

COUNTERBALANCE

NATIONAL ASSOCIATION OF WOMEN JUDGES

Judicial Safety



U.S. MARSHALL DO NOT CROSS

Inside

MISSION

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

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NATIONAL ASSOCIATION
of
WOMEN JUDGES

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President's Message



“*Current risks to judicial security stem from several factors, including heightened political polarization, the proliferation of extremist ideologies, increased public scrutiny of judicial decisions, and the rise of social media and digital technologies that can amplify threats and facilitate harassment.*”

This issue of Counterbalance is dedicated to judicial security, safety and wellness. These issues impact every member of our community and have been a cornerstone of my presidential year.

Ensuring the security, safety and wellness of our members is crucial for several reasons. We face unique risks and security challenges, and these risks have increased even more in recent history. Judiciary credibility is vital for maintaining public trust in the legal system. Lately, however, it seems that the judiciary's credibility is increasingly called into question. Public scrutiny of the judiciary has grown across the country, partly due to greater transparency and access to court proceedings and decisions. This transparency plays a vital role in judicial accountability. However, it also exposes judges to increased public criticism and potential threats. As members of the legal community, we must therefore learn how to ensure accountability across our profession while also protecting our personal security.

Current risks to judicial security stem from several factors, including heightened political polarization, the proliferation of extremist ideologies, increased public scrutiny of judicial decisions, and the rise of social media and digital technologies that can amplify threats and facilitate harassment. In May, our own NAWJ Past-President Chief Judge Anna Blackburne-Rigsby and NAWJ member Judge Julie Kocurek spoke to US Congressional staffers in support of the Countering Threats and Attacks on our Judges Act, a bipartisan bill that aims to ensure protections for judges facing security risks. Federal and State legislation form an important part of enhancing judicial security. Enhanced penalties for those who threaten, or harm judges can serve as a deterrent. Additionally, policies that support the confidentiality of judges' personal information can help reduce the risk of targeted harassment. Courthouses and judges' homes require robust security measures, including surveillance systems, secure entry points, and

emergency protocols. Judges may also need personal protection, especially during high-risk cases. By implementing these measures, we can help increase judicial security, protecting our legal system and ourselves from external threats and ensuring legal decisions remain unimpacted by external forces.

The nature of our work involves making decisions that may not be popular with all parties involved. Just by doing our jobs, we may make decisions that provoke attempts at retaliation. When the threat of retaliation becomes a potential reality, it not only effects our personal well-being, but threatens the very cornerstones of our democracy. As Judge Blackburne-Rigsby told Congress, “A safe and secure judiciary is vital to upholding the rule of law and ensuring that all judges are well-positioned to make fair and impartial rulings, and that their decisions cannot be influenced or changed by any threats, intimidation, or retaliation.”

Judicial independence forms a cornerstone of a functioning democracy. We must be able to make decisions based on the law and facts, free from external pressures or fear of retribution. Without adequate security, judges might feel pressured to rule in favor of certain interests out of fear for their personal safety or that of their families. I believe that our judiciary is replete with judges who are resolute in their duty to ensure justice and uphold the rule of law. However, regardless of whether judges are tempted to bend to this pressure, the mere threat of retaliation leads to a perception that justice can be manipulated through coercion. When judges are secure, they can focus on delivering justice impartially and without bias. The public, therefore, can have confidence in the judicial decision-making process, which is fundamental to the integrity of our legal system.

Our current digital age, moreover, has impacted

the security threats that judges face. The proliferation of social media has fostered concerns surrounding various cyber threats, including hacking and online harassment. Additionally, judges' personal information, including their home addresses and family details, can be exposed and exploited for intimidation purposes. Comprehensive security strategies must now include measures to protect against cyber threats, such as secure communication channels, cybersecurity training, and protocols for handling sensitive information. We must also ensure that judges' personal information remains protected.

Overall, effective judicial security encompasses a range of practical measures. These include enhance physical security at courthouses, including safety plans for when that security is breached. Other measures include secure transportation, personal protection for judges in high-risk situations, and confidentiality of personal information.

In addition to the physical risks faced by judges, we cannot ignore the emotional toll of these threats on the mental wellbeing of our judges. Psychological support and stress management resources can help judges cope with the pressures associated with their roles. To fully ensure judicial protection, therefore, we must also provide psychological support and counseling for judges facing threats. Coping with threats and harassment can take a toll on judges' mental health. Access to professional support can help them manage the stress and anxiety associated with such risks. Training in security awareness and self-defense can also empower judges to better handle potential threats. It is my goal that NAWJ can provide a supportive network for our members to share our concerns and support each other. However, we also need concrete tools and policies in place to ensure that judges can promote justice and maintain impartiality without risking their

physical safety. At the midyear-conference, we held two sessions addressing these issues, and we will also focus on this issue at our 45th Annual Conference in October. I also encourage our Districts to talk about these issues during their regular meetings and use those meetings to let members know that they are not alone.

These discussions, moreover, must extend beyond the confines of our judicial community. By promoting transparency and educating the broader community about the issues that judges face, we can foster mutual respect and understanding. Raising public awareness about the importance of judicial independence and the dangers of threatening judges can contribute to a more respectful and supportive environment. Educating the public about the role of judges and the legal system can also help reduce misunderstandings and hostility.

Another primary focus of my presidential year has been domestic and intimate partner violence. It may appear that these two priorities are unrelated. However, research shows us that they are deeply connected. The relationship between domestic violence and judicial safety is complex and significant. Judges who preside over domestic violence cases face unique risks and challenges that can directly impact their safety.

This connection arises from several key factors. Domestic violence cases often involve highly charged emotions and volatile relationships. The perpetrators of domestic violence may have a history of aggression, controlling behavior, and a willingness to use violence to achieve their aims. When judges issue restraining orders, award custody of children, or impose criminal penalties, the individuals subject to these decisions may react violently. The intense personal stakes in these cases can lead to threats and actual acts of violence against judges.

These situations, moreover, can be complicated further by gender dynamics. Women judges, therefore, face specific risks and challenges when dealing with such cases. Perpetrators of domestic violence sometimes perceive judicial decisions as direct threats to their control and power over their victims. This perception can lead to retaliation against the judge responsible for these decisions. Retaliation can manifest in various forms, including physical violence, threats, stalking, and harassment. These risks particularly impact judges whose decisions appear to "favor" victims of domestic violence or whose rulings lead to the separation of families.

Judges handling domestic violence cases may also experience significant psychological stress. The nature of these cases often involves exposure to graphic and traumatic details of abuse, which can take a toll on judges' mental health, especially with prolonged exposure. Additionally, the fear of potential retaliation can add to this stress, impacting judges' ability to perform their duties effectively.

Providing psychological support and counseling services to judges can help them cope with the stress and trauma associated with handling domestic violence cases. By promoting access to professional mental health resources, we can help judges manage the emotional impact of their work and maintain their wellbeing. This, in turn, promotes the integrity of our judiciary, allowing judges to perform their duties without the influence of external factors. I sincerely hope you enjoy this issue of Counterbalance. Thank you to all our contributors, NAWJ staff, and our amazing VP of publications, Judge Heather Welch, for making it possible.



Hon. Karen Sage
President

Vice President of Publications Message



You are in for a treat as the Summer Counterbalance issue has articles on Judicial security and wellness and the NAWJ will also fondly remember and celebrate Judge Arline Pacht Nee Burstein and her many contributions to the International Women of Judges Association and NAWJ. Judge Mary Schroeder has shared and remembered Judge Pacht and her many contributions and why she will be deeply missed.

“ In light of President Karen Sage’s theme focusing on judicial security and wellness, this Summer Counterbalance will provide several articles for you to complete an assessment of your security and wellness.

Unfortunately, in today’s society Judges face more and more threats as they serve the public whether they are physical threats of harm, cybersecurity threats, or emotional fatigue. In light of President Karen Sage’s theme focusing on judicial security and wellness, this Summer Counterbalance will provide several articles for you to complete an assessment of your security and wellness. I am hoping you will have some time by the pool or beach to read these outstanding articles.

The article *Self-Care as a Professional Duty* by Judge Arose Nielsen is an excellent article which discusses the stressful roles, we fill each day when we put our robes on to administer justice, and there are beneficial resources in this article.

Judge Bobbie McCartney, US Administrative Law Judge, shares an article entitled *Order in the Court & Home: Judicial Safety Considerations*, which was a NAWJ webinar presented on April 24, 2024. The webinar and article provide many specific recommendations for judiciary security at the courthouse and your home. I would encourage you to read this article.

Many of us have raised concerns for jurors who serve on jury trials and how this impacts jurors from an emotional and physical standpoint. Judge Sarah Ellis from Massachusetts shares how the Massachusetts Courts have created a counseling program for jurors and how it is working.

If you could not attend the Mid-Year NAWJ conference in Austin, Texas, we have an article from Judge Orlanda Naranjo, and she discussed the educational programs which were presented in Texas. Finally, Judge Carol Berry, a retired judge, discusses life after retirement.

I want to give a special thank you to all of our generous contributors to this Summer issue of Counterbalance, including the exceptional work of Laurie Denham, NAWJ’s Executive Director, and her skilled team, who piloted this issue to the finish line. I am honored to edit this Counterbalance issue and make sure it is reflective of the NAWJ’s mission and what we do each and every day to inspire our members to continue their great work.

Hope you enjoy this issue!

Heather Welch

Hon. Heather Welch

Retired Judge, Marion Superior Court
JAMS mediator and Arbitrator
Vice President Publications

Executive Director Message



“ Since my last Counterbalance message, we have launched a membership drive, with an opportunity for someone to win a complimentary registration to the 2024 Annual Conference in San Diego. We also inaugurated the “45 for 45 campaign” to mark and commemoration our 45th Anniversary.

It is hard to believe that I have been with NAWJ for five years, minus a few months. It is an honor to serve as your Executive Director, and I am grateful for your support. After joining NAWJ, my initial task was to aid in the finalization the 2019-2024 Strategic Plan. Now, our Strategic Planning Task Force is diligently updating the plan for 2024-2029. Since my last Counterbalance message, we have launched a membership drive, with an opportunity for someone to win a complimentary registration to the 2024 Annual Conference in San Diego. We also inaugurated the “45 for 45 campaign” to mark and commemoration our 45th Anniversary. We will give special acknowledgment to our donors during the Annual Conference. I urge you to seize these opportunities before the deadline on August 1st. Refer your colleagues and [donate](#) today!

Under the leadership of Judge Pennie McLaughlin, Judge Terrie Roberts, and their entire Annual Conference Committee, preparations for an exciting event are well under way. The agenda promises an array of enriching experiences, including a Thursday afternoon Wellness Session, , yoga and Bay walks in the mornings, thought-provoking plenaries and breakout sessions, ample networking opportunities, and time to explore the city of San Diego. Further details and registration can be accessed at this [link](#).

The redesign of the NAWJ website is also nearing completion. The Website Taskforce, alongside Brian Gorg, is in the final stages of editing, an is anticipating launch this fall. In the meantime, I encourage you to explore the newly-available resources on our platform, including the Rural Courts [Online Course](#) , IVP Jury Training Videos in both English and Spanish (need links), and

The American Bench Annual [Gender Ratio Summary](#) of the US State Courts.

Lastly, I want to thank my dedicated team members, Francie Teer, Brian Gorg, and Janelle Mihoc. Their professionalism, adaptability, and passion for NAWJ is invaluable as we serve serving our members and advance our organization.

Laurie Hein Denham

Laurie Hein Denham, CAE
Executive Director

Arline Pacht

A Brief, Fond Remembrance

Arline was generations ahead of her time in founding the International Association of Women Judges. Her determination turned the fledgling organization into the one she envisioned would unite women judges around the world to use their skills, their life experiences and their dedication to the Rule of Law, to help eliminate suffering and persecution of their sisters, wherever that occurred.



By Hon. Mary M. Schroeder,
Judge U.S. Court of Appeals
for the Ninth Circuit

How did she accomplish so much? Well if I could have a third word to describe Arline, it would be “charm”. I never saw her try to charm snake, (the nonhuman variety), but I am sure she could have done it. Her voice was never raised, her demeanor never hostile, and her resolve never shaken. Her smile was so magnetic she inspired folks to earn it.

Arline’s professional life was in Washington, but a piece of her heart was always in New York. For years she had a little apartment just off Broadway

and around the corner from Lincoln Center. She let me stay there on the rare occasions I went to New York for opera.

Describing Arline as “inspirational” would be a woeful understatement. Her vision motivated women judges worldwide to use whatever power and ability they had to combat violence against women and lift each other to great achievements. Her example lives on in those lucky enough to have watched her in action.

If I had to pick one word to capture the essence of Arline Pacht, it would be “determination.” And if I got to choose another word to go with it, the word would be “vision.” But make no mistake, Arline was not a dreamer. She was a doer.



The Path to Destruction in Words



Cyber-Violence is a First Step
to Physical Assault;
We are Unprepared

Despite our polarized society and the many layers of separation currently dividing our nation, most can agree that we are experiencing unprecedented attacks on influential leaders, and those attacks far exceed casually thrown remarks. Threats against the judicial and business communities are at an all-time high, while the weapons utilized deal the lowest of blows. Cyber-violence is used as a tool to force decision-making, silence dissent, obstruct justice, and wreak havoc on the financial, physical, and emotional safety of the target, and it has advanced more rapidly than our ability to manage it. Designed to engage vast numbers of strangers to strike out at the intended victim and

coupled with the anonymity available to web-based destruction, it carries the widespread and long-term impact of social napalm.

Even more dangerous than the evolution of these dark-world campaigns is our lack of preparation to hold perpetrators fully accountable. Too often, cases involving longstanding online abuse are considered by the legal system to be nothing more than a “nagging inconvenience,” and the escalation to physical violence is greatly underestimated. Yet, the majority of actual physical attacks of influential leaders began online.

“There is overwhelming agreement among both Physical Security (95% agree, including 45% who agree strongly) and IT professionals (95% agree, including 55% who agree

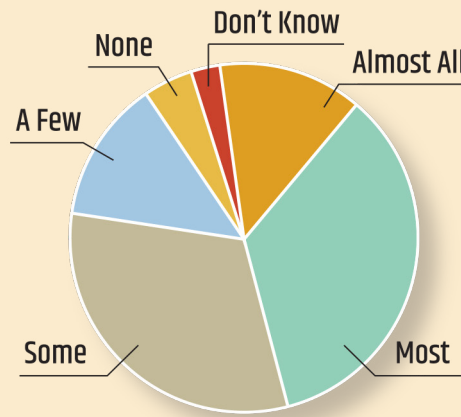


By **Tamarin Lindenberg**
Co-Chair Judicial Security Committee;
Managing Partner Lindenberg
Law Group

Action is Paved

Physical Threats Disrupting Business Continuity that Could Have Been Avoided

Of the physical threats that have disrupted business continuity this year, how many do think could have been avoided if cybersecurity and physical security intelligence were unified so threats could be shared and actioned by cross-functional teams?



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strongly) that cybersecurity and physical security must be integrated, otherwise cyber and physical threats will be missed.” - *The Case for Protective Intelligence and Cyber-Physical Security Convergence*

An eerily accurate comparison of the challenge is seen in the deaths of two very experienced cave divers who lost their lives earlier this week during a complicated exploration of Eagles Nest in Florida, a cave over 2000 feet deep. One of those commenting on the tragic accident said, “They were super experienced. But they were only super experienced at never having a problem.”

This is a sobering warning for where we stand today: we are not super experienced at dealing with THIS problem. From the courtroom to the boardroom, leaders today are grappling with complex challenges as they face unprecedented levels of harassment and physical confrontations, and where

experience falls short, wisdom gleaned under fire is our only resource.

“Perpetrators of cyber violence have

a propensity for violence that not only is extremely elevated but is hidden behind complex layers of a technology mask that allows increased uninhibited criminal behavior,” said Circuit Judge Rosemarie Aquilina, a key member of Lindenberg Law Group advisory board and Co-Chair of the NAWJ Judicial Security Committee. “The use and exploitation of new technology leads to destructive acts with unprecedented range -no one is immune and fundamentally everyone is a target.”

Victims Behind the Bench – Increasing Attacks on Judiciary

The attacks on individuals in key leadership roles significantly impact the judicial community, whose members are often a primary focus of these campaigns. These destructive efforts create the need for the broader judicial community to more fully grasp the consequences of such efforts to destroy the economic, reputational,

Physical Security and IT Leaders Agree, Compared to the Beginning of 2021

71%

The physical threat landscape has dramatically changed and expanded, which has created an exponential increase in data and pre-incident indicators that are unmanageable.

69%

In first few months of 2021, the lack of unified digital protective intelligence has resulted in missed threats and physical harm to employees, customers and human assets for my company.

64%

My company is experiencing an increase in physical threat activity.

58%

I feel less prepared to handle physical security for my company.

and physical security of victims as they seek to hold perpetrators accountable. From every angle, we are in this together, and the importance of managing these escalating attacks with a multidisciplinary approach cannot be overstated.

In a *The Trace*, *CNN* interview with Kaitlan Collins, U.S. District Judge for the District of Columbia, Reggie Walton, nominated to the bench in 2001 by President *George W. Bush*, said, “any attack on a judge is “particularly problematic” when they can be considered a threat, especially if they’re directed at their family. We do these jobs because we’re committed to the rule of law, and we believe in the rule of law. The rule of law can only function effectively when we have judges who are prepared to carry out their duties without the threat of potential physical harm.”

According to a Newsweek reporter, Ewan Palmer Walton, who has presided over cases related to the January 6 attack on the U.S. Capitol, said he and his daughter have also received threats, including one person who called him and said they know where he lives. “You can’t let that impact how you live your life and how you treat litigants who are before you,” Walton said. “Even though threats may be made against you and your family, you still have an obligation to ensure that everybody who comes into your courtroom is treated fairly, regardless of who they are or what they’ve done. But nonetheless, it is very troubling, because it is an attack on the rule of law when judges are threatened, and particularly when their family is threatened.”

In another high-profile case, a California man was charged in 2022 with attempting to kill Supreme Court Justice Brett Kavanaugh after law enforcement arrested him near Kavanaugh’s home outside of DC with a bag containing a gun and burglary tools, according to officials. As reported by Devan Cole of CNN, Nicholas Roske had called 911 on himself and later told law enforcement he was upset over the leaked draft Supreme Court opinion on abortion rights, among other issues, and had traveled to Maryland to “kill a justice.”

Washington, D.C. U.S. District Judge Roybe Lamberth insightfully commented that threats now come from “ordinary people you wouldn’t suspect,” making the depths all that more difficult to navigate.

“All of these courts are dealing with an unceasing stream of violent threats to their personnel and to the judges... That’s a strong sign of an eroding respect for the rule of law.”

When commenting on the January 6 riot, Rep. Jamie Raskin, Democrat of Maryland, said, “All of these courts are dealing with an unceasing stream of violent threats to their personnel and to the judges... That’s a strong sign of an eroding respect for the rule of law.”

In February, US Marshals Service Director Ronald Davis told a House Judiciary subcommittee, “I’m deeply concerned with the alarming increase in threats against our judiciary and the violent nature of those threats. In the past three years, the number of threats against federal judges has more than doubled, as have threats against prosecutors and other court officials. I must state in stark terms that the current and evolving threat

environment facing the judiciary constitutes a substantial risk to our democracy.”

In 2024, Congress reduced the roughly \$1.7 billion budget for salaries and expenses for the US Marshals Service. The agency has lost 72 deputy marshal positions as a result, at the same time that thousands of other positions across the Justice Department were eliminated due to budget cuts, as presented by Attorney General Merrick Garland’s *congressional testimony* in April. Budget documents released in March reflect the reductions.

Judge James Robart, a Republican appointee who blocked an executive order barring travelers from certain predominantly Muslim nations from

entering the United States, told Reuters he received thousands of hostile messages, including more

than 100 threats severe enough to trigger Marshals Service investigations. He said he was not aware of any arrests related to the threats.

The number of federal judges who received serious threats rose to 457 in the fiscal year 2023, up from 300 in 2022 and 224 in fiscal 2021. Clearly, there is an upward trend, and yet, “the Secret Service knows more about a potential school shooter than the Marshals Service knows about the type of person that stalks and threatens a judge, John Muffler, who retired in 2015 as a chief inspector with the Marshals Service, told Bloomberg. “There’s way more meaning in the data being collected than just a number, and I think that’s the big miss.”

As threats against judges have increased, funding for judicial security has decreased, and democracy is threatened, the only certainty appears to be the untenable reality of the environment. It begs questions that push the proverbial envelope. If the security of judges is not a priority and the rule of law is treated with disdain, what value does the nation place on those serving in positions of risk to secure the underpinnings of the justice system?

If the safety of those behind the bench isn't a priority, how will the crumbling rule of law be applied to those seeking refuge before the bench?

Victims Before the Bench—Increased Threats in the Boardroom

As reported by Global Guardian, “threats—physical as well as digital—to CEOs, their employees, and their businesses in the United States have grown exponentially over the past few years, fueled by a combination of a deeply polarized society, divisive policies in response to the COVID-19 pandemic, and executives increasingly taking public positions on social issues.”

CEO Dale Buckner attributes this trend to: “Our society now expects corporate headquarters to choose where they sit politically, and it expects them to take action where the U.S. government has not,” he said.”

2021 Mid-Year Outlook: *State of Protective Intelligence Report* A survey of 300 senior executives, including chief security officers and chief technology officers at U.S. companies with more than 5,000 employees, found 58% said their CEO had received

physical threats after taking a position on a racial and/or political issue.

The report states, “The physical threat landscape has dramatically changed and expanded, which has created an exponential increase in data and pre-incident indicators that are unmanageable.

More than half of all respondents agree their CEO has received physical threats, both as a result of either expressing (58%) or not expressing (40%) a position on racial and/or political issues. More than one-third (35%) agree that their CEO's expressing concern publicly about extremists has resulted in new physical security threats, and nearly the same amount (33%) agree their company has experienced an increase in physical threats and backlash tied to extremism, racial justice, and political issues.”

Victims are not limited to large corporations. In April, Pranshu Verma of the Washington Post reported on the use of audio AI to falsely create a Baltimore principal's racist rant. The case raises fresh concerns about easily accessible AI tools that can allow users, with only a few seconds of real audio footage, to create believable clones of people. Pranshu writes, “The 42-second voice recording, purportedly of a Maryland high school principal in the midst of a racist rant, derided black students as “ungrateful” and unable to “test their way out of a paper bag. I'm just so sick of the inadequacies of these people,” sneered the voice on the recording, which was posted on social media in January, igniting outrage and prompting the school district to place the principal on leave. But the recording was not what it seemed, according to Baltimore County police.

A school employee, investigators charged Thursday, had used artificial intelligence tools to fabricate the audio with the intention of falsely depicting the principal as bigoted and anti-Semitic.

The employee, the former athletic director at *Pikesville High School*, was taken into custody at Baltimore-Washington International Marshall Airport on Thursday as he was about to fly to Houston.”

The far-reaching damage was shared by a business executive victimized by a five-year campaign intended to destroy her reputation and income when she became a whistleblower in a matter involving fraud against the federal government. Agreeing to only speak under anonymity, she shared, “My personal contact information was shared on numerous hook-up sites, and false profiles were created to lure third parties to pursue me for sexual interactions. I received volumes of texts naming the defendant in taunting messages, and third-party sites were used to send sexually suggestive emails under my name to my perspective clients and professional associations in which I was a member. The intent was clearly to defame and humiliate me and destroy my income.

Even more painful was the complete lack of early follow-through by law enforcement, which diminished the issue despite threats to my physical safety. I did everything we are taught to do, including engaging legal assistance, and there was absolutely no engagement on any side, despite increasing threats to my physical safety. The impact on my wellbeing, my family, and my career was extremely destructive, and that was exactly what it was intended to do.”

Behind the bench and before it, we are in a volatile environment, and those who speak up pay dearly.

When the Rule of Law Fails to Rule

A *study* reviewed and approved by the Institutional Review Board of the University of California, Davis, revealed that nearly a third (32.8%) of respondents considered physical violence to be usually or always justified for at least one of the 17 specified political objectives presented. About 1 in 7 (13.7%) agreed strongly or very strongly with the statement that “in the next few years, there will be civil war in the United States.”

“This is a very strong methodological study that backs up what we are seeing in a lot of other data,” said Dr. Rachel Kleinfeld, a senior fellow at the Carnegie Endowment who specializes in democracy and security. America is at risk of experiencing major political violence.”

Will Van Sant reported, “Extrapolating to the U.S. population, the Davis study found that between 4 and 5 million Americans would be “very or completely willing” to intimidate, injure, or kill to achieve a political goal. Between 3 and 5 million would be similarly willing to commit violence against the government, election workers, health officials, and the police and military.”

“These individuals are not being bombastic,” *Kleinfeld* said, “they are willing to say precisely what kind of violence they support.”

While the judicial community and business leaders perform under circumstances far exceeding the tough decisions and isolating demands

of those who wield influence, we cannot underestimate the personal expense. Neither can we overstate the importance of those willing to withstand the onslaught of efforts to destroy the foundation on which our democracy once stood but now wages war for its preservation. It is a powerful union of diverse talent that shapes an adequate response to the threat of survival.

The Toll It Takes

The environment in which we are performing is wrought with efforts to intimidate, threaten, distort, and alienate, and when those channels are futile, escalation to physical confrontation is common. The long-term effects of living in unrelenting and extraordinary distress are well documented, and the wear on the body, mind, and well-being is indisputable.

Jennifer Fraser, PhD author of *The Bullied Brain* and one of the vital team members at Lindenberg Law Group, who has studied the physical impact of chronic trauma on the body, states, “When an individual is threatened, extensive peer-reviewed, replicated research documents show the physical toll it takes on the brain and the body. Physical harm to the brain and body is measurable by non-invasive technology for both. A threatening environment, the anticipation of unknown harm to oneself or to one’s loved ones, causes the nervous system to unconsciously activate. The brain and body funnel resources into the sympathetic nervous system response: fight, flight, or freeze. In the workplace, adults suffer from ‘workplace terrorism’ when abuse goes unchecked. The powerlessness appears grounded in fear.”

As lawyer Paul Pelletier advises, “These

fears are real—you will be afraid of retribution, of making the problem worse, of not knowing how to speak up. However, it is silence and fostering the fear of speaking out that enable abusers to thrive. Few want to tackle this troubling issue in public as it could oust you from the in-group. Our work aims to shift this dynamic so that we use a new way of thinking and a new vocabulary to take our discussion of adult abuse out from behind closed doors and into a public arena where we can properly examine it, question it, and make changes in our own lives.”

As Alexander C. McFarlane of the Centre for Military and Veterans Health at the University of Adelaide presents, “An increasing body of evidence demonstrates how the increased allostatic load associated with PTSD is associated with a significant body of physical morbidity in the form of chronic musculoskeletal pain, hypertension, hyperlipidemia, obesity, and cardiovascular disease. This increasing body of literature suggests that the effects of traumatic stress need to be considered as a major environmental challenge that places an individual’s physical and psychological health equally at risk. This broader perspective has important implications for developing treatments that address the underlying dysregulation of cortical arousal and neurohormonal abnormalities following exposure to *traumatic stress*.”

Threats experienced by today’s judicial community and business leaders are no longer limited to the target but extend to include family and children in real-time, and cyber-violence allows tracking and abuse to exceed all limits imaginable. Ed Reinhold, retired FBI Deputy Assistant Director of the Critical Incident Response Group and

Physical Security and IT Leaders Agree:

74%

Given the current environment, I am under more pressure than ever before to keep my company's CEO and our representatives

59%

As a result of expressing a position on racial and/or political issues, my company's employees have received physical threats.

58%

As a result of expressing a position on racial and/or political issues, my CEO has received physical threats.

56%

As a result of encouraging vaccinations and mask use, my CEO has received physical threats.

40%

As a result of not expressing a position on racial and/or political issues, my CEO has received physical threats.

essential member of the Lindenberg Law Group team, notes, "The Rule of Law, coupled with respect for the law, is the only thing that separates the United States from other countries that have been corrupted and ruled by criminals that bribe and intimidate their respective judiciaries, witnesses, and those who stand for a just society. During these polarized times, it is imperative that we act in solidarity against attacks that compromise our commitment to democracy. The penalties and consequences for such attacks must be swift and harsh."

Progress Under Pressure

I have led many meetings on the topic of cyber-violence used to silence those in leadership roles, and reactions have resulted in a range of responses,

including: 1) shock at the depth of the problem and appreciation of new information; 2) resistance to acknowledging risk due to a stated inability to manage it; 3) awareness of the risk with plans to exit successful leadership roles; 4) desire to work on legislative changes to address the risk; 5) Determination to fight back.

- Be mindful of the rapidly changing landscape—face the realities of diminished security in the age of deepfake and audio AI, and use that knowledge to guide behavior.
- Recognize the challenges victims before you face and those you face yourself—cyber-violence, often a first step to physical confrontation, is far more than a nuisance; it is an attack that compromises its

target financially, physically, and reputationally.

- Embrace a multidisciplinary approach to problem solving; the challenges we face today require an openness to drawing on a range of experts. We have a critical need to apply the law to its fullest measure and seek to make new laws where circumstances allow.

We have not mastered an optimal way to combat the war on leadership today. The weapons used against us far exceed our experience, and the fallout is extraordinary.

To become adept at defeating present-day challenges, we must first admit that outdated perspectives do not apply and, in fact, have held us back from being fully prepared. With this mindset, we shift into a mode where real change is possible.

We can't solve complex problems in a spirit of defeat. Carol Dweck, a psychologist at Stanford University, explains in her TED talk, "If you get the grade "Not Yet," you understand that you're on a learning curve. It gives you a path into the future."

We aren't there yet, but together we can be.

A rock pile ceases to be a rock pile the moment a single man contemplates it, bearing within him the image of a cathedral." Antoine de Saint-Exupéry

Tamarin Lindenberg is the founder of Lindenberg Law Group- The first female founded, fully virtual, multidisciplinary, non-attorney owned law firm combating the use of cyber-violence against women in leadership.

Jury Counseling

Each year in Massachusetts, almost 200,000 people appear in courthouses across the Commonwealth to perform state jury service. Prior to the pandemic approximately 34,000 of them were seated on trial juries annually. For the great majority of jurors, jury duty is a positive experience, or at worst inconvenient. For some jurors, however, jury duty can be stressful and disturbing, due to the type of case, the nature of the evidence, or even the experience of serving as a juror. For years, courts have questioned how to minimize potential negative impacts on jurors, but meaningful solutions have proved elusive.

The Massachusetts Program

In July 2022, Massachusetts unveiled a first-in-the-nation program of free, short-term professional mental health counseling for jurors who are distressed because of their jury duty experience. Jurors are entitled to three one-hour counseling sessions by telephone. If more help is needed, the counselor will assist with referrals. The Massachusetts Trial Court contracts with a private mental health service provider for this purpose. There is a single, dedicated counselor who works with jurors.

The service is intended primarily for people who have been seated on a jury, but the trial judge has discretion to offer the services to any potential juror who is upset by the jury duty experience. For example, some potential jurors who are released after voir dire in cases



By Hon. Sarah Ellis
Associate Justice of the
Massachusetts Superior Court



By Pamela J. Wood
Massachusetts Jury
Commissioner



involving sexual assault or child abuse recall their own traumatic experiences and may benefit from the counseling service. Other potential jurors with mental health diagnoses, such as anxiety, find the summons to court stressful.

Jurors are informed of the program after being dismissed from service, either as a seated juror at the conclusion of the case or, in the judge's discretion, as a potential juror excused during impanelment. The court officer provides the juror with a brochure describing the service and providing contact information. The Office of Jury Commissioner (OJC) follows up with an email to seated jurors after their service that includes information on the counseling service.

Early Efforts

Courts across the country are recognizing the impact of trauma, both direct and secondary, on those involved in the justice system, including trial participants, court staff, and jurors. Various jurisdictions have tried a range of methods to address juror stress, including post-trial debriefing sessions with court staff, informal referrals to mental health agencies, and statutory programs to reimburse private counseling fees, among others.

Perhaps the most well-established program is administered by the United States District Courts, which provide mental health counseling services to jurors through the Federal Employee Assistance Program (EAP) in appropriate cases. Because the EAP is only available to federal employees, the judge must issue an order prior to the conclusion of the trial extending the jurors' term of service "for administrative purposes" to permit the jurors to access the service. Similarly, several states suggest that jurors contact their own EAPs. North

Carolina implemented a pilot program in 2012 permitting jurors to contact the state EAP for referrals to local providers. Alaska has a statute authorizing the court to reimburse up to 10 hours of counseling for jurors who serve on certain types of cases involving violent crime. Several jurisdictions, including Texas, Illinois, New Mexico, and California, have offered post-trial debriefings with court staff. Many of these programs are informal, "pilot programs" that may have temporal limitations, or are implemented only in one county or region of the state.

Like other jurisdictions, the Massachusetts Trial Court also engaged in early efforts to address juror stress. The Jury Management Advisory Committee (JMAC), a standing committee of the Supreme Judicial Court that provides guidance and supervision to the OJC, has worked with the OJC to research options and develop solutions. The National Center for State Courts (NCSC) provided information about the Federal EAP program and informal efforts in other jurisdictions. In 2016, the OJC created a brochure for jurors with information on stress reduction techniques and contact information on local social service agencies. The OJC identified the importance of in-person counseling options, but dialogue with various Massachusetts EAP providers about replicating the Federal program ultimately were not successful.

Developing the Program

In 2019, the Massachusetts Trial Court established a Trauma Task Force (TTF) to examine and attempt to address primary and secondary trauma throughout the court system. A subcommittee, chaired by Jury Commissioner Pamela Wood, examined options to address juror stress. The Trial Court sought recommendations on

possible providers from a variety of sources, including the Massachusetts Department of Mental Health. Several potential providers were contacted, but few were able to provide the services requested. The Trial Court ultimately received proposals from three potential providers, only one of which was able to meet the Trial Court's needs in full ("the Provider.") The Provider was an established behavioral health and crisis intervention service that works with employers, school systems, government agencies, and individuals to provide a wide range of mental health services. The Provider submitted a proposal with different features including the following:

Consultation services:

- Individual, one-on-one counseling via phone or video conference
- Group counseling (jurors only)
- Up to three one-hour consultation services with a trained, dedicated counselor
- Referral to longer-term resources if necessary

Website:

- A dedicated landing page on the Provider's existing website for the juror counseling program
- Mental health self-assessments for 13 common mental health challenges (e.g., anxiety, depression, PTSD, substance use, etc.), followed by a customized results page with clinician-developed education on the chosen topic, plus information on additional resources
- Introductory video including the Jury Commissioner explaining the program and its purpose and benefits

Program Administration and Reporting:

- Regular meetings with the Trial Court and the OJC to review and modify program features

- Monthly reporting on program usage, designed in collaboration with the OJC

The Provider entered discussions with the Trial Court to determine how best to structure the service while complying with legal requirements and meeting the needs of the court and the jurors. Ultimately, the Trial Court contracted for all the proposed services, except the group counseling feature. Group counseling was omitted due to concerns about maintaining confidentiality and preserving the sanctity of the deliberative process and the integrity of verdicts. The contracted cost of the services provided was approximately \$22,000 annually.

Implementation

Prior to implementing the program, the Court Administrator and the Jury Commissioner met with relevant stakeholders, including Trial Court Chief Justices and Trial Court Security and Legal Departments. Questions and concerns were addressed, and the Trial Court announced the program to the court system state-wide. The Trial Court, OJC, and the Provider filmed an explanatory video, designed a brochure to connect jurors with the program, and developed training for the counselor and the court personnel who would oversee the program.

A single counselor was designated to provide the counseling services, rather than a “hotline”-type program in which jurors would call and speak with whichever counselor answered the phone. The single counselor model, in which one professional would be educated on concerns specific to jury service, was implemented to avoid disturbing verdicts by guiding jurors away from revealing confidential deliberative information.

The Provider selected an experienced

counselor from its program who met repeatedly with Trial Court and OJC personnel to discuss legal requirements and to establish protocols for the program. It was agreed that the counselor would make clear at the beginning of each contact that the juror should not reveal case-specific information or details of the deliberations, but rather the counseling session would focus on how the juror was feeling presently and discuss the case only in general terms, if at all. Two years into the program, this method has worked well. The counselor reports that she successfully redirected the conversation on the few occasions it may have been necessary to do so.

The Provider and the OJC also developed reporting templates to evaluate the usage and success of the program. The Provider reports monthly on the number and types of contacts, categorized in general terms to preserve confidentiality and protect the sanctity of the legal process.

Communication

Jurors were notified of the availability of services for the first time in the summer of 2022. The program launched with announcements from the OJC and the Trial Court to courtroom staff about the availability of counseling services for seated jurors. The Trial Court and the OJC prepared a brochure describing the program and providing contact information, including phone, website, and QR code. Hard copies of the brochure were distributed to the courthouses and printable templates were made available on the Trial Court intranet. Court officers were instructed on the distribution of brochures to seated jurors at the conclusion of their service. Judges were encouraged to inform jurors of the program in appropriate cases.

As the program progressed, Juror

Feedback Surveys provided data indicating that the OJC and the Trial Court could do more to inform jurors of the availability of services. While the program launched as an amenity for seated jurors, some jurors reported that the voir dire process itself was traumatizing, particularly for sexual assault survivors who were questioned in sex crimes cases. In response, the program was expanded to allow judges to exercise discretion to provide information on the counseling program to potential jurors who were not impaneled but whom the judge believed might benefit from the services. Other jurors sent feedback asking about services or otherwise indicating that they were not aware of the program. To increase awareness, the OJC added a link to the brochure to the post-service email sent to jurors who had been seated on a jury.

Oversight and Analysis

The OJC, Trial Court, and the Provider meet monthly to review the progress of the program, address issues, and make adjustments. In addition, the OJC reports regularly to the JMAC, which advised on expanding the program to potential jurors distressed by the voir dire experience, and the TTF, which is looking to make similar services available to court staff.

To track the usage and value of the program, the OJC has instituted a regular reporting system. Reports track the number of monthly consultations (categorized as an initial or continuing contact); the number of inquiries (such as a voicemail message) that do not ultimately result in a consultation; visits to the website; and self-assessment screenings taken by jurors. The OJC also designed an electronic intake form for the counselor that collects anonymized, general data on the demographics of the caller (gender, age range, race) and case

information (court department, civil or criminal), together with a brief description of the type of issue that prompted the contact – graphic evidence, type of case, or the juror experience itself. This allows the court to capture valuable information about what factors are most likely to prompt a juror contact without impacting specific cases or intruding upon the sanctity of the deliberative process.

Results

As the program approaches its second anniversary, definitive trends are apparent. The jurors who have accessed the program sat almost exclusively on criminal cases. In two years, only two civil cases have prompted calls. Callers are four times more likely to be female than male and tend to fall within the eighteen to fifty five age bracket. Although up to three sessions are offered, most calls were resolved in a single session, with only three instances of jurors requiring additional time and four that were referred for longer-term therapeutic services.

Usage of the counseling service has been consistent and low. The first year in particular was low usage, when the program was introduced and education of court staff about the program was underway. Once the program was expanded beyond seated jurors, the numbers increased slightly. There are generally one to four new contacts per month, in addition to follow-up communications with jurors who make an initial request for services but then do not respond to attempts to schedule a session.

Conclusions and Next Steps

The juror feedback and consistent volume of callers indicate that there is a need for this type of service for jurors. Although the usage is low, this is to be expected and consistent with the volume seen by the well-established Federal court program.

The low demand does not detract from the program's efficacy. Instead, it is reassuring that for the great majority of citizens, jury service is not a traumatizing experience.

At the same time, the requests for services that do come in, coupled with the comments submitted by those jurors who are disturbed by their experience, demonstrate unequivocally that there are jurors who suffer negative impacts from their jury experience. The counseling program enables the Trial Court to offer a valuable service to address the distress experienced by some citizens as a result of their court-mandated jury duty.

The program has generated interest nationally and overseas. The OJC has received inquiries from multiple jurisdictions, including among others Vermont, Florida, Minnesota, and the United Kingdom. The Jury Commissioner was asked to testify before a joint committee of the Pennsylvania legislature on the program. The UK is in the process of establishing a pilot program.

Going forward, the OJC hopes to publicize information about the program and its success to assist jurisdictions that wish to offer these important services to jurors. The Jury Commissioner has discussed the Massachusetts program on two national podcasts, one for the NCSC and the other on Episode #218 of the *Criminal*. The Jury Commissioner is available to answer questions from those interested in establishing their own programs.

Future considerations include whether and how to expand the program. District Attorneys and grand jurors have expressed interest in the program. Statutory mandates and requirements for grand jury secrecy need to be considered before extending the service to dismissed

grand jurors. The percentage of callers who cite the juror experience as the primary source of their distress raises the question of whether the program should be made available to all people who report for jury service, not just those who are seated on a trial or participate in the voir dire process. Other possibilities include publicizing the program on the jury website and working with the Provider to train additional counselors. These are considerations if future expansion is warranted. The program is working well at present in its current form.

Jury service is an obligation and an important right of citizenship. It is also a critical component of a successful democracy. The compulsory nature of jury duty and the serious cases jurors decide, however, means that jurors are assuming a responsibility that may be unfamiliar and stressful. Although it is a privilege to serve, there are undeniably burdens associated with performing jury duty. The Massachusetts free, on-demand professional counseling service for jurors is the latest demonstration of the Commonwealth's commitment to its citizens who answer the call to jury service, and one which we hope may serve as a model for other jurisdictions as well.

Judge Sarah Weyland Ellis serves as the Chair of the Jury Management Advisory Committee, a standing committee of the Massachusetts Supreme Judicial Court.

Pamela J. Wood is the Massachusetts Jury Commissioner. Commissioner Wood and her office create the master juror list for each judicial district in the Commonwealth, issue juror summonses, and help jurors respond to summonses.

2024



NAWJ Midyear Meeting



President Karen Sage hosted judges from all over the country for the NAWJ Midyear Conference in her home city, Austin, Texas on April 4-6th. Austin is known for its live music scene. It is a youthful, weird, eclectic, vibrant city --- and it has great food. The meeting was held at the boutique Hotel Van Zandt located downtown.



By Hon. Orlinda Naranjo
former 419th District Court Sr. Judge,
Travis County, Austin Texas

The meeting began with NAWJ's Law Student Mentorship Program - Planting the Seed by hosting law students from three different law

schools: St. Mary's (San Antonio), Baylor (Waco), and University of Texas (Austin). As usual our members were happy to mentor the students. Asst. Dean Robin Thorner from

St. Mary's shared the comments from their students so NAWJ can see how meaningful the event was for the students. One student stated, "It was an incredible experience. I can't think of another time I will get the opportunity to sit with that many judges and just have a conversation. I was blown away by how nice, helpful, and engaging everyone was." These sentiments are a reminder of why we include law students in all our conferences.

On Friday, the plenary session was on judicial security with Judge Julie Kocurek of the 390th Criminal District Court, Austin, Texas. She kept the audience spellbound as she shared her horrifying experience. She and her family were stalked and videoed for a month before she was ambushed and shot outside her home. The shooting

was witnessed by her 15-year-old son, sister and nephew. The assassin was a defendant who she had sentenced for a credit card and tax refund scam. Judge Kocurek spent 40 days in the hospital and had 30 surgeries. Despite her ordeal, she returned to the bench and championed judicial security which resulted in the 2017 Texas Legislature passing a law strengthening security of the courthouse and judges. The next speaker, John Muffler, continued the discussion on



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... according to the post conference survey, most of our members attended the conference for the ability to network and socialize with other members. As one attendee stated: “I’m pleased that I made the time to attend because connecting with my NAWJ peers was rejuvenating and inspiring.”

security and safety planning for judges and their families. These sessions are representative of President Sage’s commitment to judicial security as part of her presidency and timely as we see the increased harsh inflammatory rhetoric against judges.

The next sessions dealt with domestic violence (also a priority for President Sage) and how judges can improve the system by having dedicated domestic violence courts and creating high risk offender teams. Just when you felt you knew it all...you realize there is so much more we can do.

The final session was very informative and an educational discussion about transgender people led by transgender persons. Stephanie Byers, a Native American, made history as the first ever transgender elected to a State Legislature in the US. She was joined on the panel by her wife Lori Hass

who is a Masters in family therapy with a specialty counseling members of the LGBTQ+ community. Panelist Sofia Sepulveda is a Mexican American trans-woman who is the manager of Equality Texas. The panel was moderated by our own Judge Victoria Kolakowski the first openly transgender judge of a court of general jurisdiction and current NAWJ Board Member who sits in Alameda County, California. The panel discussed the challenges facing the transgender community in Texas and throughout the country.

On Friday evening the Judges signed up for dine-arounds with local judges enjoying BBQ, Mexican food, steaks, and Asian fusion cuisine. Others opted to try to see the bats flying out from under the Ann Richards Congress Avenue Bridge. The Bridge hosts one of the largest urban bat colonies in North America. Unfortunately for the

judges waiting, the bats failed to make their appearance that night. A dessert reception back at the hotel closed out the evening.

The meeting closed with a session on the Informed Voter Project presented by NAWJ Boar member Judge Gina Benavides and Judge Dori Contreras. They informed members of the existing tools they can use to combat misinformation and unfounded attacks on the records and service of judges that undermine judicial independence.

Although the Mid-year meeting was informative and educational, according to the post conference survey, most of our members attended the conference for the ability to network and socialize with other members. As one attendee stated: “I’m pleased that I made the time to attend because connecting with my NAWJ peers was rejuvenating and inspiring.”





Self-Care as A Professional Duty

Is it our obligation to engage in self-care to serve the public?

Exposure to workplace stress is a component of the jurist's position. Stress is a product of the public and private horrors parading before us, including (but not limited to) vicarious trauma, challenging interpersonal relationships, isolation, and a constant vigilance regarding personal safety – not to mention our obligations outside of the job. To remain healthy and effective, we must give room for the mental soliloquy that is often slow to plead “*slow down, breathe, prioritize yourself.*” To our detriment, life experiences may have us perceive that self-care is indulgent, a testament to our vulnerability, and an insult to our perceived status both on and off the bench. However, let's step back and ask whether maintaining our healthiest “selves” is of the utmost importance when developing our professional identities and full potential.



By Hon. Arose W. Nielsen
Circuit Justice Hampden County Juvenile Court

We judges are professionals, and a professional is one “capable of making choices and accepting responsibilities that are framed by a duty of care to manage one’s health and well-being to maximize organizational performance and effectiveness¹.” In 2020, the American Bar Association released a report based on a survey of judges. The survey concluded that judges’ stress has become a contributing factor in a chronic state of declining physical and mental health, including alcohol misuse.²

One study from the American Institute of Stress suggests that up to 90% of doctor visits are related to stress as opposed to up to 80% due to workplace accidents.³ It is no wonder that stress impacts our ability to remain alert and engaged. Judges have reported that

their own stress contributes to depression, anxiety, fatigue, low energy, sleep disturbance, disrupted attention, and diminished concentration.⁴ In year two of my appointment, I heard a judge give a speech which began, “The first year, you think you’ve died and gone to Heaven. Year two, you realize that it’s a lot more stressful than you imagined. By year three, you begin to wonder why you wanted the job!” Cynical – yes. Realistic – for many. Now, raise one finger if you are frustrated by unprepared attorneys. Raise another for insufficient support staffing. Another for looming deadlines. Yet another for clashing with colleagues. And what about disruptive litigants? Keep going – every one of us can raise enough fingers for at least one full hand of tribulations. (If you move on to toes, let’s book that meditation retreat!)

Gender and Stress

It is important to consider gender when evaluating the impact of occupational stress, keeping in mind that each person reacts differently to various stressors. Research shows that women are disproportionately exposed to stressors.⁵ For example, female judges scored higher than male judges when attempting self-control (internalizing behaviors), which manifests in such symptoms as dysregulated sleep, disordered eating, and fatigue. Female judges scored lower in behaviors directed toward their environment (externalizing behaviors), which may manifest as anger, frustration, and intolerance.⁶ Although the research does vary as to occupational factors, it is important to note that not all stressors affect men and women disproportionately: research finds no difference between men and women as to perceived role conflicts, personal accomplishment, self-esteem, or well-being.⁷

As for women judges of color – we are especially vulnerable to imposter syndrome in our professional context, where we feel compelled to constantly pursue perfection to combat being perceived as “less than”. Examples of symptoms and behaviors include but are not limited to, feeling incompetent (while clearly being competent), fear of falling short of expectations, failing to accept praise, and feeling overwhelmed yet feeling compelled to take on more responsibility.⁸

According to Johns Hopkins Medicine, the most common sources of work stress for women include maintaining a work-life balance, relationships, and technology. It is recommended that women cope with stress through exercise (I personally find that the word “exercise” evokes visions of sweat and pain. The word “movement” is much less judgmental and better for body confidence), good sleep hygiene, seeking happiness, and leveraging your social supports.⁹

Knowing Oneself

“To be professional is to be a person who must do certain quite specific work on oneself so that one can be considered to be a professional, a particular kind of person... To be a professional... means different things, requires a different relationship to oneself and others, requires the individual to do different work on the Self... This idea of the development of a professional identity suggests a process rather than a state – a process that can be... incitements or sanctions that emerge from a range of settings and authority, and which have as their aim the development of certain behaviors and attitudes that identify the person as professional.”¹⁰ How can we ever be happy if we don’t take the time to work on our own well-being?

Developing a professional identity as a judge is a long-term task during which there are opportunities for growth. For many of us, this is a strenuous endeavor – one that requires insight and dedication to accomplish.



Let's take stock in who we are, both as private and professional individuals, to create a balance in which our "Selves" are not compromised to the point of diminishing physical and mental health. Know yourself – understand your emotional and physical limits. Constantly reassess your own needs and ultimately, balance your impulse to anticipate the needs of others.

A Massachusetts Model

The Massachusetts Trial Court developed a website for employees containing a vast array of resources to assist its employees and judges with grief as well as stress management. Many of these products are available specifically in your jurisdiction, and/or for the public.

Employee Assistance Program (EAP).

An EAP is a voluntary program that offers free and confidential assessments to court employees, including counseling, referrals and other services to its employees who have personal and/or work-related problems. The counselors may also assist with organizational challenges.¹¹

Wellness Resources for Commonwealth Employees. Various articles and guides assist with topics such as avoiding burnout, stress and resilience, a toolkit

for parents and families, trauma-informed care, relationships at work and home, financial wellness, and substance misuse issues.

Meditation and Mindfulness Resources – at your fingertips!

- *Ten Percent Podcasts* The meditations, podcasts, blog posts, and talks on this page will help you build resilience and find some calm amidst the chaos.
- *Live and On-Demand Meditation Programs* Discover the wide range of sessions taught by mindfulness experts.
- *Mindful - Healthy Mind, Healthy Life* Mindfulness resources including live guided meditations, quick practices and free courses on how to meditate
- *Nine Mindfulness Tips* from Jon-Kabat-Zinn A video series on mindfulness from one of the world's leading Mind-Body experts
- *Calm Together* A collection of meditations, sleep stories, movement exercises, journals, and music free to use and to share
- *COVID-19 Mental Health Tips During a Quarantine* Courtesy of

Mass4You

- Virtual 30 minutes sessions (via Zoom) from Space2Meditate in Manhattan *Best Meditation Applications of 2022* - a variety of apps to suit your meditation and mindfulness needs.
- *TED Talks to help you manage stress* - Sometimes life can feel like a bit of a mess, but these talks are here to help you de-stress.

Yes, it is our professional duty to practice self-care. The toll stress takes on us as judges impacts our ability to respect our own needs and identities. It inhibits our job satisfaction, interferes with the function of our families, and affects those around us at work, including litigants. We are worth every vacation, every mindfulness exercise, every walk in the woods, every spa day, every moment with family and friends. When we are good to ourselves, we can pay it forward. This is true justice.

1 The professionalization of stress management: Health and well-being as a professional duty of care? Critical Public Health, Volume 15, 2005 – Issue 2. Contributors: Derek Colquhoun, Bowater School of Management and Marketing, Faculty of Business and Law, Deakin University Australia.

2 Stress and Resiliency in the U.S. Judiciary. 2020 Journal of the Professional Lawyer. Contributors: David Swenson, Ph.D. L.P.; Joan Bibelhausen, J.D.; Bree Buchanan, M.S.F. J.D.; Hon. David Shaheed and Kathryn Yetter, J.D.

3 The professionalization of stress management at pg. 137.

4 Stress and Resiliency at pg. 12

5 Job Stress across Gender: The Importance of Emotional and Intellectual Demands and Social Support in Women. Int J Environ Res Public Health 2013 Jan; 10(1): 375-389. Pilar Rivera-Torres, Rafael Angel Araque-Padilla, and Maria Jose Montero-Simo.

6 Stress and Resiliency at pg. 13

7 Job Stress across Gender at pg. 1

8 <https://hospitalityinsights.ehl.edu/imposter-syndrome-women-minorities>,
<https://www.bbc.com/worklife/article/20200724-why-imposter-syndrome-hits-women-and-women-of-colour-harder>

9 <https://www.hopkinsmedicine.org/health/wellness-and-prevention/stress-on-the-job-4-tips-for-working-women>

10 Job Stress across Gender at pg. 139

11 EAP Programs - <https://www.opm.gov/frequently-asked-questions/work-life-faq/employee-assistance-program-eap/what-is-an-employee-assistance-program-eap/>

Order in the Court & the Home



Judicial Safety Considerations

On April 24, 2024, as Director for District 4 (DC, MD, VA) I was honored to host a very timely and significant webinar event entitled: Order in the Court & the Home: Judicial Safety Considerations. For members who could not attend, the full video recording of the webinar can be

accessed at <https://www.nawj.org/past-webinars/webinar-order-in-the-court-and-the-home-judicial-safety-considerations>

This virtual program, presented by program experts from the National Council of Juvenile and Family Court Judges (NCJFCJ) and co-sponsored by



By Hon. Bobbie McCartney
U.S. Department of Agriculture (Ret.)

NAWJ, and the ABA Commission on Domestic & Sexual Violence (CDSV), was designed specifically for judges, in direct response to their increased vulnerability to violence and with sensitivity to their specific roles and risks. Following this session attendees reported that they were better able to identify strategies to enhance safety through awareness and practices outlined in the NCJFCJ DV AWARE training program and analyze their readiness to identify and develop policies and practices to better respond to judicial safety concerns and dangerous incidents that may occur within the court system (including domestic violence-related incidents).

The virtual event drew approximately 238 registrants, underscoring the importance of addressing these issues – especially among our District 4 members who were shocked and saddened by the recent murder of our friend and colleague, Maryland Circuit Court Judge Andrew Wilkinson, only 52 years old, who was shot and killed outside of his home. <https://www.nawj.org/past-webinars/webinar-order-in-the-court-and-the-home-judicial-safety-considerations>

Featured speakers included Hon. Berryl A. Anderson | Chief Judge, DeKalb County Magistrate Court; John Muffler, MS, CTM, Strategic Consultant, Aequitas Global Security, LLC; Joey Orduna Hastings, JD, Chief Executive Officer, National Council of Juvenile and Family Court Judges; and Hon. Janice M. Rosa, J.S.C., Justice (Ret.), New York State Judiciary.

This acclaimed panel of experts

packed an 8-hour course of materials into a 2-hour presentation, focusing on the most critical aspects of the DV Aware program as applied to judicial safety considerations. Because there is an incredible amount of material condensed into this presentation, it would be very worthwhile to view the full video recording of the webinar, which can be accessed at <https://www.nawj.org/past-webinars/webinar-order-in-the-court-and-the-home-judicial-safety-considerations>; however, I have tried to include a few key take aways from the presentation below.

Courthouse safety and security is a complex issue and there are no single solutions; however, a framework for risk assessment and response with clear direction, alignment of initiatives and efficacy measurement mechanisms implemented before the emergency arises is an essential aspect of addressing judicial safety concerns.

Courthouse safety and security is a complex issue and there are no single solutions; however, a framework for risk assessment and response with clear direction, alignment of initiatives and efficacy measurement mechanisms implemented before the emergency arises is an essential aspect of addressing judicial safety concerns.

Use of threat assessments or other risk identification and response planning can help prevent or mitigate tragedy. Why is this information important to your work? Court security should be informed of specific cases and trained on general cases with a heightened lethality risk. Courthouse policies and procedures can be developed to increase coordination. Advocates who work in a courthouse can administer risk and lethality assessment to victims. Appropriate risk information sharing with the judicial officer about a case that poses safety concerns. Balance the need for neutrality against need for judicial officer to know for courtroom safety purposes. Threat assessment tools include Jackie Campbell's Danger Assessment, MOSAIC, DA, ODARA, etc.

Effective risk identification and response plans addressing court safety, both for the victim and for the court itself, should include: Prevention, Protection, Mitigation, Analysis, Response, and Recovery.

Prevention: How to avoid, prevent, or stop and incident.

Are there pre-incident indicators before an incident happens, such as prior history of violence or issues pending before the court that may present a particularly heightened level of tension in the courtroom; attempt to address escalating behavior and the physical security risk to the court/room; give consideration of the contact offenders had with the court and what was observed.

Protection: Protection of people and assets.

There are many layers to security and corresponding roles and responsibilities: Establish security measures that are designed to deter, detect, deny and delay an adversary. Examine your facility from the perspective of the threatener and consider barriers to accessing areas of the facility(ies). Develop a safety plan for cases when an injunction is violated, a victim is threatened, or there is an emergency in the courtroom (e.g., an evacuation).

Mitigation: Reduce loss of life and property.

Be prepared to take actions to prevent or lessen the impact of an active threat incident. Be part of a broad-based planning team discussion to get a wide array of input into appropriate actions, such as warning all people in the court of a potential or active threat. Includes prevention measures, de-escalation techniques, and physical security considerations.

Analysis: Analysis of incident data for all types of cases.

Part of risk awareness and assessment includes access to and the use of any available assessments conducted by third parties or court staff that may be pertinent to the court. What types of data are available to the court and its partners to assess risks? What kind of post-incident review occurs?

Response: Planning

Plans should include the judge, including judicial training. Consideration should be given to how/when to inform a judicial officer regarding cases with a high degree of risk/dangerousness. Issues to be addressed in preparing an effective risk assessment and response plan must include the following:

- Planning for an ongoing incident.
- Identifying the chain of command.
- Consideration of how a threat is communicated and to whom.
- Understanding how first responders access the building and the challenges for first responders' access. A review of your current resources and procedures. Include any incident review team, including fatality review. A risk identification process that includes searching social media before key hearings. Must provide clarity for what can be done in each role, including who should be involved and when. Must balance reporting requirements/process and duties to clients/impartiality.

An effective plan cannot be developed in a vacuum. Consider the overall courthouse and each operational department, functional team, working group or committee encompassing the full sweep of departments, job descriptions and employee status. Does your court have a security plan or COOP? If so, does that include any action plan for response to an incident? What does your court security currently look like? Who oversees any security planning for your department or program? Consider any jurisdictional issues. Invite others to review the plan.

Risk planning and response should

include a systematic review of protocols, practices, and spaces. How is your courtroom laid out? Where are the exits? Are emergency exits well marked and accessible to the judge and courtroom staff? How are emergency evacuation protocols shared with courtroom staff and other individuals in the courtroom? Be aware that procedures for fire evacuations MAY NOT be appropriate for incidents pertaining to violence inside or outside of the courtroom. An effective plan requires collaborative work: improved communication and collaboration amongst system professionals could help increase risk awareness and planning. Whatever the status of your plan, it is important to conduct regular training and education for court security and court staff on violence (including domestic violence) and safety issues and response.

As an important follow-up to the content rich April 24, 2024 webinar, NCJFCJ, in collaboration with NAWJ and the United States Department of Agriculture, will be conducting a four hour in-person training program for up to 30 attendees from the registrants for the webinar on a first to enroll basis. More information on this very special opportunity will be provided directly to registrants of the April 24, 2024 webinar at a later date. Remember that for action plans to be effective, they must be specific to the court, its facilities, and security challenges, should be integrated into plans. In recognition of this fact, the NCJFCJ DV AWARE training program is designed to provide in-person and training specific to a courtroom or court system can be made available.

Recovery: Restore and strengthen the court and community

Recovery from an incident, both personal and systemic, should focus first on an understanding and implementation of trauma and trauma responsive strategies (including for direct or secondary/vicarious trauma and/or individual or collective trauma) such as: honesty, transparency, continuous engagement with community stakeholders, and a sincere desire to improve the systems' response. The six key principles are: resiliency and recovery; understanding

trauma and stress; collaboration and empowerment; compassion and dependability; safety and stability; and cultural humility and responsiveness. NCJFCJ's DV AWARE program provides training addressing these important issues.

Final thoughts: While the DV AWARE Project was initially designed to support juvenile and family court systems around the country to anticipate, identify, and mitigate incidents in their courthouses associated with domestic violence, it quickly became clear that this training and access to the DV Aware Resources

Toolkit could also provide other court systems with the knowledge and resources needed to respond to violence-related threats and emergencies when they take place and to help courts and communities recover from violence with trauma-informed and healing strategies.

Thank you, NCJFCJ, for providing NAWJ members access to this wealth of information and tools to address judicial safety concerns in our courtrooms and at home through this webinar and access to the DV AWARE Resources Toolkit found at <https://www.ncjfcj.org/dv-aware/>

Speakers Bios:



Judge Berryl A. Anderson, Chief Judge DeKalb County Magistrate Court

Judge Anderson was sworn in as Chief Judge of DeKalb County Magistrate Court in 2010 and has served the court for more than 23 years. As Chief Judge, she manages Criminal, Civil, and Ordinance Divisions of Magistrate Court and the Pretrial Services Office. The Court presides over Emergency Family Violence, Dating Violence and Stalking Protective Orders, several diversion calendars, including the state's oldest Misdemeanor Mental Health Court, a calendar for Victims of Sex Trafficking and Exploitation, Youthful Offenders and Domestic Violence. DeKalb Magistrate Court served as a U.S. Department of Justice Office on Violence Against Women Mentor Court from 2014 through 2021, enabling Judge Anderson to provide mentorship to judges across the country on best practices in handling intimate partner violence, sexual assault and stalking cases. Judge Anderson is the recipient of the 2022 Lifetime Achievement Award by the Council of Magistrate Court Judges. The award honors the significant contributions and distinguished career of consistent excellence and commitment to Magistrate Court. She recently participated on the curriculum development team for the #WeToo Advisory Committee created to combat workplace harassment and improve fairness, dignity and respect in the courts. She has also trained hundreds of judges, attorneys and advocates while serving as faculty for the National Council of Juvenile and Family Court Judges, the Center for Court Innovation, the National Network to End Domestic Violence, and the Georgia Institute of Continuing Judicial Education. Judge Anderson received her Bachelor of Arts degree from Hampton University in Hampton, Virginia and her Juris Doctorate degree from the C. Blake McDowell College of Law at the University of Akron in Akron, Ohio. *Read Hon. Berryl A. Anderson Bio*



John Muffler, MS, CTM, Principal of Aequitas Global Security, LLC

John Muffler is a strategic consultant for judicial officers, high-visibility clients in government, business, education, entertainment, and private sectors, developing strategic initiatives and crisis management processes. A retired United States Marshals Service Chief Inspector, he developed and led the National Center for Judicial Security. Holding a top-secret clearance and key leadership positions throughout his decorated career, he led programs in judicial and witness protection, emergency management, physical security, fugitive investigations, and threat assessment and management. John serves as adjunct faculty for the National Judicial College, the National Council of Juvenile and Family Court Judges, the American Bar Association's Judicial Division, and as faculty/consultant for the National Center for State Courts, developing safety and security

programs for court facilities and personnel, judges and their families, ranging from immersive learning to in-person consultations and assessments. As a public service, John has given his time for local and national media interviews and has written over thirty articles published in legal and law enforcement magazines/websites on pursuer behavior, targeted violence, situational awareness, and protecting personally identifiable information. John was an executive producer for the award-winning workplace safety video series, Project 365: Security Starts with You, for the United States Courts, developed as an educational tool for federal, state, local, and tribal judges. He is certified in threat management through the Association of Threat Assessment Professionals; serves on the Executive Board of the International Association of Chiefs of Police IMPACT Section; and served as faculty to St. Joseph's University graduate program and the Virginia Center for Policing Innovation. He has developed and delivered nationally recognized programs on violent extremism, domestic violence awareness, active shooter preparedness, and judicial protection. He was the 2022 recipient of American Security Today's 'ASTORS' Award for Excellence in Public Safety. Accepted into the United States Department of State's Fulbright Specialist Program, John has taught globally on judicial security and threat assessment. As a consultant, he is a senior advisor for Gavin de Becker and Associates' clients on anti-assassination strategies and the assessment and management of situations that might pose a hazard to their safety or well-being. John is an alum of Naval Postgraduate School's Executive Leaders Program and holds a master's degree from St. Joseph's University. [Read John Muffler Bio](#)



Joey Orduña Hastings, JD, Chief Executive Officer, National Council of Juvenile and Family Court Judges (NCJFCJ)

Joey Orduña Hastings, JD, joined the National Council of Juvenile and Family Court Judges (NCJFCJ) as chief executive officer in July 2016. Ms. Orduña Hastings returned to the NCJFCJ, having started her career in 2001 at the NCJFCJ as a Model Court liaison and manager. As CEO, Ms. Orduña Hastings oversees a team of 75 in Reno, NV, and Pittsburgh, PA, and is responsible for a budget of more than \$14 million. Under her leadership, the NCJFCJ has developed and is implementing a strategic plan that is focused on increasing the diversity of NCJFCJ members, staff, and partners; amplifying messaging to expand the reach of NCJFCJ services and brand; increasing membership; diversifying funding streams; engaging state decision-makers; and aligning NCJFCJ structure and processes to better accomplish these things. As a result of strategic measures, the NCJFCJ now has members in every state in the country. During her tenure, the NCJFCJ and the National Association for Court Management (NACM) announced a partnership to offer a dual membership for judicial officers and court management professionals. Both membership organizations align to improve the judicial system by empowering and exercising judicial and court manager leadership skills through continuing education. She has also played a key leadership role in the creation of a Judicial Education Epicenter in partnership with the Judicial Studies program with the University of Nevada, Reno and the National Judicial College. Ms. Orduña Hastings continues to work with her team and board of directors to expand and identify collaborative opportunities for programming, policy, and research. [Read Joey Orduña Hastings Bio](#)



Hon. Janice M. Rosa, J.S.C. (Ret.), New York State Judiciary

Hon. Janice M. Rosa, J.S.C. (New York, Ret.) served for nearly 20 years in the New York State Judiciary, on both the Family Court and the Supreme Court trial benches. She was Supervising Judge for the 8th Judicial District's 8-county Family Courts, and Supervising Judge for Matrimonial Matters as well. Judge Rosa was the first recipient of the New York Judiciary's Judicial Excellence Award. Since retiring from the NY Courts, Justice Rosa provides training and consulting for judges, courts, and communities on juvenile/family law, domestic violence, leadership and wellness, and systems change all over the country. She has taught at many national and state institutes including the National Judicial College, the National Judicial Institute for Domestic Violence, and multiple state judicial conferences. Justice Rosa provides conference curriculum support for the National Council of Juvenile and Family Court Judges (NCJFCJ). She served on its Board of Trustees, was past Curriculum Chair for NCJFCJ, past chair of NCJFCJ's Family Violence Advisory Committee, a participant of the child welfare Model Court initiative, is a current member of the Judicial Engagement Network, and served as the national Judicial Coordinator for NCJFCJ's Family Court Enhancement Project. She was a member of the Family Justice Advisory Committee for IAALS, a Denver Colorado nonprofit organization, now inactive, addressing policy matters in domestic relations and family law. Justice Rosa was recently named to the New York Governor's Blue-Ribbon Commission on Forensic Evaluations to provide recommendations for improvement of custody evaluations. Justice Rosa is the author of law review articles and book chapters on domestic violence, risk and lethality, family law, judicial ethics, and military families. [Read Hon. Janice M. Rosa Bio](#)

A NAWJ Co-Sponsored June Pride Program



Best Practices for LGBTQ+ Persons in Custody

What Judges & Lawyers Need to Know

On June 13, 2024, in recognition of Pride Month, the ABA Judicial Division presented, with NAWJ as a co-sponsor, along with the NAWJ LGBTQ Committee and the NAWJ Diversity and Inclusion Committee, a webinar focused on LGBTQ+ persons in custody. Judges learned details to consider when LGBTQ+ litigants appear in courtrooms in criminal, juvenile, mental health, and other cases where custodial placement is possible. Lawyers learned best practices for representing those same clients.



By Hon. Ann Breen-Greco

Panelists were: Piper Kerman, Author (Moderator), Stefanie Martinez, District Court Judge Second Judicial District of Nebraska; Richard Saenz, Senior

Attorney Lambda Legal; Amanda Goad, Gender & Reproductive Justice Project Director, ACLU of SoCal; Dee Farmer, Executive Director Fight4Justice Project; and D Dangaran, Director of Gender Justice Rights Behind Bars.

Piper Kerman, author of the book “Orange is the New Black: My Year in a Women’s Prison,” noted that “LGBTQ people are overrepresented at every stage in the criminal legal system in this country, starting with our children in the juvenile system,” adding that “The incarceration rate for lesbian, gay and bisexual people are three times the national average.” Kerman and panelist Dee Farmer, Executive Director of Fight4Justice,

an advocacy group based in Washington, D.C., talked about their experiences behind bars. Kerman, who identifies as bisexual, recalled that from the first day of being incarcerated and almost every day of the time spent in prison employees of the prison, said: “Don’t be gay. Don’t be gay for the stay.” Farmer, a Black transgender woman, was beaten and raped by another inmate in a federal prison in Indiana. She sued prison officials, alleging that they failed to protect her, and in 1994, the U.S. Supreme Court handed down a landmark opinion that prison officials could be held liable if Farmer could prove that the officials acted with “deliberate indifference” to her safety. In the ABA program, Farmer blamed, in part, the type of people hired by prisons and jails to be guards. Often, she said, transgender inmates are placed in solitary confinement as retaliation for being transgender, as she was for three years, which led to a “total breakdown” mentally and placement in a hospital psychiatric unit.

D Dangan serves trans people behind bars through litigation and advocacy as Director of Gender Justice at Rights Behind Bars and noted that anti-trans legislation is “at its zenith”. While advocates work to protect trans people’s constitutional rights in the free world, community members behind bars cannot be left out. By centering trans people behind bars, a better world for all can be created – as Dee Farmer’s case, *Farmer v. Brennan*, 511 U.S. 825 (1994), exemplifies throughout its thirty-year history.

Amanda Goad noted that the ACLU of Southern California has a long and ongoing history of integrated advocacy for the rights, safety, and dignity of LGBTQ people both in county jails and in state prisons. In the 1980s, the ACLU litigated *Robertson v. Block*, a class action lawsuit on behalf of gay (and transgender) people in Los Angeles County custody.

The court-ordered *Robertson* settlement committed the Los Angeles County Sheriff’s Department to take specific steps to protect this population, including establishing a designated protective housing area (today known as the “K6G” modules within Men’s Central Jail) and granting ACLU SoCal access to monitor their treatment. ACLU SoCal was also part of the coalition that helped develop and pass SB 132 of 2020, which requires California’s state prison agency (CDCR) to honor the preferences of transgender, gender non-conforming, and intersex people as to whether they should be housed in a men’s or a women’s facility, with limited exceptions. ACLU SoCal continues to push CDCR toward full implementation of SB 132, while also helping CDCR defend the law’s constitutionality by representing transgender defendant-intervenors in the *Chandler v. CDCR* case. Throughout all of this work, ACLU SoCal strives to center the perspectives of those directly impacted, and to achieve harm reduction on behalf of the most vulnerable people in custody while also acknowledging the inherent violence of incarceration and the need for more humane, effective, and sustainable solutions to society’s problems.

Richard Saenz of Lambda Legal noted that Lambda Legal report *Protected and Served? 2022* (www.protectedandserved.org) was based on findings from the community survey of over 2,500 LGBTQ+ people and people living with HIV. This report discussed their experiences with the criminal legal system and included recommendations for advocates and legislators to address bias and discrimination in the legal system, noting that it is critical that community members, policy makers, and people who work within the criminal legal system work to address how discriminatory policies and practices harm LGBTQ+ people and to protect and enforce the

constitutional and statutory rights of people in custody. Across the country, through groundbreaking litigation, Lambda Legal has fought for access to medical care for incarcerated transgender people, the safety of LGBTQ+ people in custody, and to hold systems and individuals accountable. Through its Fair Courts project, Lambda Legal has provided training and resources to judges, attorneys, and court personnel to ensure access to justice for LGBTQ+ people.

Judge Stephanie Martinez, a District Court Judge outside of Omaha, Nebraska, who oversees the Adult Drug Court, Mental Health Court and Reentry Court, carries a felony criminal caseload. She advocates that Judges and attorneys need to become further educated and more comfortable with issues affecting this population. Defense counsel has to overcome any awkwardness they may have and thoroughly explore a client’s history including criminal, mental health, employment, housing and education. This will allow them to better negotiate pretrial, diversion programs and plea agreements and more fully inform the court when deciding bond, sanctions, and sentencing. The Courts also have to overcome any awkwardness including how to properly address a litigant before them to ensure that their rights for an opportunity to be heard and seen are guaranteed.

Life After the Bench

Arizona Lawyers for Equal Justice (ALEJ)

I retired in 2018 after thirty-one years of practice and judicial experience. My retirement was sudden due to medical reasons. I had no plans for next steps. I loved being a Phoenix Municipal Court Judge. It was both fulfilling and rewarding. I had the privilege to help people navigate the system, understand, find resolutions and often, restoration.



Judge Carol Berry is a retired Phoenix Municipal Court Judge, where she heard misdemeanor criminal cases and developed the Phoenix Domestic Violence Specialty Court. She earned a Bachelor of Science degree in Public Administration from the University of Southern California and a Juris Doctorate from Arizona State University Sandra Day O'Connor College of Law.

Several months before my retirement, I had the opportunity to attend the course, Judges as Leaders in the Community at the National Judicial College in Reno, Nevada. This course emphasized the power, influence, and importance of the judiciary in the community at large. The course stressed the fact that you do not have to be the presiding or chief judge to be a leader in your community. The title judge makes you a leader. The community wants and needs judges to share their knowledge, experience, and talents. I was serving as the Specialty Court Domestic Violence Judge at that time and was looking for ideas on possible collaborations to enhance our Court before my departure. I was unsure of how I would use this training, but I decided to trust God for my next steps.

I thought my next calling was teaching the Bible. For eleven years prior to retirement, I had served in Bible Study Fellowship International (BSF) as a Substitute Teaching Leader. Our class Teaching Leader resigned in 2019 and I became the

Teaching Leader. As a BSF Teaching Leader, I manage, teach, train, and lead a class of approximately 250 women in a yearly Bible study. Although being a BSF Teaching Leader is like a full-time job, I missed the law. Yes, the Bible is the source of the law, but I missed using my legal skills to help others.

After George Floyd's murder in 2020, my law school classmate, Arizona Vice Chief Justice Ann Scott Timmer contacted me for ideas on what the Courts could do to further social justice. Justice Timmer knew I was a member of the Arizona State University Center for the Study of Race and Democracy (ASU CSRD) Advisory Board. Justice Timmer's email inspired me to reflect on the National Judicial College course. The more I thought about the email, the more I realized the opportunity I was presented.

I shared Justice Timmer's concerns with my former Presiding Judge and dear friend, Phoenix Municipal Court Chief

“ALEJ has given me the wonderful privilege of being the peacemaker the Bible directs me to be, in the legal community I love.”

Presiding Judge Roxanne Song Ong, ret. also an ASU CSRD Advisory Board member. We shared Justice Timmer’s request for ideas with the ASU CSRD Advisory Board. Judge Song Ong and I, ASU CSRD Advisory Board Chair, Carole Coles Henry, and ASU CSRD Director Dr. Lois Brown reconnected with Elena Nethers, the State Bar of Arizona Diversity Director. Ms. Nethers contacted affinity bar leaders and they enthusiastically joined our efforts. Affinity Bar members include the Arizona Jewish Lawyers Association, Arizona Black Bar, Arizona Asian American Bar Association, Arizona Women Lawyers Association, Arizona LGBT Bar Association, Hispanic National Bar Association, Native American Bar Association, Iranian American Bar Association, and the South Asian Bar Association. The Arizona Supreme Court Commission on Diversity, Equality and Justice in the Judiciary also joined the collaboration. This collaboration was formerly known as the Arizona Equal Justice Alliance. (AEJA). The collaboration is currently a collaboration between the Affinity Bar members and members of the State Bar of Arizona now known as the Arizona Lawyers for Equal Justice (ALEJ).

ALEJ forums, State Bar Convention sessions, etc. have included judges from every level of our judiciary, the County Attorneys from our two largest counties and one rural county, attorneys in private practice, legal aid, and sole practitioners. ALEJ has provided over 400 lawyers and judges the opportunity to dialogue, without blame or shame, about racism, discrimination, implicit bias, microaggressions and injustice within the legal community and its effect on the community at large. Attendees at our

sessions dialogue about current problems, possible solutions and are encouraged to create concrete action plans personally and collectively. Feedback from our sessions has been overwhelmingly positive with most expressing a need for more time or more sessions. Feedback also showed a great need for safe places to address issues of microaggressions, blatant discriminatory actions and remarks without the filing of a formal bar or judicial complaint. ALEJ currently has a workgroup working with the State Bar of Arizona to create such a process.

ALEJ has given me the wonderful privilege of being the peacemaker the Bible directs me to be, in the legal community I love. In 2023, ALEJ collaborated with the Arizona Town Hall to host a forum in an underrepresented community on equity. In March 2024, the ALEJ Steering Committee, myself, Judge Roxanne Song

Ong, ret., and Elena Nethers, State Bar of Arizona Director of Diversity, ret. spoke to Arizona State University Sandra Day O’Connor Law School students about the practice of law and the benefits of collaboration. Our June 2024 State Bar Convention session, “Balancing the Scales of Justice: Lawyers Leading the Charge” has received the State Bar of Arizona President’s Award. Of over 45 seminars, only 10 were chosen to receive this award.

There is life after retirement from the bench. I became a judge for the same reason I became a lawyer, I wanted to help people. ALEJ allows me to continue to help people. I often feel I am busier in retirement than when I was working. The difference is that in retirement, I can choose where I spend my time. I encourage you to find your passion, follow it and enjoy using your skills and talents. Our communities, States, and cities need our expertise, experience, and knowledge.

You will never regret it!

Pictured from left to right: ASU Law Professor Myles Lynk, Judge Roxanne Song Ong, ret., Elena Nethers, Judge Carol Berry, ret., and ASU Law Director of JD Admissions & Recruitment Zarinah Nadir

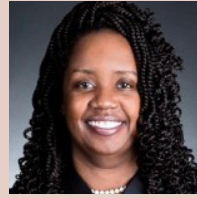


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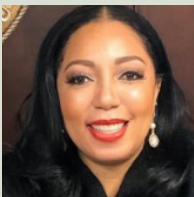
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Celebrate 45 Years of Justice and Equality!



Dear Members and Friends,

We are halfway through marking an important milestone for the National Association of Women Judges (NAWJ) – 45 years as the leading voice for women judges. The “45 for 45 Campaign” commemorates this remarkable journey and paves the way for the future.



Francie Teer

Francie Teer, CFRE
Director of Development

You are invited to join us in this celebration by contributing to the campaign with gifts that incorporate the number 45. Whether it's \$45, \$450, or even \$4,500, every donation will make a significant impact in furthering our mission and ensuring that justice remains accessible to all.

All donors will be recognized at the 2024 Annual Conference in San Diego, but you need to give before July 1.

This campaign isn't just about honoring the past. It's preparing for challenges and opportunities that lie ahead. With your generous support, we'll continue to advance our vital work, advocate for positive change, and empower those who seek justice within our legal system.

Let's put your gifts to work!

Thank you,
Francie

NAWJ NNEW MEMBERS SINCE JANUARY 1, 2024

We welcome the following new members of NAWJ:

Hon. Kari Agotness, ND Court System,
Langdon, ND

Hon. Berryl A. Anderson, DeKalb County
Magistrate Court, Decatur, GA

Hon. Isabel Apkarian, Orange County
Superior Court, Orange, CA

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Circuit Court, Ingham County, Lansing, MI

Hon. Sandra Avila Ramirez, 98th District
Court, Austin, TX

Hon. Chandra Baker-Robinson, Wayne
County Circuit, Detroit, MI

Commissioner Leah Boucek, San Diego
Superior Court, San Diego, CA

Hon. Charity R. Bridgewater, Clayton County
Magistrate Court, Riverdale, GA

Hon. Jessica R. Brown, Philadelphia Court Of
Common Pleas, Philadelphia, PA

Hon. Monise Brown, Circuit Court For Charles
County, La Plata, MD

Hon. Jennifer Burroughs, Maryland Office Of
Administrative Hearings, Ellicott City, MD

Hon. Rebeca Bustamante, Justice Of The
Peace, Precinct 4, El Paso, TX

Hon. Karen Cornick, Social Security
Administration, Marietta, GA

Mrs. Cheryl Harris Diggs, Harris County
Probable Cause Court, Houston, TX

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Of Appeals, Raleigh, NC

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Court, Austin, TX

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Hon. Danielle Mikalajunas Fogel, New York
State Supreme Court, 5th Judicial District,
Onondaga County, Syracuse, NY

Hon. Kimberly M. Foster, Massachusetts
Trial Court – District Court, Somerville, MA

Hon. Tracee Fruman, Office Of

Administrative Hearings, Pikesville, MD

Hon. Sawako T. Gardner, New Hampshire
Judiciary, Rye, NH

Hon. Phyllis Martinez Gonzalez, Court #44/
Office Of Court Administration, El Paso, TX

Hon. Syeetah A. Hampton-EL, Office Of
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#6, Austin, TX

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Court, Jersey City, NJ

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Court, Austin, TX

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Ms. Barbara J. Macy, Massachusetts Trial Court, Land Court Department, Boston, MA

Mr. Jeffrey Markowicz, Law Offices Of Jeffrey N. Markowicz, Washington, DC

Hon. Audrey C. Murillo, Massachusetts Juvenile Court, Fall River, MA

Miss Maureen Ngozi Obi-Ezekpazu, Family Matters, London, England

Hon. Maria L. Oesterreicher, Circuit Court Of Carroll County, Westminster, MD

Ms. Mikey Orton, Southwestern Law School, Los Angeles, CA

Mrs. Anna Rebouche, W.E.A.L.T.H., Unionville, MO

Hon. Stenise L. Rolle, Prince George's County Circuit Court, Upper Marlboro, MD

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