August 15, 2018

SECTION NEWS

CJS Meetings

Spring Meeting - In early April, the ABA Criminal Justice Section hosted its Spring CLE, Committee and Council Meeting in Tampa, Florida. The programming began with a White Collar Crime Townhall, "Lessons Learned from Handling High Profile White Collar Cases".

P. David Lopez, Harvard Professor and Former EEOC General Counsel, gave the keynote address, “The 150th Anniversary of the 14th Amendment: Glass Half Empty or Half Full?” The first panel provided further discussion of civil rights issues and the remaining panels took on local and national topics such as direct filing in Florida and issues like border searches of electronic devices.

Forensics Conference - The Section hosted the Ninth Annual Prescription for Criminal Justice Forensics Program in May including the following topics: statistical analysis, development in forensic disciplines, law affecting forensic methods, handwriting examination, developments in ISO standards, laboratory oversight and ethics.

Annual Meeting - The ABA Criminal Justice Section met in Chicago for the ABA Annual Meeting, August 2-5, 2018. The Section hosted panels, council and committee meetings and participated in The House of Delegates.

At ABA Annual our ABA CJS panel, Opioids in America, gathered medical, dental and legal professionals to discuss a multidisciplinary approach to the opioid crisis. Our panel, The Future of Problem Solving Courts, discussed the struggle to find the balance between treatment and incarceration when managing the opioid crisis.
The Section presented a total of eight CLE sessions, featuring expert discussion of other timely issues such as: cyber breach aftermath, cyber law, trends in white collar crime, FCPA compliance and Supreme Court decisions.

Video recordings, will be made available on our YouTube Channel.

Section Activity

Janet Levine and Sandy Weinberg.

The close of another ABA year bookends a few terms for Council members and Sandy Weinberg thanked these outgoing members in attendance. We want to thank all of the members who have completed their term with the ABA Criminal Justice Section Council.

Edwin Burnette, 2012-2018
Michael Dean, 2016-2018
Jackie Lacey, 2015-2018
Janet Levine, 2013-2018
Rory Little, 2015-2018
Tina Luongo, 2012-2018
Wayne McKenzie, 2012-2018

Wayne McKenzie and Sandy Weinberg.

Congratulations to the 2018 CJS Award Winners:

Frank Carrington Crime Victim Attorney Award
Navy Victims’ Legal Counsel Program

Charles R. English Award
Matt Redle

Livingston Hall Juvenile Justice Award
Rosemary Armstrong

Norm Maleng Minister of Justice Award
Kevin Curtin

Raeder-Taslitz Award
Paolo Annino

The Section will honor these recipients at the Awards Luncheon at the Fall Meeting. We will share more information about these recipients in our next issue.

SPONSORSHIP OPPORTUNITIES

Become a CJS event sponsor
The ABA Criminal Justice Section strives to bring quality CLE programing at affordable rates for our members. Sponsorship of the Section’s programs assists in the long-term goal of...
As members of Council complete their term, the Section welcomes the following members to new Council positions, beginning this ABA year:

**Chair** – Lucian E. Dervan (O)

**Chair Elect** – Kim Parker (P)

**First Vice Chair** – April Frazier Camara (D)

**5 Vice Chairs at Large**

Sidney Butcher (D)

Kevin Curtin (P)

Janet Fink (O)

John Tunheim (O)

Ellen Yaroshefsky (O)

**5 Council Members**

Justin Bingham (P)

Marissel Descalzo (D)

Kristine Hamann (P)

Marcos E. Hasbun (D)

Ilene Jaroslaw (D)*

Carlos Eduardo Mendoza (O)

Steven Zeidman (D)*

**2 Council Seats for Young Lawyers Under Thirty-Six**

Carla Laroche (D)
As another ABA year wraps up - we want to thank our outgoing Chair, Sandy Weinberg, for a great year. Weinberg sponsored a new CJS initiative, the DC Mayor's Returning Citizen Paralegal Fellowship Initiative. Additionally, he organized several task forces: Marijuana, Federalism, and Separation of Powers; Digital Border Search; Immigration; Lawyer Mental Health; and Private Prison Task Forces. Weinberg assembled a CJS working group to address the independence of the DOJ and state prosecutors from the executive and he hosted a wonderful Spring Program down in Tampa. Thank you, Sandy.

As we transition to the ABA year 2018-2019, we welcome Lucian E. Dervan as the Chair for the Section. We look forward to Dervan's leadership and will hear more from him in our upcoming events.

The ABA Criminal Justice Section has been active in other areas as well. Over the last few months, the Global Anti-Corruption Committee has continued to host a monthly installment of a Speaker Series: Foreign Corruption Prosecutors - The View from Abroad.

On August 7, the ABA submitted comments to the United States Sentencing Commission regarding is proposed priorities. The ABA supports the Commission's proposals to address mandatory minimum sentences and compassionate release in its priorities through May 1, 2019.

Read the full letter here.
Resolutions at ABA Annual Meeting

The ABA House of Delegates convened at the 2018 Annual Meeting in Chicago. Photo courtesy of ABA Communications and Media Relations Division.

The Criminal Justice Council voted to submit two resolutions at the Annual Meeting to the House of Delegates. The House of Delegates adopted the following Criminal Justice Section sponsored resolutions:

ADOPTED

100 A - Urges bar associations, law schools, and other stakeholders to develop and increase curricular offerings through which law students provide pro bono representation of incarcerated individuals and those reentering society.

100B - Urges Louisiana and Oregon to require unanimous juries to determine guilt in felony criminal cases and reject the use of non-unanimous juries where currently allowed in felony cases.

A complete list of ABA resolutions can be found here.

MEMBER NEWS

James Forman Jr. won the Pulitzer Prize in the General Nonfiction category for his book, Locking Up Our Own.

Professor Mark Wojcik of The John Marshall Law School, who is also the editor of The State of Criminal Justice, received the Burton Award for Outstanding Contributions to Legal Writing Education, at the Library of Congress.

Nicole Austin Hillery, was sworn in as President of the Washington Bar Association in June.

Judge Langford Morris was selected by the Women Lawyers Association of Michigan for the 2018 Mary S. Coleman Award.

Judge Langford Morris also received an appointment to the Rule of Law Initiative, Africa Council.

CJS Young Lawyers Committee Co-Chair Mike Nguyen was named one of the ABA Young Lawyers Division's 2018 On the Rise - Top 40 Young Lawyers. This is the third year the YLD has recognized young lawyers "who exemplify a broad range of high
achievement, innovation, vision, leadership, and legal and community service." Mike was one of the 40 honorees this year.

**Neal R. Sonnett** was selected to receive a 2018 Solo and Small Firm Lifetime Achievement Award from the ABA Solo, Small Firm and General Practice Division.

**Melba Pearson** has assumed the role of President of the Gwen S. Cherry Black Women Lawyers Association.

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**CJS IN THE NEWS**

**The Partisan Battle Brett Kavanaugh Now Regrets**

New York Times - By the beginning of 1998, Brett M. Kavanaugh seemed set: a Yale law degree, three judicial clerkships, including one with Justice Anthony M. Kennedy, and, less than a decade out of law school, a coveted partnership at Kirkland & Ellis, a prominent law firm with offices a block from the White House. *(Read More)* Rory Little and Stephen Saltzburg quoted.

**Uniting Adversaries for Fundamental Justice Reform**

Safety + Justice Challenge - Prosecutors and public defenders are adversaries in the courtroom. Yet—they do not have to be adversaries outside of it. In fact, prosecutors and defenders have unique leverage to collaborate to change public opinion and reduce the over-use of jail. *(Read More)* Coauthored by April Frazier Camara.

**The Justice Department Keeps Screwing Up. That’s a Bad Sign for Robert Mueller.**

Mother Jones – The government’s inability to win at trial in high-profile cases doesn’t bode well for Russia investigation prosecutions. *(Read More)* Lucian E. Dervan quoted.

**Contingency Fee? When Hourly Fees Run Too High in a Criminal Case**

New York Law Journal - The disciplinary rules are unambiguous: both ABA Model Rule of Professional Conduct and New York Rule 1.5(d) flatly prohibit a lawyer from charging a contingency fee in a criminal case. *(Read More)* Criminal Justice Standards discussed.