work to encourage participation and membership in NAWJ events. Research is underway on the possibility of an NAWJ District meeting in the Virgin Islands during the Pennsylvania Bar Association Conference which will be held in January 2014. Also in discussions is the possibility of an NAWJ panel discussion or workshop regarding human trafficking during the conference.

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

**iPAD AND iPAD APPS FOR JUDGES**

On March 5, 2013 at the District of Columbia Superior Court, District Director Claudia Barber hosted *iPad and iPad Apps for Judges* presented by the D.C. Chapter of NAWJ along with the Federal Administrative Law Judges Conference (FALJC). District of Columbia Superior Court Judge and NAWJ member Hon Herbert Dixon shared the essentials of owning an iPad. Over thirty attendees were enthralled with learning the iPad's most basic yet powerful tools.

**SO YOU THINK YOU WANT TO WRITE A BOOK**

Later in the month, on March 28, the District presented "So You Think You Want to Write a Book." Lawyers, judges, law students, and all other friends of NAWJ were invited to a judicial reception and forum including speakers: Professor Steve Wermiel of American University Washington College of Law, and author of *Justice Brennan*; Judge (retired) Janice Law, founder of the American Women Writers National Museum and author of *The Fires of London, Night Bus, Time Lapse, Backfire and Cross-Check*; Gene Taft, book publicist; and Allison Leotta, author of *Discretion* and a new book, *Speak the Devil*. The event was held at the U.S. District Court for the District of Columbia.

**PAST PRESIDENT JUDGE GLADYS KESSLER HONORED WITH THE ABA MARGARET BRENT AWARD**



U.S. District Court Senior Judge Gladys Kessler, one of NAWJ's earliest presidents (1982-83), is being honored with the Margaret Brent Award by the American Bar Association. The 2013 Margaret Brent Women Lawyers of Achievement Awards will be presented on Sunday, August 11, 2013 in San Francisco during the ABA Annual Meeting.

Judge Kessler was appointed to the United States District Court for the District of Columbia in July 1994. She received a B.A. from Cornell University and an L.L.B. from Harvard Law School. Following graduation, Judge Kessler was employed by the National Labor Relations Board, served as Legislative Assistant to a U.S. Senator and a U.S. Congressman, worked for the New York City Board of Education, and then opened a public interest law firm. In June 1977, she was appointed Associate Judge of the Superior Court of the District of Columbia. From 1981 to 1985, Judge Kessler served as Presiding Judge of the Family Division and was a major architect of one of the nation's first Multi-Door Courthouses. She served as President of the National Association of Women Judges from 1982 to 1983; served on the Executive Committee and as Vice President of the ABA's Conference of Federal Trial Judges; and on the U.S. Judicial Conference's Committee on Court Administration and Management for six years. She now serves on the Judicial Conference's Committee on Federal Defender Services. Judge

Kessler co-chaired the Committee of the National Academy of Sciences which, in 2011, produced the Third Edition of the Reference Manual on Scientific Evidence of the Federal Judicial Center. She is also Vice-Chairperson of the District of Columbia Commission on Judicial Disabilities and Tenure.

**LET FREEDOM RING**



NAWJ and Howard University joined to present a staged reading of *Let Freedom Ring*, a play written by District of Columbia Office of Administrative Hearings Judge Paul Handy, featuring a cast of notable local judges and politicians. Former Maryland Lieutenant Governor Kathleen Kennedy Townsend was on hand to offer introductory remarks. The play takes place in six scenes showcasing Dr. Martin Luther King, Jr.'s emergence as a civil rights leader during the Montgomery bus boycott. Cast members included (many pictured in photo above): Judge Krystal Alves, Circuit Court for Prince George's County; Councilman Marion Barry, District of Columbia (Former Mayor); Judge Emanuel Brown, Circuit Court for Baltimore City; Judge Edward Hargadon, Circuit Court for Baltimore City; Judge Anita Josey-Herring, District of Columbia Superior Court; Judge Larnzell Martin, Circuit Court for Prince George's County; Congresswoman Eleanor Holmes Norton; Judge Sheila Tillerson Adams, Circuit Court for Prince George's County; Judge Robert Rigsby, District of Columbia Superior Court; Judge Vanessa Ruiz, District of Columbia Court of Appeals; and Judge Alexander Williams, U.S. District Court for Maryland.

A "Meet the Cast" and celebratory reception followed the reading. NAWJ Equal Access to Justice Scholarships were presented to Howard University School of Law students Irnise Fennell and Candice Smith. Special recognition was made of school Interim Dean Okianer Dark, all three pictured in photo right.



**WOMEN AND THE RULE OF LAW: A VIEW FROM THE AMERICAS RECEPTION**



NAWJ President Hon. Joan Churchill, with Past President Hon. Vanessa Ruiz and President Elect Hon. Anna Blackburne-Rigsby at the Embassy of Peru on February 26, 2013. They attended a reception the evening before a joint conference entitled "Women and the Rule of Law: A View from the Americas," sponsored by the League of Women Voters, IAWJ, and the Inter-American Dialogue, at which Past President Hon. Vanessa Ruiz was a speaker.

## NATIONAL CONSORTIUM OF RACIAL AND ETHNIC FAIRNESS IN THE COURT ANNUAL CONFERENCE



The National Consortium of Racial and Ethnic Fairness in the Court (NCREFC) held its 25th Annual Conference in Washington, D.C. from March 20-23, 2013. The conference theme was “Remembering The Past As We Envision And Embrace the Future,” as the nation celebrated the 150th anniversary of

the Emancipation Proclamation and the 50th anniversary of the March on Washington. The opening session, which reflected on the history of the National Consortium, took place at the Historic Courthouse, home to Judge Blackburne-Rigsby’s court, the District of Columbia Court of Appeals. Pictured above from left: Judge Sue Yang, NAWJ Liaison to the NCREFC Annual Conference; Judge Joan Churchill, NAWJ President; Judge Anna Blackburne-Rigsby, NAWJ President-Elect and NCREFC Conference Chair; Judge Edward Clark Clifton, NCREFC President (Superior Court of Rhode Island); Sally Kader, President, U.S. Federation for Middle East Peace (USFMEP), NAWJ member.



Pictured (from the left) during evening events, the Hon. Marilyn Kelly, former Chief Justice of the Michigan Supreme Court; Justice Bridget Mary McCormack, a new member of the Michigan Supreme Court; and Judge Churchill.

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

Col. Tara Abbey Osborn profiled by the Los Angeles Times on the shooting rampage at an Army Base in Central Texas, by Molly Hennessy-Fiske

*Capital murder trials are rare in the military’s criminal justice system, but they are familiar territory for the judge who will handle the trial of Maj. Nidal Malik Hasan, the former Army psychiatrist charged with killing 13 people and wounding 32 in a shooting rampage at this base in central Texas. The judge is Col. Tara Abbey Osborn, and she once served at Ft. Hood, the sprawling facility known as “the Great Place.” Osborn has presided over “numerous serious felony trials, one capital trial and other non-capital homicide trials,” a base spokesman said. The capital trial involved Army Sgt. Joseph Bozicevich, who was found guilty of two counts of premeditated murder in the 2008 slayings of his squad leader and another soldier in Iraq.*

*Bozicevich, 41, was spared the death penalty and sentenced to life in prison after the military jury at Ft. Stewart, Ga. didn’t return a unanimous verdict. The death penalty is an option in military trials only when a guilty verdict for premeditated murder is unanimous. Hasan, 42, who could face the death penalty, is charged with 13 counts of premeditated murder and 32 counts of attempted premeditated murder. Osborn is uniquely equipped to handle the Hasan case, former colleagues say, describing her as a strict but fair judge. “She has an outstanding reputation. She’s been a judge for a while and she has death penalty experience, which is probably why she was selected,” said Lisa Marie Windsor, a former Army lawyer who served at Ft. Hood and knows Osborn.*

*Windsor, who now works for a private law firm in Washington, said Osborn “has a lot of experience in criminal law, probably more than most because it’s an area she wanted to stay in.” Osborn is Chief Judge*

*for the Army’s 2nd Judicial Circuit, which includes Ft. Bragg, N.C., and bases in Alabama, Georgia and South Carolina. A graduate of the University of South Carolina Law School, Judge Osborn was admitted to the bar in 1987, joined the Army the next year and has served in Asia and Germany, as well as posts on the East Coast. In 1996, she was assigned to Ft. Hood for three years.*

## FLORIDA

Judge Gladys Perez was elected the NAWJ State Chair for Florida.

The Miami Child Well-Being Court was a featured plenary at the Children’s Bureau’s National State Court Improvement Project Grantee meeting in Bethesda this May. Judge Cindy S. Lederman addressed the court improvement teams from every state and several tribal jurisdictions in a presentation entitled “Using Science and Evidence Based Practices in the Court to Improve Outcomes for Children and Families with Services that Work: The Journey to the Miami Child Well-Being Court”

The Miami Jewish Legal Society honored Judge Lisa Walsh and Beth Bloom. Judge Walsh was also awarded the prestigious “In the Company of Women” award from Miami-Dade County in celebration of Women’s History Month. Speaking of celebrating, Miami-Dade has its first female Chief Judge, Judge Bertila Soto.

## RETIRED JUDGE BARBARA LEVENSON PENS THIRD BOOK OF MARY MAGRUDER KATZ MYSTERY SERIES

NAWJ Life Member, Judge Barbara Levenson (retired) has published her third book in the Mary Magruder Katz mystery series. *Outrageous October* was released in February and is available at Amazon.com as a trade paperback and an e-book. Quick intro: “Mary, the Miami criminal defense attorney protagonist of the series catches Carlos, her hot Latin boyfriend having dinner with his ex-spouse. Broken hearted, she packs her dog Sam and her disappointment and runs away to Vermont to stay in a friend’s summer home. It isn’t long before she discovers that an unsolved murder was committed in that very house. It also is not long before she discovers that there is just as much mayhem in the Green Mountain State as there is in Miami. Two murders, a kidnapping and a neighborhood squabble that blows up into all-out war keep Mary as busy in Vermont as she is in Miami.”

The Levensons spend their summers in Quechee, Vermont. *Outrageous October* is the book that New England fans of the series requested. Will Mary return to Miami? Will Carlos win her back? You’ll just have to read *Outrageous October* to find out. Visit Judge Levenson’s website [www.barbaralevenson.com](http://www.barbaralevenson.com) and her blog, Barbara’s Bulletins.

## Meet Me in Miami

By Myriam Lehr and Lisa Walsh



November 7-11, 2012 marked the 34th Annual NAWJ Conference, held at the Renaissance Eden Roc Hotel in Miami Beach, Florida. Over 400 attendees, speakers and guests, including notable educators, physicians, judges,

authors, and journalists attended from around the country and the world. The Education Committee, chaired by Judges Cindy Lederman and Laurel Isicoff, offered sessions on a wide range of topics including lawyering and justice, the impact of the economic downturn on access to justice, and emerging issues that affect nations in transition.



The International Committee, chaired by Judge Judith Chirlin (retired) and Mercedes Bach, welcomed forty international attendees from twenty-five countries, including judges from Pakistan, Afghanistan and Bangladesh.

NAWJ is particularly grateful for the generosity of our scholarship donors, Florida International University School of Law, the Bob Kauffman Fund, the State Department, the American International Law Association, and the International Section of the American Bar Association. Our international visitors enjoyed a visit and tour of Miami's local courthouses escorted by Speakers, Finance Chair Judge Gladys Perez and Security Chairs Judges Spencer Multack and Rodolfo Ruiz. Our visitors were welcomed with a mentor-mentee reception hosted by Judge Monica Gordo.

The conference program opened with "We Can Do It! Fighting Back to Protect Judicial Independence," featuring *Slate* Magazine Senior Editor Dahlia Lithwick. Ms. Lithwick addressed the nationwide trend toward media attacks on appellate judges and state Supreme Court Justices facing merit retention election. Case in point was the recent merit retention election of Justice Dana Fabe, who successfully defended against media attacks sponsored by non-resident entities in Alaska. Immediately preceding the plenary session, Supreme Court of Florida Justice Barbara Pariente spoke about her unprecedented experience in Florida defending her position in a highly-contested merit retention election.

The conference also offered non-academic sessions on authorship, mindfulness, and women's health. Education Co-Chair, Judge Laurel Isicoff and Judge Chris McAliley energized our conference with two new activities – morning yoga and evening dining options in "Dining Around Miami," where fellow NAWJ members enjoyed dinner at some of Miami's best restaurants. Excursion and dining options were also provided, courtesy of Judges Marisa Tinkler Mendez and Valerie Manno Schurr. Members of the Women in Prison Initiative visited a Florida women's correctional facility for a tour hosted by ArtSpring.

The Southern District of Florida, Chief Judge Federico Moreno, Judge Joan Lenard, and attorneys Lilly Ann Sanchez and Bruce Lehr hosted a reception at the Wilkie D. Ferguson, Jr. District Courthouse. NAWJ members were welcomed by University of Miami Law School, the Cuban American Bar Association and Judge Rosemary Barkett to her lush, tropical home for a "Noche de Salsa." We enjoyed an authentic paella and danced on an outdoor dance floor to a live salsa band.



Noted author Lisa Bloom, Author of *Think: Straight Talk for Women to Stay Smart in a Dumbed-Down World*, gave an inspiring speech at our opening luncheon on the importance of women pushing intellectual boundaries. Our Friends Luncheon was attended by hundreds of conference supporters. Congresswoman Ileana Ros-Lehtinen enjoyed a luncheon "conversation" with Speakers and Finance Chair Judge Gladys Perez on bipartisanship, gender issues and her leadership role in Congress. We provided members the opportunity to purchase books by our noted authors.



Our conference raised \$237,000 through the efforts of our Friends Committee, chaired by attorneys Elizabeth Hernandez, Linda Leali and Detra Shaw-Wilder, and our Corporate Partners Committee, chaired by attorney Mikki Canton.

We could not have functioned as smoothly as we did without the tireless efforts of Judge

Marcia Caballero, who organized over one hundred volunteers to assist with conference planning. Our conference entertainment and Gala planning was expertly provided by our Social Committee Chairs, Judges Nushin Sayfie and Lourdes Simon.

The conference was capped off by a Gala where we enjoyed the company of so many extraordinary guests. We bid farewell to the exceptional presidency of Judge Amy Nechtem, who led NAWJ with such panache during the last year and whose support of the conference planning team was invaluable to its success.



**GEORGIA**

Justice Sara Doyle of Atlanta is NAWJ's State Chair for Georgia.

**NORTH CAROLINA**

**JUDGE JANE HARPER OF CHARLOTTE IS NAWJ'S STATE CHAIR FOR NORTH CAROLINA.**

Justice Timmons-Goodson was recognized at The North Carolina Annual Bench & Bar Reception. She served as a District Court Judge before her appointment and election to the North Carolina Supreme Court in 2006. She was the first African-American woman to serve on the Supreme Court of North Carolina. Her twenty-five years of service in the state's judiciary system made Justice Timmons-Goodson the longest serving active judge in the state at the time of her retirement in late 2012.

Mecklenburg District Judge Rickye McKoy-Mitchell, who has served on the bench for nearly fourteen years, won the 2012 Julius L. Chambers Diversity Champion Award for her efforts to advance

## DISTRICT NEWS

diversity and equal opportunity. This award recognizes individuals with high ethical standards, unquestioned integrity, consistent competence and who champion diversity in the legal profession. "Judge McKoy-Mitchell has always worked tirelessly, but quietly, to support causes she believes in, from youth mentorship to preventing teen violence," Mecklenburg Chief District Judge Lisa Bell said. "She never looks for accolades but unquestionably deserves them. She epitomizes a true public servant."

Justice Rhoda Bryan Billings, former Chief Justice of the North Carolina Supreme Court, is the 34th recipient of the North Carolina Bar Association (NCBA) Judge John J. Parker Award. Justice Billings has served the NCBA tirelessly throughout her distinguished career. When the District Court system was established in North Carolina in 1968, Justice Billings was one of five successful candidates and the only woman elected to serve in Forsyth County. She served on the North Carolina Supreme Court in 1985-1986, and as Chief Justice in 1986. Justice Billings was the second woman to serve on the North Carolina Supreme Court and also the second woman to serve as Chief Justice. She is also the second woman to receive the Judge John J. Parker Award. This award was established in 1959 by the NCBA as "the highest honor of the association bestowed in recognition of conspicuous service to the cause of justice." In February 2013, Justice Billings also received the Medallion of Merit, the highest award given by Wake Forest University, for outstanding service to the University.

Judge Allyson Duncan of the 4th District U.S. Circuit Court of Appeals was elected President-Elect of the Federal Judges Association. Judge Duncan had previously served on the North Carolina Court of Appeals, was the first woman President of the North Carolina Bar Association and received the Judge of the Year award by the North Carolina Women Attorneys.

### **SOUTH CAROLINA**

Chisa J. Putman of Rock Hill is NAWJ's State Chair for South Carolina.

Chisa Putman continues to serve as the South Carolina Young Lawyers Division Chair of the Color of Justice Committee. In October 2012, the committee successfully hosted the Color of Justice in Charleston, SC at the Charleston School of Law and in November 2012, the committee hosted the program at the City of Rock in Rock Hill, SC. Chisa Putman was awarded the South Carolina Young Lawyers Division Star of the Quarter for her leadership of the Color of Justice program. At the ABA Young Lawyers Division Annual Meeting in Chicago, the SC Young Lawyers Division Color of Justice program won first place in the Minority Service Project category. As a result of the honor Chisa Putman was invited to present the program at the ABA Young Lawyers Division Affiliate showcase in Charleston, SC at the ABA Young Lawyers Division Fall Conference. In addition to her work with the Color of Justice, Chisa is also a member of the ABA Young Lawyers Division, where she serves on the Member Service Team. Chisa was recently selected as a participant in the 2013 SC Bar Leadership Academy.

## **DISTRICT SIX (AL,LA,MS,TN)**

### **HON. BERNETTE JOSHUA JOHNSON BECOMES FIRST AFRICAN-AMERICAN CHIEF JUSTICE OF THE LOUISIANA SUPREME COURT**

The District congratulates Chief Justice Bernette Joshua Johnson who once again made history in Louisiana when she was sworn



in as the first African-American Chief Justice of the Louisiana Supreme Court. Coincidentally, her investiture coincided with the bicentennial celebration of the Louisiana Supreme Court. NAWJ President Hon. Joan Churchill attended



the celebrations, along with a large representation of the Louisiana Bar, Judiciary, state officials and many well-wishers. Chief Justice Johnson's legal career focused primarily on civil rights and her judicial career commenced with her election as the first woman judge for Civil District Court in New Orleans. She has received numerous local and national awards for her public service and currently serves as Co-Chair of the NAWJ 2013 Annual Conference in New Orleans.

Also making history is Chief Judge Susan

Chehardy of the State of Louisiana Fifth Circuit Court of Appeal. Chief Judge Chehardy was the first woman judge elected to the Fifth Circuit in 1998, and this year she became the first woman Chief Judge for that court. Additional notable judges elected to Louisiana's appellate courts this year include Judge Sandra Jenkins, Fourth Circuit Court of Appeal; Judge Jeanette G. Garret, Second Circuit Court of Appeal; and Judge Frances Pittman, who was replaced on the district bench by Judge Katherine Dorrah.

Judge Bernadette D'Souza was honored with the Public Service and Leadership Award by the Loyola School of Law, BLSA A. P. Tureaud Chapter.

Judge Laurie White was recognized by the American Correctional Association with its 2013 Innovation in Corrections Award for her Re-Entry Court program.

NAWJ 2013 Annual Conference Co-Chair Judge Mary Hotard Becnel was honored by the National Association of Social Workers Louisiana Chapter as Public Official of the Year.

In state judicial leadership roles, Judge Sharon Marchman served as Chair of the Louisiana Judiciary Commission and Judge Madeleine Landrieu currently serves as President of the Louisiana Judicial College.

The NAWJ NOLA Conference Committee is working diligently on the Annual Conference to be held in New Orleans, October 9-13, at the Ritz-Carlton Hotel. An exciting and diverse program is being planned.

The District is pleased to announce Judge Margaret Alfonso, Harrison County Court, Gulfport, Mississippi as State Chair for Mississippi. Judge Alfonso reports that the Mississippi Legislature passed House Concurrent Resolution #50 honoring Chancellor Denise Owens, Chancellor Patricia Wise, Judge Betty Sanders and Judge Lillie Sanders as among the first African-American woman judges in the State of Mississippi.

The Mississippi Access to Justice Commission was created by the Mississippi Supreme Court to develop strategies and ideas to increase access to justice in civil legal matters and to work to reduce barriers to the justice system for the poor. Chancellor Denise Owens currently co-chairs the Commission, and Judge Margaret Alfonso also serves on the Commission.

Judge Ermea J. Russell was also honored as the first African-American Appeals Court Judge.

**DISTRICT SEVEN (MI,OH,WV)**

**THOMAS M. COOLEY LAW SCHOOL - ANN ARBOR HOST MENTORJET**



Sponsored by NAWJ, Women’s Lawyers Association of Michigan Thomas M. Cooley Law School and the Thomas M. Cooley Law School Career and Professional Development Department, MentorJet took flight yet again at the Ann Arbor Campus of Thomas M. Cooley Law School on February 6, 2013. Thirty-Sixth District Court Judge and former District Director Hon. Katherine Hansen chaired this outreach program assisted by thirty-five volunteer mentor attorneys, judges and professors, including NAWJ member Judge Elizabeth Pollard Hines.

**WAYNE STATE UNIVERSITY SCHOOL OF LAW SHOWCASES MENTORJET**



In concert with NAWJ, the Detroit Metro Bar Association, Black Women Lawyers Association of Michigan and the Women Lawyers Association of Michigan - Wayne Region, Judge Hansen chaired the increasingly popular MentorJet with

special support from the Wayne State University Law School as host. Among the thirty volunteer lawyers and judges was NAWJ member and former District Director Judge Susan Moiseev (retired). One mentor, Valerie Newman, argued and won *Lafler v Cooper* in the Supreme Court of the United States last term. *The New York Times* referred to the case as the single most important right to counsel case since *Gideon v. Wainwright*.



Caption: Right: Allison Bach, a partner in the Bankruptcy Practice at Dickinson Wright, is second to Judge Hansen in promoting the MentorJet program in Michigan. Left: Eric Sabree.

**THOMAS M. COOLEY LAW SCHOOL – AUBURN HILLS AND NAWJ PRESENTS MENTORJET**

Volunteers from the May 13, 2013 joint NAWJ and Oakland County Region of the Women Lawyers Association of Michigan Logic gathering at the Auburn Hills Campus of Thomas M. Cooley Law School.



**MENTORJET VISITS NAWJ PRESIDENT’S ALMA MATER -UNIVERSITY OF MICHIGAN, ANN ARBOR**

The University of Michigan School of Law in Ann Arbor, alma mater of NAWJ President Judge Joan Churchill, played host to MentorJet on April 16.



Susan Guindi, Assistant Dean of the Office of Career Planning.

## DISTRICT NEWS

In Ohio, Judge Margaret Clark, returning as District Director, has recently been named to the Supreme Court of Ohio's Advisory Commission on Children, Families and the Courts, and was honored as part of the Ohio Educational Service Center Associations' Annual Meeting for her service in reducing and preventing truancy in the schools in Brown County, Ohio.

### DISTRICT EIGHT (IL,IN,KY)



ABA President Laurel Bellows with Human Trafficking Task Force Co-Chairs Jimmy Goodman and Linda Hayman, pictured left, addressing the Task Force meeting at the ABA 2013 Midyear in Dallas. In same paragraph, make lower case human trafficking. District Eight Director Judge Ann Breen-

Greco was in attendance. Judge Breen-Greco was appointed by President Bellows as the NAWJ liaison to the Task Force. NAWJ co-sponsored a panel on human trafficking at the ABA Midyear which over 60 persons attended.

On April 9, Judge Ann Breen-Greco, as a member of the Global Fund for Women's Chicago Committee, attended a breakfast meeting which hosted Muadi Mukenge, Global Fund for Women Regional Director for Sub-Saharan Africa, and Amelia Wu, Global Fund for Women Director of Philanthropic Partnerships. They are based in San Francisco and were invited to attend the ABA's spotlight on Human Trafficking: New Law and Next Steps.

NAWJ also co-sponsored a program with the ABA's Task Force on Human Trafficking held on May 21 in Chicago at the federal courthouse entitled "Human Trafficking: How We Can Make a Difference." The program featured panelists: Anita Alvarez, Cook County State's Attorney; Judge Virginia Kendall, United States Federal Court, Northern District; Katherine Kaufka Walts, Director, Center for the Human Rights of Children, Loyola University; and Kathe Morris Hoffer, Deputy Executive Director, Legal Director, Chicago Alliance Against Sexual Exploitation. The program was held at the Northern District Federal Court.

District member Judge Laretta Wolfson graciously agreed to represent NAWJ at the National Judicial College 50th Anniversary symposium in Chicago, June 23-25, on the topic of *How Courts Resolve Disputes: The Role of the Jury Trial in the 21st Century*.

#### PERCEPTIONS OF JUSTICE, BY JUDGE ANN BREEN-GRECO

The ABA hosted the Judicial Division's (JD) Perceptions of Justice Program in Chicago on March 14 and 15, 2013. A number of NAWJ members attended including Judges Cheryl Cesario, Sophia Hall, Toni Clark, and Ann Breen-Greco. The ABA JD ensured that attendees included physically challenged individuals and LGBT representatives. In addition to NAWJ representatives and the ABA JD Conferences and ABA Commissions and Standing Committees, attendees included the American Association for Justice, American Judicature Society, Brennan Center for Justice at NYU School of Law, Coalition on Racial and Ethnic Justice (CORE), Federal Magistrate Judges Association, International Association of LGBT, Justice at Stake, Kettering Foundation, National Association for Court Management, National Association of State Judicial Educators, National Bar Association, National Center for State Courts, National LGBT Bar Association, National Native American Bar Association, and the Williams Institute.

According to the program materials, the Program developed in the late 1980s when many federal and state courts studied how

litigants, jurors, attorneys, judges, and the general public perceived the administration of justice. In particular, the courts were concerned with how the litigants' race or ethnicity affected the actual administration of justice, and the public's perception of how the courts responded to race and ethnicity. These studies led to reports and recommendations and several states created "listening" programs for members of the public to share their experiences with the justice system.

In 2008, the ABA Judicial Division Lawyers Conference created the Perceptions of Justice Project. The Lawyers Conference held programs nationwide in Boston, Dallas, Chicago, Washington, D.C., San Francisco, and Atlanta. Each event was uniquely designed to provide education and a forum for open dialogue between judges and members of the community about perceptions of and personal experiences with the justice system. A modified "town hall" format with small group discussions was used for some programs and expert panels with audience participation were employed in others.

The Chicago Summit promoted opportunity for in-depth discussion on all forms of bias in the courts, which generated ideas on how to address these issues, including future training for all components of the legal profession. ABA JD will issue a report on findings and recommendations.

### DISTRICT NINE (IA,MO,WI)

#### 2013 INFINITY PROJECT IN IOWA

Hon. Joan Churchill attended this year's Infinity Project which took place this year in Iowa on June 20, which NAWJ again co-sponsored. This is a special year with the confirmation of Judge Jane Kelley of Iowa to the 8th Circuit U.S. Court of Appeals. The Infinity Project has sponsored a rotating CLE and Summit meeting each year since 2008 in one of the states that comprise the 8th Circuit to highlight the lack of women on the 8th Circuit; ensure a pipeline of qualified women applicants; and to engage U.S. Senators and the President to encourage the appointment of women to the 8th Circuit. Until Judge Kelly's confirmation in April, there was only one woman on the 8th Circuit, and none for several years. A number of Judge Kelly's new colleagues on the 8th Circuit attended.

#### IOWA BUSINESS SPECIALTY COURT

Iowa District Court Judge Annette J. Scieszinski has been selected to serve as one of three judges on the statewide Business Specialty Court. The three-year pilot project commenced May 1st, and was conceived as a track for complex business disputes that will afford litigants a flexible, cost-effective, and timely forum. Innovations from this project that prove successful will be considered for application to other trial courts in Iowa. Judge Scieszinski has served seventeen years on the District 8-A circuit of ten rural counties, and will continue that rotation as time allows, in addition to the specially assigned business cases. She will maintain her leadership role in the National Conference of State Trial Judges, serving as Secretary on the Executive Board, and chairing the Education Committee.

The Honorable Ellen Levy Siwak was appointed as the Administrative (Presiding) Judge of the St. Louis County Family Court and Chair of the Domestic and Family Violence Council of St. Louis County. On April 19, 2013, Judge Siwak was honored with the Distinguished Young Alumna Award by Washington University School of Law.

Hon. Angela Turner Quigless, Missouri Court of Appeals, Eastern District, will receive the 2013 Women's Justice Public Official Award.

Hon. Laura Denvir Stith, Missouri Supreme Court, will receive the 2013 Women's Justice Woman of the Year Award.

Stephanie M. Rose became a U.S. District Court Judge in the Southern District of Iowa on September 17, 2012, and immediately

joined NAWJ. Judge Rose is the first female to serve as a District Court Judge in the Southern District of Iowa. Judge Rose previously served as the U.S. Attorney for the Northern District of Iowa.

Rebecca Goodgame Ebinger was appointed as a District Court Judge for the Fifth Judicial District of Iowa in late 2012 by Iowa Governor Branstad. Judge Goodgame Ebinger filled the vacancy created by the retirement of Judge Artis Reis. Judge Goodgame Ebinger previously served as an Assistant United States Attorney for both the Northern and Southern Districts of Iowa, and is now an NAWJ member.

Wisconsin Supreme Court Chief Justice Shirley Abrahamson made history on April 10, 2013 when she became the longest serving justice on the Wisconsin Supreme Court. She broke the long-standing record of thirty-six years, seven months and three days, which was held by former Justice Orsamus Cole. He commenced his service in June 1885 during the early days of statehood. Chief Justice Abrahamson was the first woman to serve on the Wisconsin Supreme Court. She commenced her service on the court in 1976 and became Chief Justice in 1996.

Wisconsin Supreme Court Justice Ann Walsh Bradley recently spoke in Washington D.C. to a delegation of the U. S. Department of State's International Visitor Leadership Program. The delegation included professionals in the legal field, including judges and attorneys, as well as NGO leaders advocating for women's issues and the rights of women. The program examined the role of women in the legal profession and efforts to strengthen and protect women's access to justice.

Judge Ruth Klotz retired on January 31, 2013 at the tender age of 90. Judge Klotz served as the Associate Probate Judge for the Fifth Judicial District of Iowa for thirty-four years. She was a role model, trailblazer and mentor to countless Iowa judges and attorneys. Congratulations on an outstanding career on the bench!

**DISTRICT TEN (KS,MN,ND,SD)**

**KANSAS**

**NEW JUDGES NAMED TO THE BENCH**

Kansas has had several new women named to the bench since August 2012 and January 2013. Mary Mattivi, Christina M. Dunn Gyllenborg, Lori Ann Bolton Fleming and Delia Maria York now serve as state District Court Judges. Debra Wright, Renee Henke, Paula Hofaker and Elizabeth Ensley-Deiter now serve as Magistrate Judges. We welcome them and are happy to have them join the bench!

**BARD AT THE BAR: *The Merchant of Venice***

On October 23, 2012, Judge Sheila Hochhauser and Judge Maritza Segarra, along with Judge Stephen Hill, Court of Appeals, participated in the Bard at the Bar: *The Merchant of Venice*. The mock trial, held at Kansas State University, modeled the yearly mock trials held by the U.S. Supreme Court for the National Shakespearean Society. Members of the local bar acted as attorneys for Shylock, the appellant, and the appellee, the City of Venice. Actors from the London Stage theatre company were also in attendance as they were on campus for their performance of the Merchant of Venice the following day.

Kansas is hoping to hold another MentorJet program later this year.

**MINNESOTA**

Minnesota women judges participated in the *Justice Esther M. Tomljanovich Tea for Women in the Law* in April. A NAWJ Access to Justice Scholarship was awarded to Stephanie Chandler who is attending William Mitchell College of Law. A CLE presentation on leadership effectiveness occurred prior to the tea.

Minnesota judges also participated in a documentary screening on April 10th titled Celebrating Women Pioneers in Minnesota's Judiciary. The event included a screening of *Girl from Birch Creek:*

*The Life and Legacy of Justice Rosalie Wahl*. Following the screening, there was a commentary by panelists including NAWJ member Justice Wilhelmina Wright, retired Supreme Court Justices Esther Tomljanovich and Kathleen Blatz, and retired Court of Appeals Judge Harriett Lansing. Additionally the Rosalie Wahl Leadership Lecture service is an ongoing presentation available to membership. Justice Rosalie Wahl was the first to serve on Minnesota's highest Court.

The Minnesota Women Lawyers and the Minnesota Judiciary joined together for the Annual Judges Dinner on Wednesday, May 22. There was a brief program followed by a reception and dinner highlighting on-going projects and events.

NAWJ member Hon. Korey Wahwahsuch, associate tribal court judge of Leech Lake, Cass County, Minnesota has just been named to the District Court bench in the 9th Judicial District. Two additional women were also appointed to the 9th District bench—Hon. Jana Austad and Hon. Ann Rasmusson.

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

**COLOR OF JUSTICE EVENT —PAVING THE WAY FOR DIVERSITY**



On April 17, 2013, the sixth annual National Association of Women Judges, Travis County Women Lawyers Association, University of Texas School of Law William Wayne Justice Center, along with several sponsoring law firms, Akin Gump Strauss Hauer & Feld LLP, Wilson Sonsini Goodrich & Rositi LLP, and Winstead PC held an

educational, informative Color of Justice event for Austin's youth. There were approximately seventy-five (75) minority students from three different high schools, Garza, Akins and East Austin College Preparatory Academy.

This half-day event featured two panel discussions with speakers sharing their personal experiences and backgrounds, encouraging the students to pursue a career in law, discussing the importance of personal commitment and perseverance, and the role and responsibility of a judge. Students watched the Color of Justice Video. As part of the program, University of Texas first year law student, Simone Otenaika, received a \$1,000 "Access to Justice Scholarship" given to her by District 11 of NAWJ for her demonstrated and passionate commitment to the achievement of equality of opportunity and access in the justice system. She shared her commitment and passion with the students and described her participation in the law school's Pro Bono program and the Immigration Clinic.

The first panel, titled "The Color of Justice: Making a Difference," was led by several esteemed judges, including Texas Supreme Court Justice Eva Guzman, District Director 11 Judge Orlanda Naranjo 419th Judicial District, Judge Eric Shepperd of the Travis County Civil Court, County Court at Law #2, and Judge Carlos Barrera, Travis County Criminal Ct., County Court at Law #8, of whom many are the first Latinas on their respective benches.

The second panel, titled "Law as a Career: Preparing the Way" featured legal professionals from varied practice areas, including Alex Gonzales, Winstead PC (regulatory and corporate law), Renee Castillo-De La Cruz (criminal defense), Tracy McCormack (professor at UT Law), Rudolph Metayer, Texas Department of Aging and Disability (also President of the Black Lawyers Association of Austin) and Simone Otenaika, University of Texas Law Student and NAWJ Scholarship Recipient.

## DISTRICT TWELVE (AZ,CO,NM,UT,WY)

### COLORADO CHAPTER HOSTS MENTORJET PROGRAM

The Colorado Chapter of the National Association of Women Judges, under the leadership of Colorado Court of Appeals Judge Terry Fox, hosted a “Speed Mentoring” event at the Ralph L. Carr Judicial Building on March 6, 2013. The program connected law students with judges and distinguished lawyers in Colorado, and provided inspiration to young professionals as they commenced their legal careers. Sixty law students attended from the University of Denver Sturm College of Law and the University of Colorado Law School. In addition to NAWJ Judge Fox, the mentors included:

- Lisa Christian, Regional Attorney for the U.S. Department of Agriculture
- Leslie Fields, Managing Partner of Faegre Baker Daniels
- Kris Gomez, Legal Counsel for the Colorado Education Association
- Kelly Robinson, Partner at Sherman and Howard
- Patricia Thatcher, Partner at Campbell Killin Brittan & Ray
- Colorado Court of Appeals Judges Hon. Laurie Booras, Hon. Stephanie Dunn, Hon. Nancy Lichtenstein and Hon. Diana Terry
- Jefferson County District Court Judges Lily Oeffler and Chris Phillips
- Denver District Court Judge Elizabeth Starrs
- Adams and Broomfield Counties Magistrate Judge Emily Anderson

After welcoming remarks by Judge Fox in the COA courtroom, students were assigned to groups of three or four.

Colorado Court of Appeals judicial law clerks Jeremy Chaffin, Megan Embrey, Brad Gray, Alex Harpp, Jessica Lowrey, Molly McNab, Ben Meade, Anjali Nanda, Julie Nichols, Dan Snare, and



University of Denver Sturm College of Law and the University of Colorado Law School law students in the Colorado Court of Appeals court room. Photo courtesy of Devon Fox, Fox & Gifford Photography.



Patricia Thatcher of Campbell Killin Brittan and Ray mentors University of Denver and the University of Colorado Law School students.



Colorado Court of Appeals Judge Nancy J. Lichtenstein mentors University of Denver and the University of Colorado Law School students.

Dmitry Vilner provided tours of the new courthouse, and assisted with ensuring that the station rotations ran smoothly.

Following the “speed mentoring” portion of the evening, a reception, hosted by Sherman & Howard partner Jordan Fox, was held in the atrium of the Ralph L. Carr Judicial building, providing students with an opportunity to follow up with mentors.

The students, mentors and law clerks in attendance agreed that the event was very enjoyable and valuable. Judge Fox plans to continue hosting the event biennially.

## STATE OF THE JUDICIARY 2013 (EXCERPTS)

By Chief Justice Dana Fabe, Alaska Supreme Court

February 13, 2013



President Huggins, Speaker Chenault, Senators and Representatives, and guests. The State of the Judiciary presents a welcome opportunity to highlight both the achievements of the Alaska Court System and the challenges it faces, and on behalf of all the court system employees statewide I would like to thank you very much for the opportunity to speak with you today.

It has been over a decade since I first stood before you during my first term as Chief Justice. In the years since, your support has helped bring many positive changes to our justice system. We now have a statewide computerized case management system that has revolutionized access to court records. We have a Family Law Self-Help Center that has provided vital and timely legal information to tens of thousands of families facing crises each year. And we have Therapeutic Courts across the state that have allowed countless Alaskans struggling with addiction and mental health issues to return to more healthy, law-abiding lives. These changes, and many others like them, have reshaped our justice system in a manner that has served Alaskans well. And we couldn't have made any of them without your unfailing support for improving the way we do things.

Yet some things have not changed in ten years. The fundamental mission of the Alaska Court System remains the same:

- to provide a fair and impartial forum for the resolution of disputes, according to the rule of law;
- to operate as efficiently as possible;
- to be accessible to all Alaskans; and
- to honor our country's promise of equal justice.

And we remain dedicated to being good stewards of the resources you have entrusted to us. Today, as the tradition of the State of the Judiciary enters its fifth decade, I'm pleased to report that these core principles continue to guide us every day, and I'm proud to share with you some new ways in which they are being brought to life.

**Fairness.** Probably the foremost expectation that all of us have of our justice system is that it will be fair to all concerned. What people should expect from a judge is courtesy, respect, and thoughtful consideration. And what they should expect from the process is to understand what happened, and why. Even if a judge's decision ultimately goes against them, people can best accept it if they believe they were fully heard and fairly treated. Whether judges impose a term of probation as part of a criminal sentence or visitation and child support terms as part of a divorce decree, the manner in which they do so can have a critical impact on the parties' willingness to comply. And greater compliance means fewer enforcement problems, fewer disputes, more peace for all concerned, and – ultimately – fewer public costs.

But how do we promote and maintain a climate of fairness? How do we ensure that citizens feel confident that their dispute will be resolved in an impartial manner in accordance with the rule of law? Well, if you go into a hospital lobby, you will often notice a sign containing a clear statement of your rights as a patient: that you are entitled to be treated with dignity and respect and to have your questions answered. Alaskans who come to court should have the same assurances. So today, I announce a pledge to each litigant, defendant, victim, witness, juror, or other person who is involved in

a court proceeding: The judge and court staff will listen to you, treat you with respect, and respond to your questions. We will post this pledge in every courthouse in the state.

It may seem simple and obvious, but it is our belief that this pledge of fairness, consistently offered and openly displayed, will go a long way to remind everyone in our courthouses that ensuring fairness is an active process, for which there are no short cuts. Courtrooms must be places that foster understanding and respect for our laws, for the people affected by them, and for the judges who endeavor to uphold them. They must be places that help bring a sense of clarity, community connection, and confidence that justice will be served. It is in this spirit that we reaffirm to the people of Alaska that listening, respecting, and explaining are the hallmarks of what justice requires.

**Tribal Courts.** A second trend that holds promise for improving access to justice in remote villages is the growing role of tribal courts in resolving a range of local justice issues. When I began my legal career in the mid-1970s, you didn't hear much about tribal courts in the legal problem-solving context; in fact, you rarely heard much about tribal courts at all. But there have been significant changes in the landscape of state-tribal relations in recent decades, and these changes encourage us to work more cooperatively together.

As you know, the existence of tribes or tribal courts in Alaska is a question of federal – not state – law, and for two decades the federal government has recognized Alaska Native tribes. These tribes have become involved in a wide range of activities affecting the welfare of Alaska Native people, from health care, to social services, to community and economic development. Against this backdrop, it is important to weave a more clear role for tribal courts into the overall fabric of our justice system if we are to be truly responsive to the needs and concerns of Alaska's Native people.

State and federal statutes and court rules already authorize state courts to enlist the assistance of local organizations such as tribal courts and elders' councils when seeking to resolve certain types of cases. For example, the Minor Consuming Alcohol statute allows a state court to refer an offender to a "community diversion panel" and to require the offender "to comply with conditions set by the panel, including counseling, education, treatment, community work, and payment of fees." In addition, Alaska Civil Rules specifically endorse local dispute resolution in civil cases by allowing parties to "agree to resolve disputes, subject to court approval, by referring them to tribal courts, tribal councils, elders' courts, or ethnic organizations." Finally, Alaska Child in Need of Aid Rules authorize state courts to transfer jurisdiction of CINA proceedings involving tribal children to tribal court in accordance with the federal Indian Child Welfare Act. Yet despite these and other opportunities for tribal court or elder council involvement, cooperation and coordination are often hampered by the same factors that have always posed a challenge for rural justice delivery: geographic distance, isolation, and cultural and language differences, among others.

These challenges are not limited to Alaska. The National Conference of Chief Justices has long urged increased communication and collaboration with tribal courts across the country and the reduction of jurisdictional conflicts between federal, state, and tribal courts. Most recently, in 2011, the organization endorsed a resolution encouraging greater information sharing between federal, state, and tribal courts to better protect Native children. Today, I'm pleased to report that in Alaska we are making some progress toward addressing these concerns.

Shortly after my term as Chief Justice commenced last year, the court system and tribal justice groups sponsored joint training on circle sentencing that included both state and tribal judges and

**Finally, Alaska Child in Need of Aid Rules authorize state courts to transfer jurisdiction of CINA proceedings involving tribal children to tribal court in accordance with the federal Indian Child Welfare Act. Yet despite these and other opportunities for tribal court or elder council involvement, cooperation and coordination are often hampered by the same factors that have always posed a challenge for rural justice delivery: geographic distance, isolation, and cultural and language differences, among others.**

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provided a valuable opportunity for us to learn from each other. Tribal Court Judge Natasha Singh of Stevens Village, Chief Tribal Court Judge Ellen Sovalik of the Native Village of Barrow, and Chief Judge David Voluck of the Sitka Tribe of Alaska each brought a wealth of personal and professional experience to the issues. And this coming fall, I will invite tribal court judges to join our training sessions on procedural fairness and working effectively with self-represented litigants.

In addition, we are fortunate that Alaska Legal Services Corporation has recently completed the 2012 Alaska Tribal Court Directory, which lists ninety tribal courts across the state and the types of cases they handle. As many of you know, Alaska Legal Services Corporation has played a vital role in rural justice delivery for over four decades, and continues to provide civil legal assistance to many rural residents each year. The value of Alaska Legal Services Corporation's presence in our rural regions cannot be overstated, and the detailed directory it has created no doubt stems in part from its familiarity with, and long-term commitment to, the legal needs of Alaska's rural people. The directory will greatly enhance the ability of state and tribal courts to connect, communicate, and develop a network of working relationships – all very important steps on the path toward demystifying state and tribal court processes, fostering common understanding, and building the bonds of shared purpose.

In many cases, tribal courts are handling relatively minor problems that would likely never reach the state court system, yet have a degrading impact on a community's sense of security and well-being. And some of the risky behaviors they seek to address, especially in young people, might never come to the attention of state law enforcement. For example, during a recent visit to Southeast, Justice Maassen and I were able to meet with Chief Judge Voluck and Judge Peter Esquiro of the Sitka Tribe of Alaska. They told the story of a young tribal member who was starting to get into trouble. The teen was brought to tribal court on a Minor Consuming Alcohol charge under a cooperative program with the City and Borough of Sitka called the "Tribal Youth Diversion Effort." The tribal judges decided he needed a role model who could help him focus his energy in more positive ways. Because the youthful offender expressed an interest in and talent for wood carving, he was directed to serve an apprenticeship with a local Master Carver. The young man responded well to the tribal court's efforts and has been since successful in avoiding any further trouble with the law.

"We are always searching," Chief Judge Voluck explains, "searching for what will spark their inner fire. What are they interested in?"

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**Last summer, new Bethel Superior Court Judge Charles Ray was sworn in as Alaska's first deaf judge – and the only full-time deaf trial judge currently serving in our country. Judge Ray cannot hear, but because of modern real-time transcription technology, he can provide a full and fair opportunity to be heard to the same extent as any other judge.**

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What are their unique gifts? How can we overcome two major hurdles facing rural Alaskan youth: boredom and apathy?"

As we have learned elsewhere, early intervention matters, and makes a huge difference in the effectiveness of outcomes. And for many isolated villages, the simple reality is that early intervention for tribal members is often more likely to come from local tribal courts than from state courts that are miles away.

Tribal courts bring not only local knowledge, cultural sensitivity, and expertise to the table, but also valuable resources, experience, and a high level of local trust. They exist in at least half the villages of our state and stand ready, willing, and able to take part in local justice delivery. Just as the three branches of state government must work together closely to ensure effective delivery of justice throughout the state court system, state and tribal courts must work closely together to ensure a system of rural justice delivery that responds to the needs of every village in a manner that is timely, effective, and fair. In short, we must all work together if we are to meet the tremendous challenge of bush justice. To borrow the nautical expression for rousing help in an emergency, the crisis in our villages demands "all hands on deck."

It is my hope that we can put behind us the days when villagers express doubt and dissatisfaction with our delivery of justice because it happens too far away from them. It is my hope that we can put behind us the days when opportunities for mutual assistance, support, and coordination between state and local authorities are lost because no clear lines of communication or cooperation are in place. And it is my hope that we can put behind us the days when minor village problems become major ones because confusion over respective roles means justice responses that are too little, too late.

No matter how much we hear about the urban and rural divide, what happens in our rural areas concerns all of us, and affects all of us. When lives in our rural communities are diminished by problems that have persisted for generations, we are all diminished – not only in our collective soul and spirit, but in very concrete terms as well. When Alaska Native men and women occupy over a third of our prison beds, we are paying the costs. When Alaska Native children make up over half of our children in need of aid, we are paying the costs. Alaska's Native people are our first people, and they have rich histories, strong traditions, and vibrant cultures. To change the patterns of the past, years of studies and lifetimes of shared experience tell us we must do what we can to help local justice methods take hold and flourish. And we must listen and learn from local people – the people with the most at stake.

I don't suggest that the judicial branch has the answers. Quite the contrary, we have as many questions as anyone. But I am here to reaffirm that we remain committed to being an active and engaged partner in efforts to better serve our rural communities, and we look forward to working with you and local entities on creative and effective ways to do so. If we are successful, the Chief Justice who stands before you yet another twenty years from now will be able to report new and promising progress towards healthier rural communities and not the sad and stubborn patterns of the past.

**Equality.** Finally, I would like to speak to the final, overarching ideal embodied in the court system's mission: the promise of equal justice. The ideal of "Equal Justice Under Law" is carved in the edifice of the U.S. Supreme Court and etched in the soul of our country. There is probably no principle of our justice system for which Americans are more rightfully proud. But as we all know, aspiring to equal justice is only the first step; ensuring it on a day-to-day basis, in a state and nation as diverse as ours, has been a major journey throughout our history. I believe the journey to equality is one that is never truly over, because we must always be vigilant to protect and defend it. But when we see landmarks along the way, it is important to celebrate, and in Alaska we have cause for celebration.

Last summer, new Bethel Superior Court Judge Charles Ray was sworn in as Alaska's first deaf judge – and the only full-time deaf trial judge currently serving in our country. Judge Ray cannot hear, but because of modern real-time transcription technology, he can provide a full and fair opportunity to be heard to the same extent as any other judge. We recognize that, in true Alaskan fashion, Judge Ray, the court system, and the people of the Yukon-Kuskokwim Delta are breaking trail.

There are rocky stretches, and difficult twists and turns, but through patience and hard work we have learned that the terrain is readily navigated, and we are confident that the path forward will soon be clear, well worn, and easy to follow. When this happens, it will reflect a great accomplishment not only for Alaska, but for our country as a whole. It will be a monument to the principle that people should not be excluded from public service because of disabilities that do not affect their capacity to serve. It will also be a vital step forward in our country's centuries-long struggle for equality – for everyone, everywhere.

Equally promising on the path to equal justice is the increasing effort statewide to increase racial, ethnic, and gender balance in our legal profession and judiciary. Alaska is one of the most diverse states in the nation, with a one-third minority population. Yet of the 4,000 lawyers who practice in our state, only a tiny handful are minorities. And our numbers of women and minority judges have for many years been far lower than in most other states. Yet one of the best ways to build trust and confidence in the promise of equality in our justice system is to ensure that the bar and bench reflect equality. In recent years, Alaska has made progress in achieving a stronger reflection of equality in our judiciary, thanks in large part to the Alaska Judicial Council, which has nominated many highly qualified women and minorities for judgeships, and to Governor Sean Parnell, who has appointed them.

Every new installation of a judge is an occasion for excitement and celebration, but given our history I would like to make special mention of several new judges who have joined Alaska's judiciary in recent years: Kotzebue Superior Court Judge Paul Roetman, one of only three Hispanic judges appointed since statehood; Anchorage District Court Judge Pamela Scott Washington, our state's first African-American woman judge; and Anchorage District Court Judge Jo-Ann Chung, our first Asian-American woman judge. It is also with great pleasure that we welcome several new women judges: Alaska Court of Appeals Judge Marjorie Allard, the first woman to serve on our state's intermediate appellate court, the Alaska Court of Appeals; Anchorage Superior Court Judge Catherine Easter; Dillingham Superior Court Judge Patricia Douglass; Fairbanks Superior Court Judge Bethany Harbison; and Anchorage District Court Judges Leslie Dickson and Jennifer Stuart Henderson. All of these judicial appointments were made by Governor Parnell, who has been a leader in bringing us closer to the ideal of an Alaskan judiciary that reflects the rich diversity of Alaskans themselves.

It is vital that we continue to inspire future generations of minorities and women to see the road to a judgeship as one that is open to them. Last October, we presented Color of Justice, a program developed by the National Association of Women Judges to encourage young women and minority youth to pursue careers as judges, at Sitka's Mt. Edgecumbe High School, which is 95% Alaska Native. Supreme Court LIVE, our program that brings Supreme Court oral

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arguments in actual cases to high school auditoriums, will next to our northernmost community, Barrow, a predominately Inupiaq community. Since their inception, both programs have encouraged thousands of young Alaskans to consider legal and judicial careers.

**Conclusion.** In conclusion, the Alaska Court System continues to strive to meet the responsibilities that Alaska's constitution and laws have placed upon us, and to earn the trust and confidence of Alaska's people. We continue our efforts to remain true to our ultimate mission, which is to be fair, efficient, and accessible to all Alaskans, and to serve our justice system's highest promise: equal justice under law. There is not a day – or a moment – when we are not humbled by these duties or indifferent to the impact our efforts to discharge them have on our fellow citizens. So we try to execute them with all the wisdom, knowledge, skill, and integrity that we can humanly bring to bear. And there is not a moment when we are not mindful of the vital support you have always given us, and the great benefit it has been not only to us, but to all the people of Alaska. Alaska's justice needs – whether urban or rural – are diverse and daunting. But you have been with us every step of the way as we have tried to meet them, and we are deeply grateful.

Thank you again for the opportunity to speak with you today.

## **DISTRICT THIRTEEN (AK/HI/ID/MT/OR/WA)**

### **IN MEMORIAL – HONORABLE BETTY BINNS FLETCHER, 1924-2012**

The Hon. Betty Binns Fletcher passed away last year at the age of 89 in Seattle with family members at her bedside. A U.S. Court of Appeals Senior Circuit Judge, she was a trailblazer for women in the law. She earned her undergraduate degree in 1943 at Stanford University, where she also completed approximately one year of law school. Settling in the Pacific Northwest after the war, Judge Fletcher became a homemaker caring for her four children. She returned to law school at the University of Washington School of Law and graduated in 1956, finishing first in her class and graduating as a member of the Order of the Coif. Although most Seattle law firms did not employ women lawyers at the time, Judge Fletcher was hired in 1956 by the law firm of Preston, Thorgrimson & Horowitz. She worked there for 23 years, becoming the first woman partner at a major Pacific Northwest law firm. Among her clients was Justice William O. Douglas. She was the first woman elected President of the Seattle-King County Bar Association and the first woman Governor of the Washington State Bar Association. She also served as Co-Chair of the state committee that guided passage of the Equal Rights Amendment to the State Constitution.

In 2007, the King County Bar Association recognized Judge Fletcher with its William L. Dwyer Outstanding Jurist Award, and in 2009 she was honored at a University of Washington School of Law symposium focusing on her life in the law.

### **ELLEN ROSENBLUM, OREGON ATTORNEY GENERAL**

Congratulations to 2008 NAWJ Annual Conference Chair Ellen Rosenblum on her recent election as Oregon Attorney General. We wish her all the best in her new position.

### **MENTORJET AT THE UNIVERSITY OF ALASKA IN ANCHORAGE**

Professor Deb Periman, J.D., was one of a group of volunteer Alaska lawyers and judges who met with college students during "MentorJet: A Speed Mentoring Experience" at University of Alaska in Anchorage (UAA) on February 14, 2013. The event provided students the opportunity to talk with diverse Alaska lawyers and judges and learn about the steps to a successful and rewarding career in law. Professor Periman introduced Alaska Supreme Court Chief Justice Dana Fabe who addressed the group



Left to right front row: Herman Walker, Cynthia Franklin, Alaska District Court Judge Pamela Washington, Prof. Deb Periman, Tonja Woelber, Alaska Supreme Court Chief Justice Dana Fabe. Back row left to right: Erin Dougherty, Don McClintock, Jahna Lindemuth, U.S. District Court Magistrate Judge Deborah Smith, Greg Razo, Peter Boskofsky.



Left to right: Professor Deb Periman, J.D.; Alaska Supreme Court Chief Justice Dana Fabe; Assistant Provost Monica Kane; Provost “Bear” Baker. Photo by Barbara Hood, Alaska Court System.



Alaska District Court Judge Pamela Washington mentors a student. Attorney Tonja Woelber (middle) and U.S. Magistrate Judge Deborah Smith (back row) discuss career preparation and options with students.

on the importance of a diverse judiciary. UAA Provost Elisha “Bear” Baker welcomed the volunteer mentors to UAA and thanked students for their participation in the event. The program included speed mentoring rounds and refreshments. The Color of Justice program in Alaska is sponsored by a variety of legal organizations, including NAWJ.

## DISTRICT FOURTEEN (CA,NV)

**NAWJ’s 36th Annual Conference will be held in San Diego California, October 15-19, 2014.** Conference Chairs Judge Tamila Ipema and Judge Margie G. Woods are busy planning what promises to be an outstanding week. The theme is *Protecting and Advancing Meaningful Access to Justice*, and will include an exploration of current topics in access to justice from leading local and national jurists, scholars and experts; visits to major legal landmarks; presentation of annual NAWJ awards; and many fun social receptions and hospitality activities to join and meet fellow conferees. The host hotel is The Westin Gaslamp Quarter.

**The Award Winning San Francisco Color of Justice Program** was held on March 15, 2013 and chaired by Judge Charlene Padovani Kiesselbach. NAWJ, Queen’s Bench, California Women Lawyers and LexisNexis sponsored the program in downtown San Francisco. Nearly one hundred students from Balboa High School interacted with professionals from a variety of legal fields, learning what it takes to be a lawyer or judge, and asking what it takes to get there.

## INTERNATIONAL

### NAWJ MEMBERS PARTICIPATE IN PANEL AT UN

On March 14, 2013, NAWJ members Hon. Elizabeth Lamb, Hon. Cathy H. Serrette and Hon. Doris A. Pechkurow were presenters in a panel on “Laws on Violence Against Women & Girls” at the





The panel on which we spoke was moderated by Mrs. Salwa Kader, President of the USFMEP, and also included panelists Professors Diane Rosenfeld, Director of Harvard Law School's Gender Violence Program and Dr. Burcu K. Oguzturk from Istanbul University Law School.

United Nations in New York during the U.S. Federation for Middle East Peace Conference. Judge Serrette, from Upper Marlboro, Maryland, and Judge Pechkurow, from Philadelphia, Pennsylvania, hear Protection from Abuse Petitions and Judge Lamb is a U.S. Immigration Judge whose hearings frequently consist of domestic violence matters. The event occurred just days after Congress re-authorized the Violence Against Women Act.

The panel was one of several topical programs on issues concerning women organized by the U.S. Commission on the Status of Women as part of the Conference. The audience consisted of foreign dignitaries, students and others interested in implementing

American ideas and courtroom procedures in their respective countries. Judges Serrette and Pechkurow explained the PFA process in their respective courts, the importance of support from law enforcement and the history of violence against women legislation. It was noted, for example, that one of the first domestic violence shelters in the country opened in 1967 in Maine; that Pennsylvania was the first state to pass legislation for protection orders for battered women in 1976; and that the National Coalition Against Domestic Violence was formed in 1978.

Panelists also noted that the prevalence of domestic violence continues in the U.S., despite the existence of protective legislation for several decades, and, unfortunately, the current culture of violence contributes to its perpetuation. One hopeful development is the adoption of legislation in several states addressing teen dating violence, complete with requirements for education on the issue.

## LANDMARK SPONSORS

The National Association of Women Judges greatly appreciates the generosity of law firms, organizations and individuals whose multi-year sponsorships allows us to expand the reach of our programs.

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## WOMEN IN PRISON NEWS—COLORADO

NAWJ Women in Prison Committee Co-Chair Judge Brenda Murray authored “We Have Met the Enemy and He Is Us, or Move Over, Sisyphus,” summarizing the development of NAWJ’s Women in Prison Committee work in prisons since the committee’s inception in 1991. The article appears in the fall 2012 edition of the ABA’s Judges Journal.

The Committee has questioned the opening of a new federal prison for 2,500 women from around the country in an isolated Alabama location, to no avail.

With assistance from the 2012 Annual Conference Meeting Chairs, Judge Cindy Lederman, and Judge Simone Marsteller, approximately fifteen attendees journeyed to the Homestead Correctional Institution for Women in Florida City, Florida. The authorities provided a tour of the facility, and access to women who participate in writing and performance programs sponsored by ArtSpring, a nonprofit that believes art has the power to transform lives. The women, inmates and teachers were very grateful for the visit and they talked about their lives and the difference that participating in rehabilitative programming meant to them. Though the bus trip took us over an hour, we all thought it was a worthwhile adventure.

### COLORADO

#### COLORADO COURT BRIGHTENS THE HOLIDAYS FOR THE CHILDREN OF INCARCERATED WOMEN

By Jessica Lowrey



Law Clerks Alex Harpp (left) and Jessica Lowrey (center), along with Judge Terry Fox (right), of the Colorado Court of Appeals, featured at the NAWJ 2012 book drive in front of Judge Fox’s chambers.

The Colorado Chapter of the National Association of Women Judges (NAWJ), under the leadership of Colorado Court of Appeals Judge Terry Fox, hosted a book drive after Thanksgiving and supplied 238 books to Colorado prison libraries in support of *The Story Book Project*. More donations are expected before Christmas and will be forwarded to prison librarians who coordinate with incarcerated women and record them reading the book to the prisoner’s child.

*Storybook Project*-type concepts have been implemented in other states<sup>1</sup> and Colorado’s NAWJ chapter is thrilled to join this worthwhile effort. Storybook Projects – including the Colorado project – share a common goal: attempting to offset the damage that can be caused by a prolonged separation between mother and child. The simple act of maintaining an everyday ritual, reading to a child, can help maintain the bond between an incarcerated parent and their offspring.

This project is important because of the steady increase in the population of women in prison. An August 2008 Special Report, issued by the Bureau of Justice Statistics, indicates that between 1991 and 2008, the

number of children with a mother in prison more than doubled, increasing by 131%.<sup>2</sup> Approximately 62% of incarcerated women in state prisons and 56% of incarcerated women in federal prisons are mothers of minor children.<sup>3</sup>

In Colorado, it is estimated that over 20,000 children currently have a parent in prison,<sup>4</sup> and approximately 2,500 children have a mother in prison.<sup>5</sup> Approximately 70-80% of women in prison are mothers who had an average of 2.5 children under the age of 18 (of which 85% are under the age of 10) living with them before their arrest.<sup>6</sup> Another 6% of women prisoners enter prison pregnant.<sup>7</sup> (55% of men in prison are fathers of children under the age of 18).<sup>8</sup>

Incarcerated mothers are often the sole caregivers for their children; as such, their role in a child’s development is especially important. The impact of a mother’s incarceration can be devastating, with long-term effects. Imprisonment of mothers exposes children to emotional, social and economic stresses.

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 Ruth McGregor  
 Miriam Mills  
 Ann Moorman  
 Cindy Morris  
 Linda Murnane  
 Margaret Murphy  
 Terence Murphy  
 Muskus & Muskus  
 Orlinda Naranjo  
 New Jersey Women Lawyer's Association  
 Theresa Nolan  
 Eliza Ovrom  
 Arline Pacht  
 Marilyn Paja  
 Donna Paulsen  
 Sheila F. Pokras  
 Jane Restani  
 Rosalyn Richter  
 Rockefeller Foundation  
 Karen Romano  
 Lila Roomberg  
 Ellen Rosenblum  
 Vanessa Ruiz  
 Maria Salas-Mendoza  
 Glenda Sanders  
 Karyn Scheier  
 Dawn Scholz  
 Mary Schroeder  
 Beatrice Shainswit  
 Norma Shapiro  
 Nancy Sherman  
 Nan Shuker  
 Mindy Solomon  
 Ruby Sondock  
 Vaino Spencer  
 State Justice Institute  
 Meredith Taylor  
 Ellen Thomas  
 Theresa Timlin  
 Wenda Travers  
 Denise Vowell  
 Julia Weatherly  
 Harry & Jeanette Weinberg  
 Diana Wheatley  
 Bonnie Wheaton  
 Rebecca Wiseman  
 Mary Darcey White  
 Women's Bar Association  
 Ann Yahner  
 Sue Pai Yang

Fortunately, projects like *The Storybook Project* help ameliorate the effects of this separation by bringing the mother's voice to her child (or children) as the child follows along in the book provided through book drives such as Colorado's NAWJ Chapter. Prison librarians, such as Adrienne Breznau of the Denver Women's Correctional Facility (DWCF), are instrumental to the effort. They help coordinate the tape recordings of each woman reading to her child and transmit the recording and the book to the child. At DWCF, they prepare an average of 15 recordings per month that affect approximately 25 children. According to Breznau, the program provides a positive use of leisure time for the incarcerated women and makes reunification with their children less stressful.

The 2013 holidays will be just a little brighter because of NAWJ, Ms. Breznau, and the generous personnel of the Colorado Supreme Court, Colorado Court of Appeals, and the State Court Administrator's Office who generously contributed to the book drive. Prudence Petrie, an Adult Basic Education Teacher at Denver Women's commented, "The [new] books are phenomenal and range from classics to those on recommended specific grade level reading lists. This is, indeed, a treasure for the library as well as the patron offenders and will have a rippling effect for the community for a long time to come."

### NOTES

<sup>1</sup> The originator of the Storybook Project is believed to be Companions, Journeying Together, Inc., working out of the Cook County Jail in Chicago, Illinois. In 1998, the Lutheran Social Services of Illinois established a similar program at the Logan Correctional Center in Lincoln, Illinois. In 2000, *Teaching Tolerance*, a magazine published by a branch of the Southern Poverty Law Center, featured an article about another Storybook Project started in Alabama by an organization titled Aid to Inmate Mothers. The Alabama project was modeled after the two Illinois storybook projects. The Teaching Tolerance article and the Illinois programs served as the impetus for the Maryland Chapter's NAWJ Storybook Project, which began at the Jessup Correctional Institution for Women in 2001.

<sup>2</sup> Bureau of Justice Statistics, U.S. Dep't. of Justice, NCJ 222984, Parents in Prison and their Minor Children (revised 2010).

<sup>3</sup> *Id.*

<sup>4</sup> 2010 Colorado Quick Facts, Colorado Justice Reform Coalition, [http://www.cjrc.org/pdf/2010\\_Colorado\\_Quick\\_Facts.pdf](http://www.cjrc.org/pdf/2010_Colorado_Quick_Facts.pdf).

<sup>5</sup> Barbara S. Bosley, et al., eds., Parenting From Prison – A Resource Guide for Parents Incarcerated in Colorado 6, (Parenting from Prison Guide Committee, Denver, Colorado 2002). Although no state agency tracks the number of children in Colorado who have a mother in prison, the estimate is based on national averages. *Id.*

<sup>6</sup> *Id.*, (citing Bureau of Justice Statistics, U.S. Dep't of Justice, Incarcerated Parents and Their Children, NCJ 182335 (2000); Toni Locy, Like Mother Like Daughter, U.S. News and World Report (Sept. 26, 1999), [http://www.usnews.com/usnews/news/articles/991004/archive\\_001997.htm](http://www.usnews.com/usnews/news/articles/991004/archive_001997.htm).)

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

### MARYLAND

Maryland's Women in Prison Committee continues its regular activities, and circulates information on the subject of women in prison to members. It also continues to sponsor Book Club/Writing Sessions at Maryland's only women's prison.

NAWJ's Women in Prison Committee joined the Maryland Chapter of NAWJ in support of legislation, Maryland House Bill 829 Correctional Services - Pregnant Detainees and Inmates - Restraint Restrictions and Reporting, which, among other things, would prohibit shackling incarcerated pregnant females. NAWJ took the following position:

### NATIONAL ASSOCIATION OF WOMEN JUDGES POSITION STATEMENT

*The National Association of Women Judges (NAWJ) was founded in 1979 to, among other things, ensure equal justice for women, protect the rights of individuals, and bring about improvements concerning matters of importance in improving the administration of justice. NAWJ's diverse membership includes women and men at all levels of the federal, state, trial, military and administrative judiciary from nearly every state in the nation.*

*In furtherance of our mission to improve the administration of justice, NAWJ has long advocated for basic fairness and equity for people who are incarcerated. In 1991, NAWJ adopted a resolution urging an end to discrimination against incarcerated women. For years, NAWJ members in Maryland have volunteered in correctional facilities to bring educational programming to women and girls in prison.*

## WOMEN IN PRISON NEWS—NEW YORK

*In 2009, in recognition that leading medical and legal authorities have documented significant risk of harm in shackling pregnant women, and the lack of risk of flight that women pose in such circumstances, NAWJ members voted to adopt a resolution formally opposing the practice of shackling pregnant women and urging action by its members wherever such practices exist.*

*In furtherance of that commitment, NAWJ supports HB 829, and in particular, the proposed restrictions on the use of restraints on pregnant incarcerated girls and women in transportation, labor, and childbirth.*

### NEW YORK



Left to right, Hon. Sallie L. Krauss (retired), Hon. Robin K. Sheares, Hon. Wavny Toussaint, Hon. Sylvia O. Hinds Radix, Hon. Yvonne Lewis, Hon. Ruth Shillingford, Hon. Sylvia G. Ash.

### VOLUNTEER RECOGNITION AND AWARD CEREMONY

On Wednesday, October 24, 2012, at Brooklyn Law School, the WIPC Volunteer Recognition Reception was held to honor approximately thirty (30) volunteers who, for the past eleven years, have contributed to the success of the WIPC programs at Bayview, Taconic, and Beacon Correctional Facilities for Women in New York. Certificates of appreciation, provided by NAWJ, were presented to the volunteers. Judge Sallie Krauss (retired), who initiated the in prison projects in 2000, delivered the welcoming remarks and introduced Justice Priscilla Hall, the evening's Mistress of Ceremonies, who presented the awards.

Volunteers receiving awards included Heidi Cain, Esq., Permanent Housing/Other Entitlements Workshop; Ms. Debra Clarke, Successful Dressing Workshop; Ms. Sonia Forde-White, Health, Wellness and Nutrition Workshop; Ms. Monica Foster, Alternative Career Options Workshop; Joshua Goldfein, Esq., Permanent Housing/Other Entitlements Workshop; Ms. Sarika Gore, Health, Wellness and Nutrition Workshop; Ms. Harriett Lehrer, Successful Dressing Workshop; Carol McCarville, Esq., Parole Issues Workshop; Daphnée Saget-Woodley, Esq., Foster Care/Parental Rights Workshop; Cheryl S. Solomon, Esq., Foster Care/Parental Rights Workshop; Donna M. Sullivan, Esq., Parole Issues Workshop,



Left-right, Hon. Debra A. James, Hon. L. Priscilla Hall, Hon. Betty J. Williams, Hon. Cheryl J. Gonzales, Hon. Sallie L. Krauss, retired.

and David A. Werber, Esq., Parole Issues Workshop. Remarks were delivered on behalf of the volunteers by Edward R. Hammock, Esq., Parole Issues Workshop, Stephen Myers, Esq., Permanent Housing/Other Entitlements Workshop, and Dr. Adelaide L. Sanford, Educator, New York Board of Regents Emeritus. Superintendent Delores Thornton (retired) spoke on behalf of the correctional facilities.

Approximately eighty (80) guests, including the Hon. Phyllis Orlikoff Flug, NAWJ District Director 2, and the superintendents of Bayview, Beacon and Taconic correctional facilities, attended the Award Ceremony. The Hon. Sylvia Hinds Radix and Hon. Betty Weinberg Ellerin, along with all the members of the NAWJ New York Chapter, were acknowledged for their generous support of WIPC Programs. In closing, WIPC members Judges Cheryl Gonzales, Debra James and Betty J. Williams thanked Dean Nicholas Allard, Brooklyn Law School and Mr. Christopher Gibbons, Events Manager Brooklyn Law School for the Brooklyn Law School's contribution of their event space, overlooking the Brooklyn and the Manhattan skyline, for the evening's ceremony. Music was provided by The Seal Breakers Marching Jazz Band.



Left to right, Dr. Adelaide L. Sanford, Vice Chancellor Emerita of the New York State Board of Regents; Superintendent Wendy Featherstone, Bayview Correctional Facility; Ms. Debra Clarke, Volunteer, Successful Dressing Workshop.

## QUEENSBORO PAROLE WORKSHOP

On Friday, December 21, 2012, under the auspices of the WIPC, parole attorneys Edward R. Hammock and Donna M. Sullivan, conducted a parole workshop at the Queensboro Correctional Facility, a minimum security prison for men, with a capacity of three hundred and fifty (350), located in Long Island City, Queens, New York. Deputy Superintendent for Programs Tanya Mitchell-Voyd requested the parole workshop be held at Queensboro after Bayview, the original location, was closed following Hurricane Sandy. The workshop addressed parole issues the men may confront when preparing to go before the Parole Board and in transition back to their communities, under post release supervision. Approximately one hundred (100) men attended the presentation.

The presenters answered questions related to early release, work release, post release supervision, merit time eligibility, parole violations, parole revocation, relocation while on parole, and a defendant's right to a pre-sentencing report. The presenters also responded to written questions submitted by several of the men prior to the date of the workshop. The men expressed gratitude to the presenters at the end of the program. Queensboro Superintendent Dennis Breslin, Deputy Superintendent for Programs Tanya Mitchell-Voyd, Deputy Superintendent for Programs Eileen Russell, Taconic staff, and Judges Cheryl Gonzales and Betty J. Williams attended the workshop. WIPC donated date books and socks to the men.

## DATE BOOKS

The NAWJ donated six hundred and fifty (650) date books to Beacon, Taconic, and Queensboro Correctional Facilities. The date books arrived at the facilities the first week of December 2012. The superintendents wrote letters of thanks to NAWJ, acknowledging receipt of the books.

## BARD PRISON INITIATIVE: EASTERN CORRECTIONAL FACILITY COMMENCEMENT

On January 26, 2013, the Bard Prison Initiative (BPI) held its Tenth Commencement Exercises at the Eastern Correctional Facility for Men in Upstate New York. Forty-three (43) Eastern Correctional residents received Associate of Arts Degrees and thirteen (13) residents received Bachelor of Arts Degrees. Four (4) Bayview women received their Associates Degree in absentia. Rev. Calvin O. Butts delivered the Commencement Address. Bard President Leon Botstein delivered the Charge to the Graduates. Bard College faculty, Eastern Correctional staff, family members of the Eastern Correctional graduates, and guests, including NAWJ member, Judge Betty J. Williams, attended the ceremony.

Founded in 2001, BPI provides higher education opportunities at five New York State Correctional Facilities: Eastern, Elmira, Bayview, Greenhaven and Woodbourne. Initially a pilot program with fifteen students, BPI currently enrolls approximately two hundred thousand (2,000) incarcerated men and women in a full time liberal arts curriculum. BPI aims to spread the benefits of a higher education to New York State's prison population, one of the state's most isolated communities.

## LEGISLATION: DOMESTIC VIOLENCE SURVIVORS JUSTICE ACT

Having requested and received permission from the New York State Advisory Committee on Judicial Ethics, the NAWJ Women in Prison Committee (WIPC) of New York continues to work closely with the Correctional Association of New York's Women in Prison Project (WIPP), New York City District Attorneys, New York City

Defense Bar Organizations and community stakeholders to support the passage of the Domestic Violence Survivors Justice Act (DVSJA, A.7874-A/S.5436). DVSJA would give discretion to judges when sentencing DV survivors convicted of crimes directly related to the abuse they experienced and would allow currently incarcerated survivors to petition the court for re-sentencing.

## CHELSEA REFORM DEMOCRATIC CLUB'S INAUGURAL STATE SENATOR THOMAS K. DUANE AWARD



First Row: left to right: Hon. Betty J. Williams; Superintendent Wendy Featherstone, Bayview; Tiffany Barfield, New York Junior League Representative. Second Row: left to right: New York State Senator Brad Holyman; New York State Senator (retired) Tom Duane; Hon. Debra James; Cecile Scott, Chief of Staff, Senator Holyman's Office.

On Saturday, May 4, 2013, WIPC members Judges Debra James and Betty J. Williams, on behalf of the Bayview Correctional Facility's Community Advisory Board, accepted the Chelsea Reform Democratic Club's Inaugural State Senator Thomas K. Duane Award, honoring the Advisory Board for the "invaluable educational and personal services" the Board provides to the women incarcerated at Bayview Correctional Facility. The Board's services help women prepare to transition back to their respective communities. Judges James and Williams consulted the New York State's Advisory Committee on Judicial Ethics Joint Opinion 12-83/12-95(B) prior to accepting the award.

At the request of Taconic Superintendent Patty R. Nelson, on Friday, May 31, 2013, a Housing Workshop took place at the Taconic Women's Correctional Facility, a minimum security prison for women, with a capacity of two hundred (200), located in Bedford Hills, New York, north of New York City. The workshop addressed housing issues the women may confront as they re-enter their respective communities. Judge Cheryl Gonzales organized the workshop. The WIPC donated toiletries and tote bags to the women during the visit.

THE NAWJ NEW YORK CHAPTER WIPC MEMBERS are Justices Sharon Aarons, Sylvia G. Ash, Loren Bailly-Schiffman, Bernadette Bayne, Mary Ann Brigantti-Hughes, Cheryl E. Chambers, Darcel Clark, Carolyn E. Demarest, Phyllis Gangel-Jacob, Robin S. Garson, Marguerite Grays, Sylvia Hinds-Radix, Laura L. Jacobson, Debra A. James, Marcy L. Kahn, Tanya R. Kennedy, Yvonne Lewis, Joan A. Madden, La Tia W. Martin, Rosalyn Richter, Laura Safer Espinoza, Shawn Dya Simpson, Janice Taylor, Delores J. Thomas, Wavny Toussaint, Ellen Spodek, Ruth Smith, Carolyn Wade, Betty J. Williams, and retired Justice Betty Weinberg Ellerin as well as Judges Cheryl J. Gonzales, Carol Feinman, and retired Judges Susan Danoff, Sallie Krauss and Claire T. Pearce.

# THE TRAUMA EXPOSED JURIST

By Karen P. Simmons, Executive Director; Dawn J. Post, Brooklyn Co-Borough Director

The Children's Law Center, New York



It (making a decision) is not altogether so clear and somebody usually benefits by your decision and somebody is usually harmed by it in some way: it costs them money, or they lost property, they go to jail, or are on probation. And so it's stressful to me to make those decisions because I tend to get out of here and think about them for a day or two, or wake up in the middle of the night and wonder if it's the right thing.

When embarking on the role of a judge does one think about the

impact of stress on daily functioning? Calendars, limited resources and the expectation to make comprehensive decisions are the foreseeable challenges of ascending to the bench. That is just part of the role. However, judges are challenged by the emotional effects of presiding over cases with litigants who have experienced trauma. To put it simply, trauma is contagious. Unlike specialists in traditional helping fields, such as social workers or nurses, judges and attorneys receive little to no training on how to recognize and address compassion fatigue or secondary trauma. To compound the issue, judges often lack knowledge about trauma and its effects, and court systems like many workplaces may not have built in systems for judges to handle this impact personally or professionally. As a result, impaired work performance, low morale, increased interpersonal conflicts, and behavioral changes on and off the bench may be an outcome. Self-awareness paves the way to taking steps to mitigate the effects of trauma. While the authors are legal services managers and not judges, we manage people, have clients who experience trauma, make a multitude of decisions every day and are often an arbiter in many difficult and trauma ridden situations. Our goal is to understand stress, put it in perspective and realize that you have to confront it to manage it. In this article, we will define terms and share the importance of identifying and addressing compassion fatigue and secondary trauma. We will also talk about developing an organizational culture that makes the dialogue and training a priority professionally and hope that you can utilize some of our suggestions.

## WHAT IS COMPASSION FATIGUE AND SECONDARY TRAUMA?

Judges deal with death, paraplegia, burning, and infant trauma. Evidence heard in the courtroom can be traumatic and we deal with people being horribly hurt or murdered.

The reality is that we all, no matter what profession, experience stress. As a leader in a practice, office or courtroom you are managing multiple issues, interfacing with diverse people and have numerous deadlines to meet and decisions to make. Much of the stress that adversely affects our lives stems from the structure of our daily lives and experiences. As you can imagine, it is not a one-time occurrence but emerges over time. To put it simply, stress exacerbates stress. If one were to look at stress as a continuum, the concepts discussed here can be understood as building on and moving from an acute stress response to that of a deeper, intensive, and all pervasive reaction to hearing and handling traumatic material.

Compassion fatigue is a term that refers to a gradual lessening of compassion over time. Individuals who work directly with people who have suffered from trauma often experience it. Symptoms may include hopelessness, decreased pleasure, stress and anxiety, and a pervasive negative attitude. This can have detrimental effects on staff, but in particular leaders such as judges on the "hot seat" may both professionally and personally experience feelings of frustration and ineffectiveness, resulting in the inability to focus, and a decrease in productivity.

Secondary trauma is a term that refers to the internalization of other people's suffering. From the bench, judges may hear stress bearing stories and this can start to shape how they feel about themselves, other people, and the world around them. Jean Koh Peters, a law professor at Yale Law School in New Haven, Connecticut, likens secondary trauma to a boulder falling into raging river: "The raging river is the client's life," she says. "The boulder falling is the trauma occurring. The image of secondary trauma is a lawyer standing in the river. They don't get hit by the boulder, but they feel the ripple effect." Symptoms from this ripple effect may parallel those of post-traumatic stress disorder.

In fact, a 2003 anonymous survey of 105 judges exploring symptoms of vicarious trauma, coping, and prevention were investigated and assessed. The majority of judges (63%) reported one or more symptoms that they identified as work related vicarious trauma. Significantly, female judges reported more symptoms, as did judges with seven or more years of experience. In addition, female judges were more likely to report internalizing difficulties, such as anxiety, depression, and somatic problems. In contrast, judges with more experience reported higher levels of externalizing and hostility symptoms, such as anger, frustration, cynicism, and interpersonal difficulties. Additionally, a 2004 survey found that attorneys, who were recruited from domestic violence, family law, and legal aid criminal services, experienced more symptoms of secondary trauma and burnout compared with comparison groups of mental health providers and social workers. In the study, attorneys "demonstrated higher levels of intrusive recollection of trauma material, avoidance of reminders of the material and diminished pleasure and interest in activities, and difficulties with sleep, irritability, and concentration."

Critically, symptoms of vicarious trauma and compassion fatigue may be exacerbated by the fact that judges may also experience feelings of vulnerability and insecurity as they may be burdened with concerns about their safety and that of their families. In addition, given the importance of social support and debriefing, the reality is that some judges "work in isolation, they cannot consult about a case, they see horrific crimes, make weighty decisions and have to keep their mouths shut about everything."

## WHAT TO LOOK FOR

I struggle to keep my emotions in check and I have to let my emotions go because of my experiences and my personality. I find myself having to watch myself from striking out in response to what I perceive to be a personal attack on the victim.

The sheer volume of each day's work makes me fear I'm just processing people and have lost touch with my better self. Am I becoming indifferent to horror?

Occupational stress research has shown that "stress lowers one's memory capacity, undermines one's decision-making processes, and increases social stereotyping, thus leading to biased decisions. High cognitive demand (i.e. cognitive load) can influence the ability to recall facts and make impartial judgments." What we have learned as leaders is that judges should be aware of their reactions to stress, burnout, compassion fatigue and secondary trauma. The first step is by assessing how they are experiencing their workload, their reactions and decisions on the cases before them, their own morale, interpersonal relationships, behavioral changes, and any personal pressures that may contribute. A decrease in the quality and quantity of work, low motivation, and avoidance of job tasks are signs that a judge should be aware of and reflect on to determine whether one or some of the phases of the burnout to vicarious trauma continuum are at play. With respect to morale, a judge should be watchful for a decrease in confidence in self and decision making, a loss of interest in listening and issuing decisions, dissatisfaction, apathy, and numbness to the litigants, jurors or attorneys. Also, judges should be aware of how their experiences and reactions in the work environment is mirrored in their court staff

☞ Continues on Page 33

# CELEBRATING INTERNATIONAL WOMEN'S DAY: NAWJ AND THE AMERICAN BAR ASSOCIATION WORKING TOWARD THE SAME GOAL – ENDING HUMAN TRAFFICKING

By Judge Ann Breen-Greco, Chicago, Illinois



The United Nations began celebrating International Women's Day (IWD) on March 8 during International Women's Year 1975. Two years later, in December 1977, the General Assembly adopted a resolution proclaiming a "United Nations Day for Women's Rights and International Peace to be observed on any day of the year by Member States, in accordance with their historical and national traditions."

Now it is a day set aside to celebrate women and their economic, political, and social achievements around

the world but also to focus on places and situations where women's rights, equality, health, and safety still have a long way to go.

No matter is more pressing for women than to address the issue of sexual/human trafficking. On the night before International Women's Day, as a member of the Global Fund for Women's Chicago Committee, I attended a private screening of "Girl Rising," an indescribably moving documentary which focused on ten girls throughout the world--from Haiti to Sierra Leone—who represent the millions of young girls who will need to overcome seemingly insurmountable obstacles to attain an education, while fighting bondage, destitution, and sexual assault/trafficking. A striking message of the documentary was the fact that educating women not only raises the economic status of women but of the countries they live in.

It was my privilege to be able to celebrate International Women's Day this year with ABA President Laurel Bellows. President Bellows was a keynote speaker at a luncheon sponsored by the American Bar

Association's Commission on Women in the Profession, the Women's Bar Association of Illinois, and the Chicago Bar Association's Alliance for Women and hosted by the law firm of Baker and McKenzie. President Bellows gave a rousing speech focusing on many issues of importance to women, including fair pay, women-centered law practices, and sexual/human trafficking, which takes place in every state in this country and throughout the world.

This year NAWJ and the American Bar Association are working on the goal of ending sexual/human trafficking. For many years NAWJ has had an active Committee on Human Trafficking. This year NAWJ President Joan Churchill developed an outstanding daylong session on human trafficking which was held at the NAWJ Midyear in D.C. on May 4. The panelists included Judges Virginia Kendall, Elizabeth Lee, and Dana Marks; Professor Louise Shelley; John Martin of the Center for Public Policy Studies Immigration Project, and Nick Sensley of Humanity United. NAWJ will also conduct a judicial training on human trafficking at the New Orleans Annual Conference. NAWJ is also co-sponsoring a program with the ABA's Task Force on Human Trafficking to be held in Chicago entitled, "Human Trafficking: How We Can Make A Difference." The ABA's Human Trafficking Task Force, with NAWJ as a co sponsor, held a human trafficking seminar in February at the ABA Midyear meeting in Dallas. NAWJ has also voted to co-sponsor the ABA's Human Trafficking program entitled, "Spotlight on Human Trafficking: New Law and Next Steps," on August 11 at the ABA Annual Conference in San Francisco.

As I reflect on the hope and strength of the girls in "Girl Rising," I believe that by using our professional skills to work toward equality and elimination of trafficking, we are playing a role in their lives, by making their dreams our dreams, so that on International Women's Day 2014 we will be able to celebrate having moved one step closer to the realization of this dream.

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Continued from Page 32

since they could be experiencing some of the same issues or reacting to the judge's shift in behavior. Interpersonal conflicts are also signs to be aware of, including withdrawal from colleagues, impatience, decrease in quality of relationships, and poor communication. Finally, behavioral symptoms may manifest, including absenteeism, exhaustion, faulty judgment, irritability, and overwork - working through lunch and late at night, and letting case and courthouse needs overwhelm their own needs. These same behaviors are those that we look for in ourselves and staff who work on high conflict cases in the legal services workplace. As the research illustrates, judges are no less immune.

## HOW TO ADDRESS FROM THE BENCH

*Laugh often, develop collegial relations in the work setting. Get involved in "happy groups" – not totally court related.*

A five year study which examined successful attorneys found that important factors included self-development, passion, engagement, and stress-management. In our work we foster a regular dialogue amongst managers. This allows us to work on spotting this issue in our staff and fostering and encouraging their dialogue. With this in mind, what can you do to address compassion fatigue and secondary trauma while sitting on the bench?

First, educate yourself and assess and define your own work/life balance as you have to take care of your own well-being. Then commit to creating a dialogue about compassion fatigue and secondary trauma and how judges experience it. Encourage it as a topic that should be addressed in initial training as well as ongoing training. With fellow colleagues create retreats or getaways big and small. Realistically you may not be able to get away for a day, but you can commit to a meeting dedicated to this topic to strategize about tips to work on. You can build into future meetings 5 to 10 minutes devoted to follow up. We like the term retreat because it is visual and believe they are a great

way to present the issue and to help facilitate the conversation, even over lunch.

Make a deliberate effort to taking the frenzy out of the day to day. Create identifiable goals that everyone can do to address compassion fatigue and secondary trauma personally, professionally and organizationally, and check in with yourself, colleagues and staff on a quarterly basis to assess these goals and set new ones if appropriate. Strategies taken from the ABC model of vicarious trauma, which identifies the importance of Awareness (i.e., being attuned to one's needs, limits, emotions, and resources), Balance (i.e., among activities, especially work, play, and rest), and Connection (to oneself, others, and to something larger) can shape such a discussion.

At a minimum, even in the frenzy of the profession, focus on the very basics: sleep, eat, breathe, laugh, and exercise. Accept that you can only accomplish so much with limited hours and personal resources and allow yourself to employ simple strategies to improve your daily outlook and experiences. For example, block time for yourself and take control of your calendar. You have the power to schedule actual lunches with friends, staff or colleagues rather than review briefs or attend meetings. Build into your day and calendar time to take a 5 to 15 minute walk behind the scenes to gather your thoughts and rest your voice. Build in vacation time including planned extended weekend time to travel, and spend more time with family and friends or enjoy a favorite sport or hobby.

By implementing any of these strategies, you are making a commitment to a healthy and supportive environment, and ensuring that you remain passionate and committed to the decision-making which first brought you to the practice of law and the bench.

*(For a copy of this article with footnotes contact Lavinia Cousin at [lcousin@nawj.org](mailto:lcousin@nawj.org))*

## EXECUTIVE DIRECTOR'S MESSAGE

### RESOURCE BOARD

The NAWJ Resource Board are leaders in their field. Resource Board members work with NAWJ members and staff to raise judicial awareness about subjects of mutual interest, offer advice regarding education projects, and provide and cultivate crucial professional and financial support for the organization as it works towards its mission.

#### Chairs:

**Karen Johnson-McKewan, Esq.**  
Orrick, Herrington & Sutcliffe LLP

**Elaine Metflin, Esq.**  
Dickstein Shapiro LLP

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**Elizabeth Cabraser, Esq.**  
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**Sharon L. Caffrey, Esq.**  
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**Thomas C. Leighton**  
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### GREETINGS FROM THE NATIONAL OFFICE,

Under the skillful leadership of Judge Joan Churchill, NAWJ experienced a year of exciting opportunities and programmatic growth. President Churchill and I were honored to represent NAWJ at the White House to witness the historic signing of the Re-Authorization of the Violence Against Women's Act and to partake in the celebration of the 50th Anniversary of the Equal Pay Bill. NAWJ continues to move forward and expand its voice and impact with access to justice issues by developing significant collaborations with impressive partners such as the Department of Homeland Security, the National Center for State Courts, and the State Justice Institute.

NAWJ participated in the first meeting of the Human Trafficking (HT) and the State Courts Collaborative hosted by the Center for Court Innovation. This essential partnership was created to increase the understanding and awareness among the collaborative partners of each organization's respective human trafficking combative efforts and education initiatives to devise best practices to be used nationally. Our collaborative partners include: State Justice Institute, Center for Public Policy Studies, National Judicial College, National Judicial Education Program and Legal Momentum.

In addition, NAWJ is pleased to be working closely with the Department of Homeland Security (DHS) on human trafficking educational training, which enables the NAWJ membership to benefit from access to the public relations materials designed for the so-called Blue Campaign, DHS' unified voice used to combat human trafficking. In doing so, NAWJ has joined law enforcement, government, and private organizations in its efforts to protect fundamental human rights and to bring those who exploit human lives to justice. These significant partnerships will enable NAWJ to share resources to achieve our mutual missions of affording protection to those at risk.

As a result of recent grant opportunities from the State Justice Institute, NAWJ has been awarded a grant that will enable us to redesign and update the NAWJ website. These enhancements will ensure that our website will be attractive, user-friendly, contain comprehensive information and pictures of our programs, as well as up to the minute announcements of our many exciting events in our fourteen districts. These advances will attract more visitors and increase visibility. NAWJ is strategically positioned as the conduit for increasing awareness and influencing public perceptions on important national and global issues, including human trafficking, immigration, women in prison, international judicial training, as well as the expansion of the very popular Color of Justice Program. Also, please look for information about NAWJ's newest Project — *Informed Voters. Fair Judges.* — aimed at nonpartisan voter education to increase the knowledge of our citizens regarding the judicial system, and safeguarding the independence of our courts. Our newly redesigned website will provide NAWJ with a platform to showcase our extraordinary work.

The year 2013 will also be remembered for many successful events highlighted by the Midyear Meeting and Leadership Conference held in Washington D.C., along with the Eighth Annual Congressional Caucus for Women's Issues.

Thank you to our dynamic Friends and Planning Committee who worked to ensure the success of this tremendous event. Congratulations to President Churchill for her achievement in its design and implementation.

I want to extend my sincere appreciation to the Landmark Sponsors and Resource Board members for their incredible commitment and devotion to the mission of NAWJ. Due to the vital support from the legal, business and academic communities, NAWJ is able to maintain its accustomed level of excellence.

I feel honored to serve as your Executive Director, now entering my sixth year. I acknowledge and thank the dedicated NAWJ Board of Directors for their continued support and guidance. With the tireless efforts of our outstanding District Directors, I look forward to increasing our programs and membership throughout the country.

It is my pleasure to serve with all of you. Thank you.

Marie Komisar  
Executive Director

### SISTERS IN LAW

By Katie Vloet. Photo by Martin Vloet, Michigan Photography



Judge Margaret Groefsema Schaeffer [pictured right], 92, passed away April 11, 2013, at her home Farmington Hills.

Her sister, Hon. Margaret Schaeffer, '45, was sworn in as a judge five years later in the 47th Judicial District in Farmington Hills.

“We were the first sisters to serve as judges anywhere in the country,” Judge Schaeffer said.

They inherited their love of the law from both parents; their father, a 1917 graduate of the Law School, was a distinguished Detroit trial lawyer, and their mother had been taking classes part-time at Michigan Law prior to her death.

After attending the University of Michigan for their undergraduate degrees, both women attended Michigan Law. Schaeffer was one of two women in her small wartime class, while Judge Kennedy was one of fewer than 10 women in a much larger class two years later. “I remember having to meet with all the other girls in the lobby—not just because we were women, but because the JAGs took all the meeting rooms,” Kennedy said, referring to the Judge Advocate General School that operated at Michigan Law during World War II when she began her studies here.

After law school, the sisters clerked for judges and then joined their father’s practice in Detroit. It was a time when being a female lawyer was still a novelty to some; during their clerking days, neither sister saw a woman argue a case. Clients, too, were thrown off. “A lot of times, you’d get a call and they’d say, ‘Put the lawyer on the phone,’ assuming you were the secretary,” Schaeffer recalled. “Now there are enough women lawyers that they don’t do that anymore.”

One New York firm even told Judge Kennedy that it hired women during the war, but “too bad for me, the war was over,” she said.

After their father’s death in 1952, Judge Kennedy moved on to Markle and Markle in Detroit. Schaeffer joined her in 1954, following the birth of her second child. In 1966, Judge Kennedy was elected to the Wayne County Circuit Court. After seven years on the bench, Judge Kennedy rose to the rank of chief judge of the Eastern District, becoming the first woman to be selected as chief judge of a U.S. District Court. Then, in 1979, President Carter nominated her to the U.S. Court of Appeals for the Sixth Circuit. Judge Kennedy still laughed when recounting Senator Orrin Hatch’s reaction to her during confirmation hearings: “By damn, you have a lot of qualifications.”

Judge Schaeffer had said she learned a great deal about being a judge from her younger sister. She put that knowledge to good use starting in 1974, when she won the election to become a judge in the 47th Judicial District in Farmington Hills, Michigan. She went on to become the chief judge of the district.

Judge Schaeffer also raised four children, and Judge Kennedy raised one. Judge Schaeffer had described the work-life blend as a “neat balancing act,” and said she was heartened when her 7-year-old son wrote this for a school assignment: “I am thankful for my mother because she is a lawyer and earns money for toys and taxes.”

Both women, masters of understatement and humility. After a long and distinguished career, Schaeffer talked more about her sister’s achievements than her own. And Judge Kennedy, with her long list of firsts, summed up her career this way: “Well, you just do it. You just go to work and do the job.” (This article has been edited, and reprinted from the Michigan Law School *Quadrangle*.)

They called each other Nealie and Margie, but for decades, others had a different way of addressing Cornelia Kennedy and Margaret Schaeffer: Your Honor.

Hon. Cornelia Kennedy, '47, has been called the “First Lady of the Michigan Judiciary” for being the first woman appointed to the federal bench in Michigan, and just the fourth woman in the nation to be appointed a federal district court judge, in 1970.

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# JUDGING & ALL THAT JAZZ

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