Happy New Year! I hope everyone enjoyed a happy, healthy and safe Holiday Season, and looking forward to a prosperous New Year! As we look back on the past year and the beginning of the 2018-2019 association year, we should be proud of the Judicial Division (JD) and what we have accomplished despite the ABA’s financial woes and the current social climate in the country. JD membership is steady and continues to increase, we have had and look forward to great programming, we are one of the most diverse entities within the ABA and we continue to welcome and encourage membership to ALL, we have widened the net of ABA entities with which we have working relationships, and we continue to produce the highest quality publications for which we receive rave reviews. The leadership within the conferences, the dedicated work of the committees led by the chairs and vice-chairs, the liaisons, our JD members and past chairs who are actively involved in other ABA entities, and our wonderful staff have been the formula for the successes we’ve realized. But as recent attacks on the judiciary and the legal system have demonstrated, there is still work to be done.

Our legal system is the best in the world. Other countries send judges here to learn about the American judicial system and take home ideas to create or emulate our system in their countries. In October 2018, I had the pleasure of hosting at my courthouse in Prince George’s County, Maryland a judicial delegation from the Republic of Georgia. Their trip and visit was coordinated through the East West Management Institute (EWMI), a non-profit organization in New York City that seeks to promote the rule of law and strengthen civil society around the world. This visit was part of a program EWMI is implementing with funding from the United States Agency for International Development (USAID), called Promoting the Rule of Law in Georgia (PROLoG) project. At the request of USAID, EWMI is coordinating a series of study visits for Georgian judges to learn more about the U.S. legal system and best practices from American judges, on both state and federal levels. The JD relationship with EWMI started during Judge Breen-Greco’s year. I am confident that there will be similar requests for JD involvement in the future.

The eight Georgian judges in attendance were particularly interested in civil jury selection and process, case management, access issues, civility and courtroom management, particularly in light of the significant number of self-represented litigants that come before them. They were a very enthusiastic group with a lot of questions. There was a wonderful opportunity for an
exchange of information between the Georgian judges and the District and Circuit Court judges in my courthouse who graciously gave of their time and talents to provide a well-rounded comprehensive look at how the judiciary functions on the state level.

This visit drove home for me the importance of the American judiciary around the world and why the task of preserving the rule of law and judicial independence is more important now than ever before. As Chief Justice Roberts wrote "[t]here is a need for people to speak out in defense of the rule of law, in defense of American institutions, without regard for which side of the aisle the attacks come from." He further wrote, "[w]hat we have is an extraordinary group of dedicated judges doing their level best to do equal right to those appearing before them. That independent judiciary is something we should all be thankful for." Those words are particularly relevant in an era with decreased courtroom civility, an increase in self-represented litigants who sue judges when they don’t like a decision rather than appeal, and the current climate in the country where it’s okay to launch personal attacks on judges for making a ruling. There is still work to be done.

Further evidence of the importance of remaining vigilant is the subtle attack on the rule of law and the independence of the judiciary through the Federal Clerkship Training Academy, also referred to as law clerk boot camp, sponsored by a conservative group, in which they attempt to extend its conservative influence on potential law clerks. Perhaps you’ve read about it in the NY Times. Applicants to the program must pledge to keep training materials secret and to not use the materials for any purpose that’s contrary to the sponsoring organization’s mission. After word got out about the program, the organization decided to reevaluate the program, but it’s unlikely the goals of the program will be modified substantially. This program flies in the face of the fact that law clerks are held to the same standards of professional conduct as the judges they serve, to uphold the rule of law without bias or prejudice.

The JD, in conjunction with a few ABA entities, is preparing a Resolution requesting the ABA to reiterate that law clerks must comply with the Code of Conduct. Additionally, we are reviewing the law clerk Code of Conduct to make recommendations for revisions. The goal is to reiterate that law clerks have professional responsibilities and to move this issue to the forefront. Again, there is still work to be done.

Congratulations to the Appellate Judges Conference on a very successful Appellate Judges Education Institute Summit (AJEI). The CLEs at the three-day Summit covered a variety of topics that were relevant to judges and lawyers regardless of practice area. There were a couple of CLEs that we are seeking authority to replicate as CLEs or webinars in coordination with the Litigation Section, to further benefit members in both the JD and Litigation.
We continue to work on “Gavel Talks” which are anticipated to be short vignettes or instructions covering a variety of topics for targeted audiences. All JD conferences are preparing scripts and developing content in coordination with the JD Program Committee, with a goal to begin recording at the ABA Midyear Meeting. If you have an idea or interest please reach out to Chris Browning, Vice-Chair of the JD Program Committee.

Please keep an eye out for information on the JD Diversity programs at the Midyear Meeting; diversity outreach programs coordinated by the JD Standing Committee on Diversity in the Judiciary, and the Judicial Clerkship Program co-sponsored by JD and the ABA Council for Diversity in the Education Pipeline.

Let’s keep up the good work! I look forward to seeing everyone at the Midyear Meeting in Las Vegas, January 23-27, 2019.

Call for Nominations—2019 John Marshall Award

The Judicial Division is accepting nominations for the prestigious John Marshall Award to be presented in conjunction with the 2019 ABA Annual Meeting in San Francisco, CA.

The John Marshall Award was established to recognize those dedicated to the improvement of the administration of justice. The Award is presented annually to an individual–lawyer or non-lawyer who has been responsible for extraordinary improvement in the administration of justice in such areas as judicial independence, justice system reform, and public awareness about the justice system.

Previous recipients of the John Marshall Award have included a U.S. Supreme Court Justice, a former U.S. Senator, and other governmental, educational, and administrative leaders who have made noteworthy positive changes in their respective spheres of the justice system.

Download a copy of the nomination packet here at www.americanbar.org/groups/judicial/awards/johnmarshall.

The deadline is Friday, April 12, 2019. If you have questions, please contact Kris Berliant at 312.988.5700 or via email at kris.berliant@americanbar.org.
DIRECTOR’S COLUMN

By Tori Jo Wible, Chicago, IL

One of the unique things about the ABA’s fiscal year is that all our committees and projects are getting started as the calendar year is winding down. It makes for interesting reflections. In the past twelve months the Judicial Division has accomplished a lot.

In 2018 the JD put on an amazing 3-in-1 program, coordinating (with Kris Berliant’s brilliant color-coded calendar) the Judicial Clerkship Program, The Conclave with the National Judicial College, and Chair-Elect, Judge Toni Clarke’s Spring Planning Meeting.

Staff and volunteers spent hours on conference calls and in meetings, helping to fashion what started as OneABA and became the “New Membership Model”. We had unwavering support from the Board of Governors to assist in keeping costs down for judges, while maintaining the value of the Association.

Jo Ann Saringer worked tirelessly to move the JD’s web pages to the new website and worked the phones when the new site went live to help our members log on and find the materials they were looking for. The Judicial Division has rolled out the JD Connect online discussion communities to replace all the list serves that will be deactivated at the end of the year.

One of the fun things about the end of the year is the opportunity to look back at predictions and see what came to pass and what was off the mark.

Almost a decade later, those challenges persist. Issues with ‘customers’ accommodation whether that is providing translation services or ADA compliant access, are still being addressed. He mentioned the increase in self-represented litigants and recommends technology for public kiosks and courthouse self-help centers. The ABA recognizes organizations that assist with these issues through the Louis M. Brown Award for legal access. See past recipients here.

Justice Broderick points out that the process of civil litigation is too protracted and therefore expensive. He points to needless discovery and the ability to put millions of pages on a flash drive, without the discipline of focusing on what is vital to the case, to increasing the costs and length of civil litigation. He also laments the decrease in cases being tried by a jury. Again, these trends do not seem to have reversed in the intervening years.

Justice Broderick’s final point is that courthouses need “able, agile, and committed managers and administrators.” He notes that many long-time courthouse staff members were nearing retirement. That certainly hasn’t changed and with Baby Boomers reaching the age of 65 at a rate of 10,000 per day according to Forbes.com, the workforce is turning over in every profession. The Judicial Division continues to work with the Young Lawyers Division and on the Judicial Clerkship Program to ensure continuity of “able, agile, and committed” members of the Judicial System. Our thanks and gratitude to all of you for seeing the challenges and working to overcome them for the preservation of the American Judicial System.

Connect with the Judicial Division

[Social media icons]
TECHNOLOGY COLUMN

Florida Courts HELP App: Navigating the Family Court Process
By Marcus W. Reinkensmeyer, Phoenix, AZ

Recognizing the high proportion of unrepresented litigants in family court, state judiciaries are making a concerted effort to enhance court access through self-service centers and a wide array of technology solutions. To this end, the Florida state judiciary has created a user-friendly mobile app for family court litigants. A project of the Florida Supreme Court’s Commission on Access to Civil Justice, the Florida Courts HELP App aids litigants in understanding and navigating the family court process.

Launched in December 2017, the Florida Courts HELP App provides quick and convenient mobile access to the following on-line resources:

- 186 approved fillable court forms which can be completed in the app.
- Straightforward instructions on form completion, along with descriptions on the next steps.
- Pointers and contact information to a full range of legal services, lawyer referrals and other information, such as eligibility criteria.
- User-friendly instruction on the family court system, including the stages in a case and what litigants should expect.

The Florida courts chose to first develop the Courts HELP app for family cases given the high volume of unrepresented litigants and the strong demand for services. Family court information and the family law forms are by far the most frequently visited pages on the Florida Courts website. The court’s website is accessed by approximately 1 million unique visitors seeking information about family court matters annually. Collectively, these visitors download 2.6 million court forms.

Addressing the rationale for a family court app, Florida’s State Courts Administrator, Patricia Jameson, explained: “We knew family court forms were very popular on our website. We learned mobile devices are increasingly the way more people access the internet. It seemed natural to bring these two points together for an app, having form follow function.”

The Office of the State Courts Administrator (OSCA) developed the Florida Courts HELP App with existing resources, utilizing in-house

Continued on page 6

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technology staff. The app leverages an open source application design, and is fully integrated with the Florida Courts public website. This architecture allows real-time updates to court forms and contact information. The open source app displays “responsive web pages,” which are automatically sized for display on the user’s device, whether it is a desktop computer, laptop, tablet or smart phone.

Ms. Jameson explained, “These decisions were key to making this project feasible and cost-effective. We ended up with a great, low-cost solution. More important, it’s adaptable and expandable at minimal additional cost. We are improving and growing with more and better features, and building it as we did, allows that to happen.”

Offered as a free downloadable app, Florida Courts HELP has now been installed by over 5,830 users through Apple Apps and Apple iTunes for Apple mobile devices, Google Play for Android devices and Amazon for Kindle readers.

Based on the project’s success, Florida Courts are planning to expand the HELP App to provide information on veteran services. Work is also underway to integrate the HELP App with the Florida Supreme Court Judicial Management Council’s Do It Yourself (DIY) project. The goal is to create an interactive “smart forms” system akin to Turbo Tax, beginning with litigants in landlord-tenant disputes. In the long term, the Florida judiciary is exploring the possibility of e-filing some completed court forms from the app. This step would necessarily require the use of digital signatures and on-line notarization for some of these forms.

Other state courts offering mobile apps for court users include Maryland, Michigan and Hawaii. The New Jersey State Courts have also implemented a mobile app for jurors and an app for practicing attorneys.

In July 2018, the National Association for Court Management (NACM) conferred its prestigious Court Technology Solutions Award to the Florida State Courts for the Florida Courts HELP App. The knowledge gained from Florida’s experience with the innovative Courts HELP app will further our understanding and adoption of these technologies, improving access to the court services.

Reflecting on the deployment of these court technologies, Ms. Jameson stated, “Florida’s courts, as with everything else, must work with the resources we have. It is a huge deal to us to tell everyone we got Florida Courts Help done with existing staff and less than $4,200 in additional expenses for some part-time help and minimal technology costs.”

Thanks to Ms. Patricia (PK) Jameson, State Court Administrator, and Mr. Paul Flemming, Public Information Officer, Office of the State Court Administrator (OSCA), Florida, for this information. For more information about the Florida Courts HELP App, please contact Ms. Tina White, Chief, Innovations and Outreach Unit, OSCA, at whitet@flcourts.org.

Marcus W. Reinkensmeyer is the Director of Court Services Division of the Administrative Office of the Courts, Arizona Supreme Court. He can be reached at mreinkensmeyer@courts.gov.az.
The Judicial Clerkship Program (JCP) is a joint effort of the ABA Council for Diversity in the Educational Pipeline and the ABA Judicial Division (JD), and it is generously supported by LexisNexis. JCP Chair Judge Heather Welch and Vice-Chair Robert Saunooke lead a committee of members from each of the six JD Conferences that will present this year's program in Las Vegas, Nevada at the Midyear Meeting on January 24, through January 26, 2019. This will be our 19th year of the JCP! The JCP is a unique opportunity for law students from under-represented communities to learn about the benefits of judicial clerkship programs and to how best to seek out these opportunities.

We work closely with our law students as they listen to and participate in panel discussions with judges, conduct a research and writing exercise, and interact with our volunteer judges at informal social events. These activities educate the students about judicial clerkship programs, how to obtain a clerkship, and encourages them to apply. Perhaps most importantly, it provides the students with the opportunity to interact with federal and state judges at the administrative, trial, and appellate levels. Frank Sullivan, Jr., Professor of Practice at the Indiana University Robert H. McKinney School of Law and a former Justice on the Indiana Supreme Court, will write a challenging and interesting problem for the students to tackle in the research and writing exercise.

The JCP Committee hopes you will consider participating in this important program. Many statistics on Federal and State courts demonstrate the continuing need to encourage students from traditionally under-represented communities to seek and obtain clerkships, in both the courts and within state and federal administrative agencies. If you have volunteered in the past, you know that this program is one of the most rewarding JD activities all year. A $200 stipend is available, for those who participate in all three days and do not otherwise receive reimbursement.

For further information about the JCP please visit: www.ambar.org/jdjcp.

We hope to see many judges from the JD at the 2019 JCP along with our always enthusiastic group of law students. If you are a judge who is interested in volunteering for the 2019 JCP or if you have any other questions, please contact at Jill Charles at jill.charles@americanbar.org.

(L-R) Hon. Heather A. Welch, NCSTJ Chair-Elect, Hon. Toni Clarke, JD Chair, Hon. Frank Sullivan, Past AJC Chair and Judicial Clerkship Program Honoree, and Hon. Margret G. Robb, Past AJC Chair at the Diversity Reception hosted by the Indianapolis Bar Association on December 11, 2018.
Calling All Authors: Write for The Judges’ Journal

Judicial Division members interested in writing an article on the following topics, please contact our Journal’s editor Melissa Hodek at melissa.hodek@americanbar.org or 312.988.5664.

- Spring Issue: Administrative Law Judges (deadline January 16, 2019)
- Summer Issue: Judges and the Media (deadline April 17, 2019)
- New Column: Profiles in Judicial Courage—to feature judges who have gone against popular opinion in a decision.

NATIONAL JUDICIAL Outreach Week

MARCH 1–10, 2019

Join the Judicial Division for this year’s National Judicial Outreach Week (#NJOW) on March 1–10, 2019. #NJOW encourages judges and lawyers to reach out to their communities to promote a fair and impartial judiciary and to confirm the public’s understanding and commitment to preserving the Rule of Law.

Presentation materials and resources are available at ambar.org/njow.
CHAIR’S COLUMN

By Hon. James E. Lockemy, Dillon, SC

Fresh off a dynamic Appellate Judges’ Education Institute (AJEI) Summit in November, the AJC is ready for an exciting year ahead in 2019. During the AJEI Summit, attendees enjoyed informative and exciting programs that examined a wide range of legal topics from the contemporary effects of the My Lai Massacre in Vietnam 50 years ago on the judiciary to how to write a persuasive reply brief. In between, Dean Erwin Chemerinsky kept the audience of over 200 keenly focused on the past year’s Supreme Court decisions and offered projections on cases to be decided in the coming term. The wide range of programs centering on appellate law and its practitioners, the judges and lawyers of the state and federal courts, illustrated why the AJEI Summit is regarded as the premier educational gathering of its kind in the nation.

Held in Atlanta, Georgia, our opening reception convened at The Center for Civil and Human Rights Museum. Many toured the church that called Martin Luther King, Jr. its pastor and listened to programs about the changes wrought by legal battles fought in the South over the last 50 years. Our keynote speaker, Ambassador Andrew Young, moved us all with his reflections on the marches and protests for the rights of all and the ongoing changes in the city of Atlanta which make it a thriving economic and cultural powerhouse in the “New South.”

In September, I had a wonderful experience visiting the Young Lawyers Division at their joint meeting with the Solo Practitioners Section in Charleston, SC. Tommy Preston, the new Chair, leads this group with gusto and vision. The room buzzed with the vibrancy of new minds ready to advance the cause of justice in the nation and the world. AJC is a unique conference in that our membership includes judges as well as lawyers that practice appellate law (Council of Appellate Lawyers) as well as those that work within the appellate courts (Council of Appellate Staff Attorneys). Several of the young lawyers joined CAL and CASA during the conference. Both CAL and CASA are integral parts of AJC and we will continue our joint efforts throughout the year. Thank you, Tommy and YLD for being great hosts and opening new doors of partnership within the ABA.

This fall and winter, AJC has been actively working on several new awards and projects. We are a proud co-sponsor of the new initiative by our JD Chair for a Civility Award named after the late Judge and JD Chair William D. Missouri. He was a walking example of graciousness and civility. The award seeks to promote that spirit by recognizing

Continued on page 10
those who carry on these much needed virtues in our profession. In addition, I would like to acknowledge former AJC Chair and Indiana Supreme Court Justice Frank Sullivan, Jr. for his outstanding contributions to young lawyers through the Judicial Clerkship Program (JCP). On December 11, 2018, a surprise reception was held in his honor where the ABA named the JCP exercise problem, which he writes every year, in his honor. To make this event even more special, the AJC will present a Resolution declaring that day “Justice Frank Sullivan, Jr. Day”.

Two amazing recognitions for two amazing jurists who are exemplars of the principles we all hold so dear.

As with all other sections and conferences, we are preparing for the Midyear Meeting in Las Vegas. We will unveil the Frank Sullivan Exercise Problem for the JCP participants, present and attend wonderful programs and begin planning for our AJEI Summit in Washington, D.C. November 14-17, 2019. In addition to outstanding programs, the United States Supreme Court will host us for an opening reception on Thursday evening. We invite all interested in appellate work at the state and federal level to put this date on your calendar and plan to attend. It promises to be another exceptional Summit!

We at AJC, one of the fastest growing entities within the ABA, hope you enjoyed a wonderful Holiday Season and wish you a Happy New Year—it will be Outstanding!!!

Continued from page 9

CHAIR’S COLUMN: COUNCIL OF APPELLATE LAWYERS

By David H. Tennant, Rochester, NY

The Council of Appellate Lawyers (CAL) is humming on all cylinders—and we invite you to join the ride.

This column looks backwards and forward. First, we highlight some of the Council’s many accomplishments over the past 12 months under Mike Scodro’s outstanding leadership. Second, we briefly outline a key membership initiative for this year.

We hope you will be part of the effort to bring new benefits to new members in 2019.

A Look Back

Beyond CAL’s exceptional on-line journal, Appellate Issues, the Council also presented cutting-edge CLE programs. Brian Miller (Corpus Christi) served as Chair of the Programs Committee and acted as the prime mover in organizing CLE programs on a national stage. CAL presented an entertaining Monty Python-inspired program on judges going outside the record, featured at the ABA Judicial Conclave in Chicago. CAL Board member Eric Magnuson (Minneapolis) moderated; I played along as a panelist with two federal judges, David Hamilton from the Seventh Circuit and Andrea Wood of the Northern District of Illinois. At the 2018 ABA Annual Meeting in New York, CAL presented a panel on blockbuster Supreme Court decisions that was blessed by an all-star cast and drew a standing-room-only crowd. CAL members Kirsten Castañeda (Dallas) and Mark Kressel (Los Angeles) helped Brian organize that fabulous event. Kannon Shanmugam, former U.S. solicitor general Donald Verrilli, and Dean Erwin Chemerinsky were our panelists.

Every year we partner with Duke University and the Appellate Judges Conference in organizing the Appellate Judges Educational Institute (AJEI) Appellate Summit, which in 2018 was held in Atlanta on November 8-11. A description of the Summit’s excellent programming can be found here:
Continued from page 10

https://judicialstudies.duke.edu/ajei/2018-summit/schedule. 74 CAL members joined a large gathering of state and federal judges and staff attorneys. We definitely missed you if you did not go—and you definitely missed some great programs and the opportunity to network with appellate judges, their staffs, and peers from around the country.

Special kudos go to CAL 2018 Summit Chair Mark Kressel, the large team of CAL volunteers who helped to plan it, and, of course, the great staff at Duke and the ABA (including CAL liaison Amanda Banninga), who worked hard to make the 2018 Summit such a success.

I also want to thank the following law firms and other sponsors for their generous support, which made the 2018 Summit possible.

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**PLEASE MARK YOUR CALENDARS FOR THE 2019 SUMMIT IN WASHINGTON, D.C., Grand Hyatt November 14-17**

Please let us know if you would like to join the 2019 Summit planning group or the Host City Committee.

**CAL Business Meeting Re-cap**

At the annual meeting in Atlanta (during the Summit), CAL elected Deena Jo Schneider (Philadelphia) as Chair-Elect and Mark Kressel as Secretary, and I succeeded Mike Scodro as this year’s Chair. We also elected new Executive Board members, replacing a few dedicated CAL members who completed their terms.

**A Glimpse Ahead: Focus on Membership**

The new Co-Chairs of our Membership Committee, former CAL Chair Bennett Cooper (Phoenix) and CAL Board member George Abele (Los Angeles), have committed to recruit 250 new members in 2019. Wow! We hope to recruit appellate law clerks and law students engaged in school-based appellate clinics, and find many more members among those who already belong to the ABA. We plan to do this in part through the State Chairs; if you are interested in serving in this capacity, please let me know.

CAL is committed to diversifying its ranks. CAL member Savannah Potter-Miller (Atlanta) is leading our diversity effort. We hope to show measurable gains in 2019.

Please feel free to reach out to me at david.tennant@appellatezealot.com with any questions.
It is my pleasure to serve as CASA chair this year. Over my longer-than-you-might-expect career in appellate courts, I have seen staff attorneys become integral team players. Perhaps they were once thought to be a temporary solution to growing dockets, but the law seems to grow ever more complex. State legislatures and Congress continue to enact statutes that courts are called on to enforce and interpret, but they seem reluctant to create more judgeships. Staff attorneys now perform a variety of integral functions including processing motions, preparing memoranda concerning discretionary jurisdiction, initially evaluating appeals, and drafting proposed dispositions, both published and unpublished.

While most appellate courts appreciate the work performed by their staff attorneys, many do not appear to have recognized that to maximize the benefits from their staff attorneys, the attorneys need continuing education. From my own experience in federal appellate courts, I know that in high-volume areas of the law such as sentencing, prison conditions, official immunity, environmental law, and immigration law, the applicable constitutional and statutory laws continue to evolve. What an attorney learned in law school just a couple of years ago now provides only a preliminary basis from which to begin research.

Because the continuing education of staff attorneys benefits the judiciary as well as the individual attorneys, their education should be a joint concern. Judges should not take the quality of staff-attorney work for granted and should take steps to assist their staff attorneys to get continuing education. If you are a staff attorney, you should not be afraid to ask your court to assist you in obtaining continuing education. I have heard that in some courts, there are funds that could be used for staff attorney continuing education but no requests are made.

Hands down the best continuing education programs for both staff attorneys and appellate judges is the annual Appellate Judges Education Institute Summit. The next one is scheduled for November 14-17, 2019, in Washington, DC. The AJEI Summit presents three days of programs by appellate judges, nationally renowned professors, appellate practitioners, and staff attorneys, all focused on appellate practice. In addition, the Summit provides a unique venue where judges, practicing attorneys, and staff attorneys can get to know one another and learn from each other. In addition, the 2019 Summit will include a reception at the United States Supreme Court. Ask any judge or attorney who has attended an AJEI Summit, and I think they will agree with me that the Summit is an exceptional value.

Lastly, for staff attorneys whose courts do not underwrite their attendance, or will only partially do so, the AJEI has a scholarship program that annually helps staff attorneys attend the AJEI Summit. I hope to see you in Washington, DC.

Richard Schickele is a Career Law Clerk to Judge Consuelo Callahan at the United States Court of Appeals for the Ninth Circuit.
CHAIR’S COLUMN

By Mark G. Sessions, San Antonio, TX

What does 2019 hold in store for the Lawyers Conference? The answer is plenty!

It is never too late to get involved with a project that interests you, and here are some highlights:

Join us at the Midyear Meeting in Las Vegas, January 23-27:

Drop in at the Judicial Division’s Judicial Clerkship Program—a three-day event that encourages law students to seek judicial clerkships by introducing them to judges through programs that involve close interaction on panels, analyzing a case before the U.S. Supreme Court, and simply getting acquainted at social events.

Network with judges and lawyers from across the country at the Judicial Division’s Welcome Reception. We want to get to know you!

Attend the Leadership Town Hall as the Lawyers Conference honors the 2019 recipient of the Burnham “Hod” Greeley Award for excellence in promoting increased awareness of the need for an impartial and fair judiciary.

Get involved as we collaborate with the leadership of the National Conference of Federal Trial Judges (breakfast) and the National Conference of the Administrative Law Judiciary (coffee).

Add your ideas and experience to the Lawyers Conference’s collaboration with the National Conference of State Trial Judges, which is planning a new program—“Civility: From Aspiration Goals to Practical Solutions: Judges Collaborating with Lawyers to Ensure Civility Beyond Theory and Into Practice.” Striving for justice and maintaining the public’s confidence in the judicial system requires an affirmative commitment to greater civility in our profession. Please consider how you demonstrate this commitment in your practice, and share your experiences with us.

Continued on page 14
Stop by the meetings of the Lawyers Conference Executive Committee, and learn more about our priorities this year.

Don’t miss the ABA House of Delegates Meeting for the vote on the Lawyers Conference Resolution: Guidelines on the Appointment and Use of Special Masters in Federal and State Civil Litigation.

Whether you can make it to the meeting or not, there are plenty of ways to stay involved. Read the Special Master Case Studies by Dr. Barbara Meierhoefer to learn how special masters were used in three complex cases. The Lawyers Conference Committee on Special Masters is dedicated to developing educational programs for the bench and bar on how to use special masters in pretrial and trial stages of litigation, and membership on the committee is open.

This year, recognize a colleague you admire. Submit a nominee for the Lawyers Conference annual Robert B. Yegge Award for Outstanding Contribution in the Field of Judicial Administration. Given each year to the person who best demonstrates accomplishments and virtues that improve judicial administration, the award honors Robert B. Yegge, former Dean Emeritus of the University of Denver Sturm College of Law and former Chair of the Lawyers Conference (1987-88) and will be conferred at the Annual Meeting in San Francisco (August 8-11, 2019).

The opportunities continue in March of 2019, when we shine a spotlight on public engagement with the Rule of Law and connect members with the highest Court in the land. First, take the lead in bringing judges in your community to public forums during National Judicial Outreach Week (March 1-10). During this week, active and retired judges will invite the public to courthouses and talk with community members about the Rule of Law and the work courts do every day. The Judicial Outreach Network has made a PowerPoint presentation and Speaker Notes available to assist participants and foster discussions. Help the Lawyers Conference as it seeks to claim the “Hon. Russell Carparelli Honor for Public Outreach” for hosting the most presentations during the NJOW.

You’ll have a wonderful experience with your local judges and community along the way!

As springtime begins and the cherry blossoms bloom in D.C., come to our Nation’s capital on March 24-25, 2019, and be part of the Admission to the Bar of the United States Supreme Court, where eligible applicants will be admitted to the Bar of the Supreme Court at the beginning of the March 25 oral argument session. This annual Lawyers Conference event includes:

- **Group dinner** with Judge Toni Clarke, Chair of the Judicial Division, participants and family, and Lawyers Conference members

- **“Supreme Court Preview.”** which provides an appellate specialist’s view of the two cases that will be argued

- **Breakfast at the Supreme Court** in majestic surroundings the morning of the ceremony (seats limited)

- **Reserved courtroom seats for the Swearing-in Ceremony and Oral Arguments** (seats limited)

- A noted **guest speaker** before or after the ceremony (past speakers included Justice Sotomayor)

- **Lunch at the Supreme Court** following the ceremony (seats limited)

- A **lecture in the Courtroom** of the U.S. Supreme Court following the ceremony

Speaking of D.C., keep the **Lawyers Conference Day on the Hill** on your dashboard. Planning is underway to repeat this successful initiative, which brought judges and lawyers to the Halls of Congress in 2016 and 2017 for in-person meetings with Members and staff of the Senate and House Judiciary Committees to address issues of importance to the federal judiciary. The group is small and select, so let us know if you want to be a part of this team!

Finally, this spring, contact Chair-Elect Carolyn Dubay while she plans her year as Lawyers Conference
Chair, which begins in August. As Executive Director of the North Carolina Judicial Standards Commission, Carolyn brings an important and valued perspective to the Lawyers Conference. Join today and bring your interest, experience, and expertise to the Lawyers Conference to make Carolyn’s year a certain success.

The Lawyers Conference is home within the ABA Judicial Division (JD) to lawyers, law professors, law students and other legal professionals interested in working closely with judges on advancing judicial administration. We strive to support the Judicial Division and its five judicial conferences: federal trial judges, state trial judges, appellate judges, administrative law judiciary, and specialized court judges including the tribal courts.

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**Join the Lawyers Conference at the 2019 ABA Midyear Meeting**

January 24-27, 2019 | Las Vegas, NV

The LC will meet multiple times throughout the weekend and members are encouraged to attend.

**Lawyers Conference Midyear Meetings**

Caesars Palace, Forum Ballroom 1, Pool Level
Friday, January 25, 10:00am–12:00pm
Saturday, January 26, 7:30am–9:30am
Sunday, January 27, 9:00am–11:00am

The LC with also have a joint meeting the National Conference of Federal Trial Judges on Sunday, January 27 from 8:00am-9:00am.

View the full Judicial Division Guide to Midyear at [www.ambar.org/jdmidyear](http://www.ambar.org/jdmidyear).
CHAIR’S COLUMN

By Hon. Judson Scott, Bee Cave, TX

We are off to a great start for this year. We have a strong Executive Committee and a busy group of committee chairs who are actively at work on vital tasks for NCALJ and our members. We added Judge Henry Hamilton to our Executive Committee to fill a vacant position and he is quickly becoming an active member of our Membership, Diversity, and Recruiting Committee. Our committees are already engaged in a broad range of activities, including:

Educational Programs: Developing several superb programs for the Annual Meeting in San Francisco; working with several Sections to develop a joint series of “how to” programs in administrative law and administrative hearings for their members; and creating on demand audio programs on how to handle various types of administrative hearings which will be made available within our website’s resource library.

Membership/Diversity/Recruiting: Actively working with non-ABA administrative judge groups to offer our organizational support, programs, and assistance to their members. We expect to expand this outreach to other judicial groups who are not currently affiliated with the ABA and NCALJ. Thus far, we have had very positive responses and expect soon to see large numbers of administrative law judges become new members of the ABA and NCALJ.

Resolutions for the House of Delegates: In 2018, we developed and obtained House passage of our Resolution to adopt a Model Code of Conduct for State Administrative Law Judges. We are actively working to prepare another Resolution for the 2019 House to support and expand the Central Panel system of administrative hearings into more state and local jurisdictions across the country. Once this is completed, we have proposed topics for other Resolutions to further improve the state and federal administrative law systems across the country.

Strategic Plan: We updated our Strategic Plan this year and are busy fulfilling our assigned tasks. Each committee has been given meaningful tasks to help achieve these goals. We welcome your participation in our committees and in this work. Please check our website at ambar.org/jdncalj to review and sign up for one or more of our committees to become a key part of these projects. As we have said before, our informal motto for this year is “Don’t just complain about it, do something to fix it!”

Continued on page 17
If you are an administrative adjudicator, we are your home in the ABA and would love to have you join in our important work. Winston Churchill made a very perceptive statement when he said: *The POSITIVE THINKER sees the INVISIBLE, feels the INTANGIBLE, and achieves the IMPOSSIBLE.*

Please help us to achieve the impossible.

Join in our work.

It is a decision you won’t regret.

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This video is an extremely valuable and timely resource for attorneys, state and federal courts, and child welfare organizations. It provides:

- Essential information for attorneys and child welfare organizations who represent unaccompanied minors in American courts
- Critical how-to guidance for state and federal courts that must make key findings regarding these minor children

This compelling video uses a basic, step-by-step approach that includes two brief mock hearings and an actual account of an unaccompanied minor who later became a legal resident of the United States. It also includes an all-judge expert panel discussion describing the process for obtaining the required predicate orders in state and local courts to support federal petitions for Special Immigrant Juvenile Status (“SIJ petitions”).

This video provides vital training that will help participants understand the critical decision-making tasks necessary to decide what is in the best interests of children. It also helps to dispel the “mystery” surrounding the work performed by immigration judges, including what state and local judges must do before the immigration court case can be decided.

Valuable resource materials are also included at the end of the video. Available for licensed viewing at inexpensive rates.
You may know the constitutional and statutory structure of federal courts, but do you know how many district courts there are, the number of authorized federal trial judges, how trial judges are selected, or how the courts are administered?

**OVERVIEW OF THE FEDERAL TRIAL COURTS IN THE UNITED STATES**

Article III of the Constitution created the Supreme Court and authorized Congress to establish a system of lower federal courts. Article I courts are those courts created by the Congress pursuant to its power under Article I, section 8 of the Constitution.

**Federal Trial Courts**

The United States district courts are the principal trial courts in the federal system. There are 94 district-level trial courts, including at least one each state, the District of Columbia, Puerto Rico, and the overseas territories. Three territories of the United States—the Virgin Islands, Guam, and the Northern Mariana Islands—have district courts that hear federal cases. The district courts have jurisdiction to hear nearly all categories of federal cases, and they address civil and criminal matters, public law and private law disputes, cases involving individuals and cases involving corporations and government entities, appeals from administrative agency decisions, and law and equity matters.

Each federal judicial district also includes a United States bankruptcy court which operates as a unit of the district court. The bankruptcy court has nationwide jurisdiction over almost all matters in insolvency cases, except criminal law issues. Once a case is filed in a bankruptcy court, related matters pending in other federal and state courts can be removed to the bankruptcy court.

Two special trial courts exist within the federal judicial branch and have nationwide jurisdiction over certain types of cases. The Court of International Trade addresses cases involving international trade and customs issues. The United States Court of Federal Claims has jurisdiction over disputes involving federal contracts, the taking of private property by the federal government, and a variety of other monetary claims against the United States.
Additionally, the United States Tax Court is a court of record established by Congress under Article I of the U.S. Constitution. Although the Court is physically located in Washington, D.C., the judges travel nationwide to conduct trials in various designated cities.

**How many Judgeships are there?**

**Article III Judges:**
- 667 district court judgeships (plus 10 temporary district court judgeships for a total of 677) are authorized, and
- 9 Court of International Trade judgeships.

**Article I Judges:**
- 349 authorized bankruptcy judgeships; judges are appointed for 14-year renewable terms,
- 534 authorized magistrate judgeships and 35 authorized part-time magistrate judgeships; these judges are appointed to 8-year renewable terms,
- 16 presidentially appointed Court of Federal Claims judgeships; these judges are appointed to 15-year terms, and
- 19 presidentially appointed Tax Court judgeships; these judges serve 15-year terms.

**How are Federal Trial Judges Selected?**

Trial judges can be selected either through a political process or a merit selection process. Article III judges (which includes those on the Court of International Trade) are selected through a political process. Article III judges are nominated by the President and confirmed by the United States Senate, as stated in the Constitution. The names of potential nominees are often recommended by senators or sometimes by members of the House who are of the President’s political party. The Senate Judiciary Committee typically conducts confirmation hearings for each nominee. Article III judges are appointed for life, and they can only be removed by the Congress through the impeachment process specified in the Constitution.

Magistrate judges are appointed through a public notice and screening process. By statute, magistrate judges are screened through a selection process whereby lawyers and other residents of the judicial district comprise a merit selection panel. The panel evaluates the applicants’ education, practice of law, knowledge of the court system, personal attributes and other criteria in making its recommendations. Political party affiliation plays no part in the merit selection process. The magistrate judge is then appointed by the life-tenured district judges of the relevant district court. Bankruptcy Judges are similarly screened through a merit-based selection process which differs by Circuit. Circuit court judges, rather than district judges, appoint bankruptcy judges.

**How are Federal Courts Administered?**

The Judicial Conference of the United States, established by statute in 1922, is the federal courts’ national policy-making body, and it speaks for the judicial branch as a whole. The Chief Justice of the Supreme Court of the United States presides over the Judicial Conference, which consists of 26 other judges, including the chief judge of each court of appeals, one district court judge from each regional circuit, and the chief judge of the Court of International Trade. The Judicial Conference works through committees established along subject matter lines to recommend national policies and legislation on all aspects of federal judicial administration.

**The Administrative Office of the United States Courts**

The Administrative Office, an agency within the judicial branch and established by statute in 1939, is supervised and directed by the Judicial Conference and is responsible for carrying out policies adopted by the Judicial Conference. The Administrative Office provides a broad range of legislative, legal, financial, information technology, management, administrative, and program support services to the federal courts.

**RECENT ACTIVITIES OF THE NCFTJ**

- **Trafficking in the World of Chance: Human Trafficking in the Casino Industry and Beyond:** The NCFTJ will co-sponsor and NCFTJ Executive Committee member, Magistrate Judge Leo Brisbois, will moderate this program at the Midyear Meeting in Las Vegas, NV. Panel members will describe and discuss human
trafficking and its role in the casino industry. Speakers will explain how to identify victims of human trafficking and what steps can be taken to assist in ending this component of modern slavery. Panel members will include security professionals, prosecutors, and advocates involved in assisting victims. January 25, 2019 at 1:30 p.m.-3:00 p.m.

- **NCFTJ** is planning a program for the 2019 Annual Meeting: **Demystifying Bankruptcy: A Program for Non-Bankruptcy Judges**
  
  The filing of a bankruptcy case can create a major roadblock in state and federal litigation. The bankruptcy case automatically stops all litigation in its tracks, often just as you are going to start trial. This can be disruptive and the judges managing the state case can have difficulty deciphering the impact of bankruptcy. This program will feature experienced bankruptcy judges who will discuss fundamental issues such as the scope of the automatic stay and relief from the stay, the impact of a discharge in bankruptcy, and the meaning of a confirmed Chapter 11 or Chapter 13 plan. Bankruptcy has a very different effects on criminal and family court proceedings, and those nuances will be highlighted. Finally, a hard-fought state or federal court trial is sometimes followed by a bankruptcy filing in which the prevailing party attempts to use its victory collaterally in the bankruptcy case. The success of this tactic may depend on the trial judge’s findings, rulings, and the jury instructions used at trial. The panel is expected to delve into those issues as well. So, attend this program to have all of your bankruptcy questions answered!

- **“Civility in Litigation:”** The NCFTJ is collaborating with the National Conference of State Trial Judges on a program for the 2019 Annual Meeting in San Francisco to discuss steps to address incivility by lawyers and judges in discovery. This program also will address how to prevent and respond to uncivil behavior in motion practice and trials. If you would like to assist in planning the program, or have materials to contribute, please contact Chair Barbara McAuliffe at bmcauliffe@caed.uscourts.gov.

### Special Masters Black Letter Working Group

The NCFTJ, in conjunction with the JD, has co-sponsored the ABA Guidelines on the Appointment and Use of Special Masters in Federal and State Litigation, which will be presented to the ABA House of Delegates at the 2019 ABA Midyear Meeting in Las Vegas, NV.

- **NCFTJ Webinars for Purchase:** [http://shop.americanbar.org](http://shop.americanbar.org).
  
  - Drones and UAS: Regulatory Update and What’s Next on the Horizon for Users and Owners.
  - OMG, I Have a Case in U.S. Tax Court! A Tax Court Basics Program, Part I.
  - OMG, I Have a Case in U.S. Tax Court! A Tax Court Basics Program, Part II.
  - Bankruptcy 101: Bankruptcy Basics for Non-Bankruptcy Lawyers.
  - Federal Litigation Practice: Advancing Your Case Before Federal Magistrates.
  - OMG, What is Proportionality? Discovery Disputes in Federal Courts.
  - Autonomous Vehicles: The Good, The Bad, & The Ugly.

- **NCFTJ Free Webinars:**
  
  - Making the Most of Your Judicial Internship/Externship.
  - Demystifying the Federal Judicial Clerkship Process.
  - Demystifying Federal Clerkships II—Specialty Courts.
  - A Day in the Life of a Federal Law Clerk.
  - So, You Think You Want to Be a U.S. Magistrate Judge?

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1 This article addresses only those federal courts within the NCFTJ membership.
Dear National Conference of Specialized Court Judges members, our 2018–2019 conference year is off to a great start. Our Executive Committee has conducted two meeting thus far and we are scheduled to meet in person at the Midyear Meeting. At our meetings, we discussed the progress of the Judicial Division and our Conference and received updates from our Executive Committee members.

Our Conference is currently focused on our activities scheduled for the American Bar Association, Midyear Meeting in Las Vegas, Nevada. The dates for the Midyear are January 23-27, 2019. The hotel for this event is Caesars Palace. We invite all members to join us for this wonderful event. We have many things planned for the Midyear.

As such, our Conference is proud to announce that we submitted a program proposal for the Midyear Meeting and it was selected as the lone CLE program for the Judicial Division. The program is entitled, “Trafficking in the World of Chance: Human Trafficking in the Casino Industry and Beyond.” Our Conference submitted this timely program along with two co-sponsors, Tribal Courts Council, and the Standing Committee on Diversity in the Judiciary. A special word of thanks goes out to our Conference’s very own Col. Linda Murnane for all the hard work she performed in submitting the program proposal.

Our Conference will conduct two in person meetings at Midyear. Our first meeting is scheduled for Friday, January 25, 2019 and our second meeting is scheduled for Saturday, January 26, 2019. Both meetings will be conducted at Caesars Palace. All members are welcome to attend. We will also have a dinner at the Midyear where we invite all members, future members and their families to attend. For details concerning our dinner, members should contact our Conference staff person, Cheronne Mayes at cheronne.mayes@americanbar.org.

In addition to our Midyear Meeting activities our Conference is planning to host our 2019 Traffic Court Seminar. The dates for this seminar are March 18–20, 2019. Lodging and all CLE events will be held at the Kimpton Hotel Palomar in Washington, DC. Our lineup of speakers for this event is outstanding. The seminar is designed for judges, judicial officers, prosecutors, and defense attorneys appearing in traffic courts. This event provides an opportunity for all attendees to meet and network with others throughout the country to discuss the latest developments in traffic court law, technology, and scientific evidence. Our Traffic Court Program Committee led by the Hon. Beth Gibson has been doing an amazing job putting this Seminar together. Registration for the conference is open to all.
Limited scholarships are available upon application and the deadline for the application is February 22, 2019. Details available at www.ambar.org/2019tcs.

There are several Judicial Division events that our members should be aware of that will occur at the Midyear in addition to our Conference’s programing. The first event is the Judicial Division’s Standing Committee on Diversity, Youth Outreach Program, which will be conducted on Wednesday, January 23, 2019, from 12:00 pm–2:00 pm at the Las Vegas Academy of the Arts High School. There will also be an evening program that will include Judicial panelists from the Las Vegas Courts. For information regarding this event members should contact Julianna Peacock at julianna.peacock@americanbar.org. The second is the Judicial Clerkship Program. For information about this program, members should visit www.ambar.org/jdjcp. Third, is the Judicial Division Reception which will be held on Thursday, January 24, 2019. For information on this event members should contact kris.berliant@americanbar.org. Our Conference is still on track for our other events. One such event is our CLE “Jazz With the Judges” event in Atlanta, Georgia led by the Hon. Ronald Ramsey. Dates for this event will be announced shortly. Another such event is our membership initiative at the National Association for Drug Court Professionals which will be held this spring in Washington, DC.

If you cannot make it to one of the above events, we look forward to seeing you at the 2019 ABA Annual Meeting in San Francisco, California. I also invite you to contact us and let us know your questions, concerns or suggestions. You can contact us or please visit our Conference website at www.ambar.org/jdncscj for more information. I look forward to meeting you in person at one of our events during this 2018–2019 year.
2019 NCSCJ Awards Call for Nominations

The National Conference of Specialized Court Judges is now accepting nominations for the following awards to be presented at the ABA Annual Meeting in San Francisco, August 2019:

**The Franklin N. Flaschner Award**
Recognizes a judge in a court of limited jurisdiction who has an excellent reputation, a commitment to high ideals, exemplary character, leadership and competence in performing judicial duties.

**The William R. McMahon Award**
Presented to a judge, court employee or attorney who has made a significant implementation or development in the use of technological advances in a court of limited or special jurisdiction.

**The Judicial Education Award**
Awards a person or institution of judicial education or training for successful efforts in providing high quality judicial education and training for judges.

For rules and applications please visit www.ambar.org/jdncscj.
Deadline for submission is Monday, April 1, 2019.

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**National Conference of Specialized Court Judges Call for Nominations for 2019–2020 Association Year**

Chair Elect (1-year term expiring 2020)
Vice Chair (1-year term expiring 2020)

**Representative for District 2**
(Connecticut, Delaware, Maryland, New Jersey, Pennsylvania, Ohio)
Position currently held by Hon. Pamila Brown
Eligible for a second term

**Representative for District 5**
(Alabama, Arkansas, Florida, Mississippi, Missouri, Virgin Islands)
Position currently held by Hon. Andra Sparks
Elected August 2018 to fill unexpired term
Eligible for a full term

**Representative for District 9**
(Alaska, Idaho, Montana, Nebraska, Oregon, Washington, Wyoming)
Position currently held by Hon. James Riehl

**Executive Committee Member-at-Large**
(3-year term expiring 2019)
Position currently held by Hon. Mary Jane Knisely

**Nominating Committee Chair:**
Col. Tara Osborn, Pinehurst, NC
Hon. John Kennedy, York, PA
Hon. Beth Gibson, Newberry, MI

Please send your resume and a cover letter to Cheronne Mayes at ABA Judicial Division, 321 N. Clark Street, Chicago, IL 60654 or email it to cheronne.mayes@americanbar.org. **Deadline for submissions is** February 28, 2019.
In 1989, San Diego established the first Homeless Court Program (HCP) in the Nation, a special voluntary Superior Court session held at local homeless service agencies for homeless defendants to resolve misdemeanor criminal cases. Local homeless service agencies—not law enforcement—are the gateway for participants to voluntarily enter this Court. Participants work with a shelter caseworker to design a plan to move towards self-sufficiency prior to appearing in court. To counteract the effect of criminal cases pushing homeless defendants further outside society, Homeless Courts combine a progressive plea bargain system, alternative sentencing structure, assurance of “no custody” and proof of program activities to address a full range of offenses. Alternative sentencing substitutes participation in agency programs for fines and custody. These activities include: life-skills, chemical dependency or AA/NA meetings, computer or English literacy classes, training or search for employment, counseling and education. “No custody” agreements acknowledge the participant’s efforts in their program activities to satisfy Court requirements. The shelter representatives write advocacy letters for each client. The advocacy letter is symbolic of the relationship between the client and the agency and includes a description of the program, the client’s start date, accomplishments, programs completed and insight into the client’s efforts.

Court clerks research cases for participants referred to the Homeless Court. The defense attorney meets with the participant in advance of the court hearing to review the criminal aspects of their case and then moves the conversation to the program activities that will help transform their lives for the better. Together, they focus on treatment, their accomplishments in services, and establishing a strong foundation of support systems to promote the achievement of fullest potential and self-sufficiency. Participants appear before a judge, and terms for the resolution of the charges are presented. The court reviews the participant’s advocacy letter and pronounces judgment, reconciling their accomplishments against their offense, clearing their slate, freeing them to reclaim their lives and return to the community as valued citizens. More than 90% of the cases are dismissed. When participants enter a plea of guilty, they receive “credit for time served” in program activities to satisfy the terms and conditions of their plea. Typically, cases are addressed and resolved in one hearing.

In 2003, the American Bar Association adopted a policy of supporting the development of Homeless Courts—a comprehensive, systemic approach to addressing the needs of homeless misdemeanant defendants through multidisciplinary strategies that include coordination among the criminal justice, health, social service and education systems, and the community. The ABA urged state, local, and territorial courts to facilitate the development of Homeless Court Programs as treatment-oriented diversionary proceedings that may result in the dismissal of misdemeanor offenses upon completion of shelter/service agency activities. The goal is to foster the movement of people experiencing homelessness from the streets through a shelter program to self-sufficiency.

In 2006, the ABA adopted the following principles for Homeless Court Programs:

1. Prosecutors, defense counsel, and the court should agree on which offenses may be resolved in the Homeless Court Program, and approve the criteria for individual participation, recognizing that defendant participation in Homeless Court Programs shall be voluntary.
2. Community-based service providers should establish criteria for individual participation in the Homeless Court Program and screen individuals pursuant to these criteria.
3. The Homeless Court Program shall not require defendants to waive any protections afforded by due process of law.
4. All Homeless Court Program participants shall have time for meaningful review of the cases and issues prior to disposition.
5. The Homeless Court Program process and any disposition therein should recognize homeless participants’ voluntary efforts to improve their lives and move from the streets toward self-sufficiency, including participation in community-based treatment or services.

Continued on page 25
Continued from page 24

6. Participation in community-based treatment or services shall replace traditional sanctions such as fines, public work service and custody.

2018 HOMELESS COURT SUMMIT

The 2018 Homeless Court Summit marked the 30th anniversary of Homeless Court and was a great success. 110 judges, attorneys, court personnel, service providers, advocates and individuals with lived experience from thirteen states actively participated in interactive breakout groups and panel discussions focused on charting a course for the future of collaborative justice and problem-solving courts. The Summit was held on November 13, 2018 at the University of San Diego Joan B. Kroc Institute for Peace and Justice.

This one-day, invitation-only summit began with the current state of Homeless Courts and collaborative justice and then moved towards identifying trends, gaps, strengths and opportunities. ABA President Bob Carlson gave opening remarks, followed by the ABA Commission on Homelessness & Poverty Chair Craig Baab and Special Advisor Steve Binder, Co-Founder of the Homeless Court Program. A special luncheon presentation featured the Hon. Peter Deddeh, Presiding Judge of the Superior Court of San Diego County, a local public defender, city attorney and district attorney, local service providers, and clients with lived experience. This panel, moderated by Lisa Halversadt of Voice of San Diego, discussed the power of the Homeless Court model and philosophy from their unique perspective. In the afternoon, participants were divided into three groups and discussed charting a course for the future—with coordinated efforts on the national, state and local levels.

The Homeless Court Summit laid a foundation for increased capacity and coordination in the collaborative justice arena and the American Bar Association is committed to convening a working group of key stakeholders to develop a national directory, detailed resources, and a network platform to connect homeless courts and provide technical assistance, fostering replication of the Homeless Court model nationwide through the following action plan:

CREATING THE HOMELESS COURT NETWORK

- Build an advisory committee with stakeholders from homeless courts across the country
- Create a one-pager to outline goals and messaging
- Create a national list serve
- Discuss the possibility of convening annual or biennial conferences that would include trainings
- Collaborate with national judicial organizations (including the ABA Judicial Division) and interested state and local organizations
- Build an online national platform with a focus on increasing capacity and connectivity
  - Create and maintain a nation-wide directory of homeless courts
    - Include location, key point(s) of contact and contact information, eligibility guidelines and services
  - Create and maintain a library of resources
    - Include homeless court data
    - Include success stories and lessons learned
  - Research Component (ideally maintained by a university/think tank)
  - FAQs and/or chat room/blog component

For more information on Homeless Courts, please visit ambar.org/homeless and contact Kelly Russo, Director, ABA Commission on Homelessness & Poverty at (202) 662-1699 or kelly.russo@americanbar.org.
Consistent with our desire to promote civility this year, I decided to review with you some professional ideas for judges. In our daily activities as judges, we are obligated to set the standard for professionalism not only for those appearing before us but also for the public at large. Our legal system was built on civility, respect, transparency and integrity, and we must strive to model those attributes in all we do.

Civility requires professionalism in all of our actions. As Judges, we are expected to set the example for those in the legal profession. On the national scene, we observe the lack of respect on display daily. It appears we are engaged in a civil war among the branches of government. As judges, we are judged daily. More importantly, we must judge ourselves. The integrity of our profession is on trial. Are we honestly displaying strong moral character? Are we seeing what others see in us, is the real question.

Once we put on the robe we project authority, and that authority should compel judges to respect others, no matter their station in life. Respect for others demonstrates our respect for the law. The impact of our actions can compel the great and the small. It can command the government and empower the lowly. Again, this should impel us to act only within the authority granted to us by our constitutions and laws.

Finally, we are not wizards hiding behind the curtain. Our actions must be clear to all. Transparency is not only for those appearing before the courts, but also for the general public. We do not operate in secret chambers, but in open court. In Ohio, we have a Judicial Creed and I close with it:

**A JUDICIAL CREED**

For the purpose of publicly stating my beliefs, convictions and aspirations as a member of the judiciary or as a lawyer acting in a judicial capacity in the state of Ohio:

I RE-ARFFIRM my oath of office and acknowledge my obligations under the Canons of Judicial Ethics.

I RECOGNIZE my role as a guardian of our system of jurisprudence dedicated to equal justice under law for all persons.

I BELIEVE that my role requires scholarship, diligence, personal integrity and a dedication to the attainment of justice.
I KNOW that I must not only be fair but also give the appearance of being fair.

I RECOGNIZE that the dignity of my office requires the highest level of judicial demeanor.

I WILL treat all persons, including litigants, lawyers, witnesses, jurors, judicial colleagues and court staff, with dignity and courtesy and insist that others do likewise.

I WILL strive to conduct my judicial responsibilities and obligations in a timely manner and will be respectful of others’ time and schedules.

I WILL aspire every day to make the court I serve a model of justice and truth.

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**Trafficking in the World of Chance: Human Trafficking in the Casino Industry and Beyond**

Friday, January 25, 2019 | 1:00 p.m.–2:30 p.m. | CLE: 1.5

Join the ABA Judicial Division at the 2019 Midyear Meeting at the Caesars Palace Hotel in Las Vegas, Nevada for a complimentary CLE program.

Panel members will describe and discuss the human trafficking industry and its role in the casino industry. Speakers will explain how to identify victims of human trafficking and what steps can be taken to assist in ending this component of modern human slavery. Learn more at www.ambar.org/jdmidyear.