



NATIONAL ASSOCIATION OF WOMEN JUDGES COUNTERBALANCE

Volume 29 Issue 4

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(L-R) NAWJ President La Tia W. Martin, Ambassador for Global Women's Issues Melanne Vermeer, and Hon. Marjory D. Fields (Retired)

Fourth Annual Meeting of Congressional Caucus for Women's Issues National Women Leaders of the Judiciary—A Wonderful Success!!!

On the morning of July 15, 2009 NAWJ President La Tia W. Martin and Meeting Chair Judge Juanita Bing Newton, Dean of the New York State Judicial Institute, together with Rep. Janice Schakowsky of Illinois and Rep. Mary Fallin of Oklahoma, Co-Chairs of the 111th Congress' Caucus for Women's Issues, hosted a revelatory exchange on pressing international and domestic challenges for women and girls in the world today. Nearly 60 judges, representatives, lawyers, government officials and bipartisan congressional staff were on hand for our Fourth Annual Breakfast Meeting between the National Association of Women Judges and the Congressional Caucus for Women's Issues. The event took place inside the U.S. Capitol Building in Washington, D.C.

The meeting opened with a warm welcome from Congresswoman Jan Schakowsky, who urged us all to encourage the United States to sign on to the United Nations' Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which was adopted in 1979 by the UN General Assembly and often described as an international bill of rights for women. Congresswoman Mary Fallin reminded everyone that all corners of

our political system are open and ready to continue the advancement of women.

Christina M. Tchen, Director of the White House Office of Public Engagement and Executive Director of the newly created White House Council of Women and Girls, offered a spirited charge to continue the pursuit of equality and justice for women. She also advised that the administration of President Barack Obama was interested in seeking outstanding women and minority candidates for various positions.

Greetings were then given by Hilda Solis, Secretary of Labor and former member of the House of Representatives who has used her outstanding leadership efforts to advance initiatives for women, girls and under-represented groups.

Melanne Vermeer, Ambassador-at-Large for Global Women's Issues delivered the Keynote Address on Violence Against Women: A Domestic and International Perspective. She focused on the need to recognize that women's rights are human rights and outlined the diplomatic efforts being made towards that end. A lively and informative question and answer period followed her remarks.

Continued on Page 4

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PRESIDENT'S MESSAGE



Dear NAWJ Members, Supporters and Friends,

During the past year we were ever so fortunate to participate and witness this historic era of inclusion in our nation. In January 2009 I was present at the inauguration of President Barack Obama and heard his message "on this day, we gather because we have chosen hope over fear, unity of purpose over conflict and discord." On behalf of NAWJ I sent an introductory letter to the President which described the organization's history and offered to discuss the many issues relating to women in the judiciary, including the need to appoint more women to the federal bench.

The President's views are in sync with those of NAWJ. In furtherance of his goal to diversify the bench and to enhance it with excellent legal scholars, our President nominated United States Court of Appeals for the Second Circuit Judge Sonia Sotomayor to become the first woman jurist of Hispanic heritage and the third woman ever to sit on the United States Supreme Court. Once again, there are two women sitting on the U.S. Supreme Court. NAWJ issued a press release which applauded the nomination of Judge Sotomayor, a most exceptional candidate for the United States Supreme Court.

Upon Judge Sotomayor's confirmation by the United States Senate, President Obama stated "With this historic vote, the Senate has affirmed that Judge Sotomayor has the intellect, the temperament, the history, the integrity and the independence of mind to ably serve on our nation's highest court." I, as the President of NAWJ (and a fellow Bronx, New York native), sent a congratulatory letter to Justice Sotomayor, who is also a member of NAWJ. This certainly has been a major event for us.

However, there have been many significant organizational events to highlight. NAWJ had an exciting and extremely productive year by conducting numerous program events throughout the fourteen Districts. I challenged each member of the NAWJ Board of Directors to use their efforts to promote membership and host at least one NAWJ sponsored event. As such, I attended many programs and social functions conducted by our Board members. Let me now spotlight some of the educational forums and events I hosted and in which I participated.

NAWJ MIDYEAR MEETING AND SOUTHEASTERN LEADERSHIP CONFERENCE IN ATLANTA

This conference, held in my second hometown, was an overwhelming success. Georgia Supreme Court Chief Justice Leah Ward Sears and Supreme Court Justice Carol Hunstein served as the conference co-chairs. The genuine southern hospitality was appreciated by all in attendance. The meeting of the NAWJ Board of Directors was quite informative and focused on the short and long term goals of the organization. The exchange of ideas and open discussions were both unusually productive and thought provoking. The wonderful luncheon showcased the host of the syndicated television show "Judge Hatchett," the former Chief Presiding Judge of the Fulton County Georgia Juvenile Court, Hon. Glenda Hatchett as the keynote speaker. NAWJ Equal Access to Justice Scholarships were awarded to Georgia State University College of Law Student Lisa Marie Bristol and John Marshall Law School Student Amber Saunders during the evening reception. The selfless efforts of the Friends Committee Chairpersons were much appreciated as their contributions served as an integral part of the success of the Conference.

FOURTH ANNUAL MEETING BETWEEN THE CONGRESSIONAL CAUCUS FOR WOMEN'S ISSUES AND NATIONAL WOMEN LEADERS OF THE JUDICIARY

I, meeting Chair Judge Juanita Bing Newton, Dean of the New York State Judicial Institute and Congressional Caucus Co-Chairs Representatives Janice Schakowsky and Mary Fallin hosted an exceptional forum on the topic of domestic and international challenges for women and girls. Nearly sixty judges, Congressional representatives, attorneys, legal educators and governmental officials were in attendance on Capitol Hill. Both Congresswoman Schakowsky and Keynote Speaker Ambassador Melanne Vermeer urged us all, each in their own way, to recognize that women's rights are human rights and set forth the challenges and diplomatic efforts being made to establish that symmetry. Ambassador Vermeer's portrayal of the reprehensible atrocities being routinely committed against women and girls throughout the world was a moving call to action. Details of forthcoming actions will be disseminated to our membership through similar educational programs conducted in District events. After my introduction Speaker of the House the Hon. Nancy Pelosi openly acknowledged the efforts of NAWJ that have resulted in changing of the face of justice in America. Speaker Pelosi remained after the meeting and graciously greeted all in attendance with enthusiasm and good cheer. This fourth annual symposium was a wonderful and successful meeting of dynamic and outstanding national women leaders.

NAWJ 31ST ANNUAL CONFERENCE OCTOBER 15-18, 2009 IN MEMPHIS, TENNESSEE JUSTICE ON THE RIVER- NAVIGATING CHANGE

The luxurious and legendary Peabody Hotel is located in the heart of the "Blues City" of Memphis which will serve as our Conference location and whose local attractions include Beale Street, the

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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Program and Publications Assistant

Lavinia Cousin

National Civil Rights Museum, Graceland, the Stax Museum and more. NAWJ could not have picked a more inviting city. Attendees to this year's Annual Conference will be treated to highlights including the Keynote Address by former United States Supreme Court Justice Sandra Day O'Connor, a tour with dinner of the National Civil Rights Museum, and NAWJ perennial Gala Reception and Awards Banquet. The Conference Co-Chairs, Tennessee Supreme Court Chief Justice Janice Holder, Judge Earnestine Dorse and Educational Chair Federal District Court Judge Bernice Donald and I invite you to join us at this event, which promises to be the best conference ever held in the history of NAWJ. Please spread the word and encourage your colleagues to attend.

These are just a few of the highlighted activities that I have been engaged in during my term of office as President. It has been an enjoyable and rewarding experience to represent the mission

and goals of our organization. I would like to thank the national staff, Executive Director Marie Komisar, Chief Operating Officer Jeff Groton and Program Assistant Lavinia Cousin for their continued assistance and dedication to NAWJ.

We must be vigilant in our quest to achieve a completely diverse judiciary.

All the Best,



LaTia W. Martin
President

EXECUTIVE DIRECTOR'S MESSAGE



It is with great pleasure that I write this message to the National Association of Women Judges membership. It has been my privilege to work with NAWJ for the past seven months. During this time, I have witnessed the extraordinary commitment of the organization's leaders and members. I have grown to appreciate not only this commitment, but also

the great importance of the organization's mission and goals. Under the leadership of NAWJ President Justice La Tia W. Martin, this year has proven to be a year of wonderful achievements and growth for NAWJ.

With an expansion in the number of government programs focusing on women's issues, this year has also proven to be one of tremendous opportunity. I am very pleased to announce that NAWJ was invited by the Justice Department's Office of Violence Against Women (OVW) to participate in a forum in August. The purpose of the forum was to discuss and to help shape and solidify the institutional structure and purpose of the OVW Custody Initiative. NAWJ has been identified as a possible partner in this initiative and we are ready and eager to participate.

It has been a very busy time for the NAWJ National Office and our attention is focused on assisting the Planning Committee on making the NAWJ 2009 Annual Conference, to be held in Memphis, TN October 15-18 at the Peabody Hotel, one of the best ever. Conference Co-Chairs Chief Justice Janice M. Holder, Supreme Court of Tennessee, and Judge Earnestine H. Dorse, Municipal Court, along with Conference Program Chair Judge Bernice Bouie Donald, United States District Court, have developed a diverse cutting-edge educational program including addresses from Justice Sandra Day O'Connor (Ret.) and the Reverend Samuel "Billy" Kyles as well as exciting social events for the conference. Through the generous financial support of Robert Kaufman, Esq. NAWJ will be hosting several international judges at the Conference. The Friend's Committee, Chaired by Jeana Littrell, Managing Director, Legal/Litigation for FedEx Express has helped to raise over \$118,000 in support of the Conference and we are pleased to announce that West, a Thomson Reuters Business, has generously committed \$5,000 for each of two years to fund the Equal Access to Justice Law Scholarship Award. This year's award will be presented at the NAWJ October Conference in honor of Justice Sandra Day O'Connor.

2009/2010 Fundraising Strategies will include continued identification of new Landmark Sponsorship opportunities and meetings with current Resource Board members to develop meaningful Resource Board benefits. Judge Joan Churchill recently moderated the first Resource Board driven "Getting to Know Our Specialized Courts" program. The program and reception was hosted by NAWJ Resource Board member Elaine Metlin, Esq. at the law firm of Dickstein Shapiro LLP in Washington DC. This very interesting and informative event brought together Judges from seven unique courts. Over 40 lawyers, Judges and NAWJ Resource Board members attended this successful event. It is our hope that this Resource Board led program will be replicated in other NAWJ communities. Programs such as this will help to promote a stronger relationship between Resource Board members and with NAWJ national, regional, and local leaders.

Broadening the base of our fundraising efforts will include the renewal of completed grants for NAWJ projects. Additional funding for established programs that have already been field tested in NAWJ Districts will help to add to the depth and breadth of these important community based programs. A grant renewal is being requested for the very popular Genome Justice Project originally funded by National Institute of Health. We have renewed conversations with the Audrey Hepburn Children's Fund and hope to continue the work that NAWJ began with their organization in 2004 at the Audrey Hepburn Judicial Resource Program Seminar on Child Maltreatment.

Additional grant opportunities have been identified to help support the Women in Prison Programs and the Story Book Projects. NAWJ has been invited by several funding sources to submit grant proposals.

With guidance from NAWJ's Membership Initiative Chair Hon. Cheryl Gonzales, New York City Civil Court, and NAWJ Membership Outreach and Retention Committee Chair Judge Churchill, new strategies for NAWJ membership recruitment and retention are being explored which will hopefully result in a marked increase in NAWJ membership.

I look forward to continuing our good work and I invite the membership to contact me with ideas, general observations and/or feedback on our work here at the national office.

Marie Komisar
Executive Director

CONGRESSIONAL WOMEN'S CAUCUS (continued)

In response to the exchange of information, NAWJ President La Tia Martin challenged our organization to develop local program events throughout our 14 Districts designed to educate our membership and others on the need to address international and local domestic violence issues.

Speaker of the House Nancy Pelosi, introduced by NAWJ President Martin, stated that the efforts of NAWJ have resulted in the increase of women in the legal profession, thereby changing the face of justice in America. The speaker remained at the meeting after her remarks and personally greeted all in attendance with enthusiasm and good cheer.

The sponsors for the successful Meeting included: Debevoise & Plimpton LLP; Fulbright & Jaworski L.L.P.; Linda Morgan, Esq.; National Association of Women Lawyers; Shook, Hardy & Bacon LLP and the Women's Bar Association of the District of Columbia.



NAWJ President Martin greets House Speaker Nancy Pelosi



Meeting Chair Judge Juanita Bing Newton
NAWJ Executive Director Marie Komisar
NAWJ VP, Districts Hon. Joan Churchill



Women's Caucus Co-Chair Rep. Janice Schakowsky
Justice La Tia W. Martin
U.S. Labor Secretary Hilda Solis



Christina Tchen
Executive Director
White House Council for Women and Girls



IAWJ President Judge Leslie Alden
Rep. Janice Schakowsky
Hon. Lauren Leeker Best
IAWJ Executive Director Joan Winship



NAWJ Projects Chair Hon. Laura Jacobson
NAWJ Membership Director Hon. Cheryl Gonzales
House Speaker Nancy Pelosi
NAWJ Women in Prison Co-Chair Hon. Betty Williams



Lisa Joiner, Esq. Fulbright & Jaworski
Lisa Horowitz, Esq., President
National Association of Women Lawyers
NAWJ Treasurer Judge Patricia Hurst



New York Rep. Nita Lowey
NAWJ Personnel Liaison Hon. Darcel Clark



NAWJ Past President and Meeting Planning Member
Hon. Vanessa Ruiz, D.C. Court of Appeals

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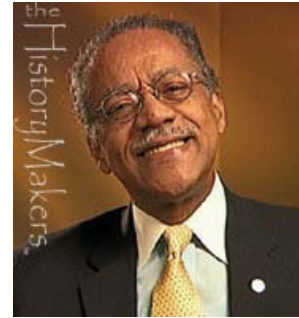
Justice on the River
NAVIGATING CHANGE
2009 ANNUAL CONFERENCE • NATIONAL ASSOCIATION OF WOMEN JUDGES • MEMPHIS, TENNESSEE

**NATIONAL ASSOCIATION OF WOMEN JUDGES
 2009 ANNUAL CONFERENCE
 MEMPHIS, TENNESSEE
 THE PEABODY HOTEL
 OCTOBER 15-18**

KEYNOTE LUNCHEON SPEAKERS



Justice Sandra Day O'Connor (Ret.)
 Thursday, October 15th



Rev. Samuel Billy Kyles
 Friday, October 16th



NAWJ 2009 ANNUAL CONFERENCE CO-CHAIRS

Hon. Janice M. Holder
 Tennessee Supreme Court



Hon. Earnestine H. Dorse
 Memphis City Court



Hon. La Tia W. Martin
 NY State Supreme Court
 NAWJ President

CONFERENCE PLANNING COMMITTEES CHAIRS

EDUCATION AND PROGRAMMING

Hon. Bernice B. Donald, United States District Court,
 Western District of Tennessee

DINE AROUND

Hon. Karen Williams, Circuit Court of Tennessee for
 the 30th Judicial District at Memphis

FINANCE

Hon. Jennie Latta, United States Bankruptcy Court,
 Western District of Tennessee

FRIENDS CO-CHAIRS

Jeana Littrell, FedEx Express &
 Jill Steinberg, Baker Donelson Bearman Caldwell & Berkowitz, PC

FIRST TIME ATTENDEE/MENTOR

Hon. Camille McMullen, Tennessee Court of Criminal Appeals

HOSPITALITY SUITE

Hon. Donna Fields, Circuit Court of Tennessee for
 the 30th Judicial District at Memphis

KEYNOTE SPEAKER

Hon. Janice M. Holder, Tennessee Supreme Court &
 Hon. Earnestine H. Dorse, Memphis City Court

PUBLICATIONS

Dottie McCallen, Memphis Bar Association

REGISTRATION/CLE

Teresa Jones, City Attorney's Office

SILENT AUCTION

Kathy May, Alpha Reporting Corp.

SOCIAL EVENTS

Hon. Earnestine Dorse, Memphis City Court

THEME

Hon. Loyce Lambert Ryan, Shelby County General Sessions Court,
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Hon. Charmiane Clayton, United States District Court, Western
 District of Tennessee, Stevie N. Phillips Law Clerk, Tennessee
 Supreme Court & Danielle Mitchell, Law Clerk, United States
 District Court, Western District of Tennessee, Wendy R. Oliver,
 United States District Court, Western District of Tennessee

MEMPHIS CONFERENCE SCHEDULE OF EVENTS

WEDNESDAY, OCTOBER 14

PRE-CONFERENCE ACTIVITIES

NAWJ 2008–2009 Board Meeting

Dine Around (preregistration required)

Early arrivals are invited to enjoy an evening "at home."

Small groups will be hosted in the homes of Memphis locals for some good old-fashioned Southern hospitality and dining.

THURSDAY, OCTOBER 15—OPENING DAY

NAWJ Resource Board Meeting

Conference Opening/Welcome

Plenary Session: Gender Bias in Media Coverage

Keynote Luncheon featuring Retired Justice Sandra Day O'Connor

The Level Playing Field

Where Have All the Cases Gone?

First Amendment Center—Bloggers, Twitters, Jurors, Judges, and Justice; 21st Century Communications in the Courtroom

Immigration Issues

Judges in the Movies

Southern Dining at the Center for Southern Folklore & Cafe

Hospitality Suite

Silent Auction will be open throughout the day

FRIDAY, OCTOBER 16—DAY TWO

NAWJ District Breakfast Meetings

Financial Planning

Collaborative Law

International Technical Legal and Judicial Assistance and Outreach—How to Get Involved

What's Your Point, Honey?

Law and Literature

Jericho Project

Keynote Luncheon featuring the Reverend Samuel "Billy" Kyles

Plenary Session: How to Avoid Being Targeted in Your Election and How to Handle it if You Are

Plenary Session: Judicial Leadership

Tour of the National Civil Rights Museum and Dinner

Hospitality Suite

Silent Auction will be open throughout the day

SATURDAY, OCTOBER 17—DAY THREE

NAWJ Committee Breakfast Meeting

Judicial Productivity and Stress Management

Education: Inside & Out, the Multiple Benefits of Educational Programs in Prison

Open Courts & Secret Settlements: A Perspective on the Sedona Conference

Diversity in the Profession: Report Card on Women in Law

Court Technology: Streamlining Workflow & Enhancing Efficiency

Professional Satisfaction: The New Science of Happiness

Book Club: Race on Trial: Law and Justice in American History

Business Meeting Followed by Lunch and Investiture

NAWJ 2009–2010 Board Meeting

Cocktail Reception

NAWJ Annual Awards Banquet

Hospitality Suite

SUNDAY, OCTOBER 18—FARE THEE WELL



MEMPHIS CONFERENCE SPONSORS

The education programs and activities of this year's *Justice on the River: Navigating Change* Annual Conference is the culmination of thousands of hours of NAWJ members, conference program participants, staff and volunteer efforts. Donations of the following firms, organizations and individuals make possible NAWJ's tradition of presenting relevant programs that strengthen the organization's ability to pursue its mission of promoting 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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SILVER

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for the Western District of Tennessee

Finnegan, Henderson, Farabow, Garrett &
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Tennessee Lawyers' Association for Women

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Mr. Gary E. Veazey, Esq.

NATIONAL CONFERENCE CALENDAR

2009

National Association of
Administrative Law Judges
Annual Conference
November 3-7
Orlando, Florida

Appellate Judges Education Institute
AJEI Summit
November 19-22
Orlando, Florida

2010

Conference of Chief Justices
Mid-Year Meeting
January 31- February 3
St. Thomas, Virgin Islands

American Bar Association
MidYear Meeting
February 3-9
Orlando, Florida

National Council of Juvenile and
Family Court Judges
Conference on Juvenile and
Family Law
March 14-17
Las Vegas, Nevada

National Association of Women Judges
MidYear Leadership Conference
Late March-Early April
Washington, D.C.

National Consortium on Racial
and Ethnic Fairness in the Courts
Conference and Annual
Meeting
April 28-May 1
New Brunswick, New Jersey

American Judges Association
Midyear Meeting
May 19-21
Tucson, Arizona

National Association of
Drug Court Professionals
Annual Training Conference
June 2-5
Boston, Massachusetts

National Council of Juvenile and
Family Court Judges
Annual Conference
July 18-21
San Diego, California

Conference of Chief Justices
Annual Conference
July 25-28
Vail, Colorado

American Bar Association
Annual Meeting
August 5-10
San Francisco, California



Diversion from Courts:

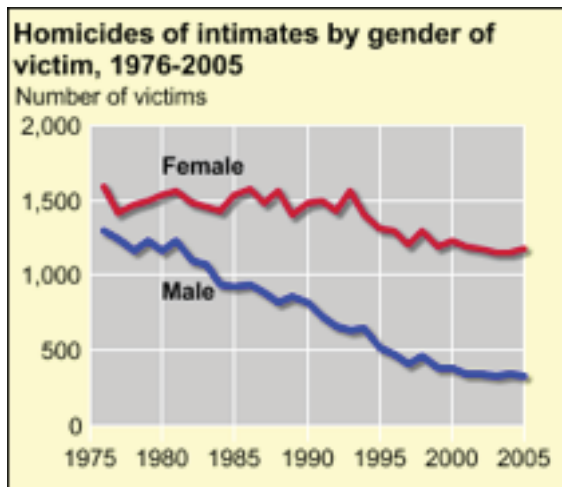
A Return to Failed Policies Which Caused High Numbers of Intimate Partner Homicides

By Marjory D. Fields, Esq. (Former New York State Judge)
Beldock Levine & Hoffman, LLP

Empirical data show that ex parte temporary orders stop the violence in most cases. There is a benefit for case management also. Many petitioners do not return to court for final orders because the temporary orders are sufficient. Thus, case loads and trials are reduced by this effective remedy.¹ The efficacy of protection orders is defeated, however, when enforcement is lacking and violations are tolerated or ignored.²

Services should be made available in the community for those who wish to use them voluntarily. Services, however, should be separate from courts to avoid the appearances of coercion and pre-conditions to access to court.

INTIMATE PARTNER HOMICIDE DATA



In 1976, the Department of Justice data showed that Intimate Partner Homicides were high: 1298 men and 1569 women were killed by their intimate partners.³

By 2005, however, Intimate Partner Homicides had declined, especially for male victims: 328 men and 1170 women were killed by their intimate partners.⁴

- The number of men murdered by intimates dropped by 75% from 1976 to 2005.
- The number of women killed by intimates was stable for nearly two decades starting in 1976. After 1993, the number of women killed declined just over 25%.
- The number of victims in each race and gender group declined but at different rates.

Between 1976 and 2005 --

- the number of black males killed by intimates dropped by 83%;
- white males by 61%;
- black females by 52%; and
- white females by 6%.⁵

¹ Susan L. Keilitz et al., Nat'l Ctr. for State Courts, *Civil Protection Orders: The Benefits and Limitations for Victims of Domestic Violence* at ix (1997); Jeffrey Fagan, *The Criminalization of Domestic Violence: Promises and Limits* 24 (1996) (describing civil protection orders as "the primary source of legal sanction and protection for battered women"); Victoria L. Holt et al., *Do Protection Orders Affect the Likelihood of Future Partner Violence and Injury?*, 24 *Am. J. Preventive Med.* 16, 20 (2003) (concluding that civil protection orders are one of the few available interventions for domestic violence that has demonstrated effectiveness); Victoria L. Holt et al., *Civil Protection Orders and Risk of Subsequent Police-Reported Violence*, 288 *J. Am. Med. Ass'n.* 589, 593 (2002) (reporting that abused women who obtained final protection orders were eighty percent less likely to report physical violence to police during a one-year period than abused women who did not obtain an order); Carolyn N. Ko, Note, *Civil Restraining Orders for Domestic Violence: The Unresolved Question of "Efficacy,"* 11 *S. Cal. Interdisc. L.J.* 361, 367 (2002) ("Although civil restraining orders are not the only remedies available to battered women, they are probably the most attractive."); Julia Henderson Gist et al., *Protection Orders and Assault Charges: Do Justice Interventions Reduce Violence Against Women*, 15 *Am. J. Fam. L.* 59, 67-68 (2001) (Texas study showing that women who applied for protection orders reported a significant reduction in average levels of violence during the year following their application, and those who actually received the order reported less violence than qualified applicants who did not receive an order); Molly Chaudhuri & Kathleen Daly, *Do Restraining Orders Help? Battered Women's Experience With Male Violence and the Legal Process*, in *Domestic Violence: The Changing Criminal Justice Response* 227, 237 (Eve S. Buzawa & Carl G. Buzawa eds., 1992) (announcing findings from a Connecticut study that sixty-three percent of orders were not violated in the first two months); T.K. Logan et al., *Protective Orders in Rural and Urban Areas*, 11 *Violence Against Women* 876, 897 (2005) (reporting results of a Kentucky study showing that over seventy percent of women who obtained protection orders reported that the order was not violated in the forty days after it was issued).

² Kit Kinports & Karla Fischer, *Orders of Protection in Domestic Violence Cases: An Empirical Assessment of the Impact of the Reform Statutes*, 2 *Tex. J. Women & L.* 163, 220-33 (1993).

³ *Intimate Partner Violence in the U.S., Intimate Homicide Victims by Race and Gender*, USDOJ, BJS, FBI, Supplementary Homicide Reports, 1976-2005 accessed June 5, 2009. Intimate Partners are defined by BJS and FBI as spouses, ex-spouses, boyfriends and girlfriends.

⁴ *Id.*

⁵ USDOJ, BJS, "Homicide trends in the U.S., Intimate homicide" (accessed June 24, 2009).

The higher decline in IP homicides of black men and women correlates with the higher frequency with which black women report IP violence to the police.

“Black women (67%) reported their victimization to police at significantly higher percentages than black men (48%), white men (45%), and white women (50%). Hispanic females reported intimate partner violence to the police at higher percentages than did non-Hispanic females (65% versus 52%).”⁶

INTIMATE PARTNER VIOLENCE DATA

From the Department of Justice:

“Intimate partner violence—by current or former spouses, boyfriends, or girlfriends—made up 20% of all nonfatal violence against females age 12 or older in 2001.

“The number of nonfatal violent crimes by intimate partners against females declined from 1993 to 2001. Down from 1.1 million nonfatal violent crimes by an intimate in 1993, women experienced about 588,490 such crimes in 2001, a 49% decline.

“In 1993 men were victims of about 162,870 violent crimes by an intimate partner. By 2001 that total had fallen to an estimated 103,220 victimizations, a 42% decline.

“Intimate partners committed 3% of the nonfatal violence against men.

- “Female victims are more likely to be victimized by intimates than male victims.
- In 2005, of offenders victimizing females, 18% were described as intimates and 34% as strangers.
- By contrast, of offenders victimizing males, 3% were described as intimates and 54% as strangers.”⁷

These IP homicide and violence statistics correlated with:

- the establishment of state-funded residential shelters for women and their children starting in 1977;
- the enactment of new civil legal remedies, primarily protection orders, and pro and mandatory arrest policies and laws;
- the creation of specialized DV prosecution teams; and the enactment of new criminal penalties for domestic violence offenses.

These services and legal remedies provided victims of domestic violence with alternatives to violent self defense.

History

From the early 1970’s through the 1980’s, diversion of domestic violence cases from family and criminal courts to mediation and family counseling were the norm.⁸ In 1978, the United States Commission on Civil Rights held a national consultation on domestic violence attended by more than 600 people to hear judges, lawyers, social scientists, health and mental health care professionals, police, prosecutors, and women working in voluntary community organizations to support DV victims from all parts of the country.⁹

The speakers described policies and practices employed in response to complaints of domestic violence:

In most areas women’s voluntary organizations operated shelters with private financial contributions and volunteer staff.¹⁰ Among the first state-funded shelters were in New York City and Minnesota in 1977.

Police avoided arrests by calming the parties. They separated the parties and spoke to them privately.¹¹

Prosecutors diverted complainants and defendants to mediation and couples counseling.¹²

Judges admonished the parties, and kept the defendants at home where they would continue to support their families financially.¹³

Lawyers advocated increased legal representation of petitioners for protection orders and divorces, and advocated arrests, prosecutions, and stiffer sentences.¹⁴

⁶ Rennison, C. M. and Welchans, S., – 6-7 (DOJ BJS May 2000). I have a hard copy; this report is no longer on the DOJ web site in June 2009.

⁷ Callie Marie Rennison, “Intimate Partner Violence, 1993-2001, Crime Date Brief”, DOJ, BJS (Feb. 2003, NCJ 197838).

⁸ U.S. Commission on Civil Rights, *Battered Women: Issues of Public Policy*, II-IV; 327-70 (Washington, D.C., 1978).

⁹ *Id.* at IV.

¹⁰ *Id.* at 371-462.

¹¹ *Id.* at 228 -370; 304-26.

¹² *Id.* at 327-56.

¹³ *Id.* at 256-60.

¹⁴ *Id.* at 228-60.

Contemporaneously with the Consultation, new programs were being created around the country:

Batterer Intervention Programs were established to teach DV offenders the dangerous outcomes of their continued violence in the home: serious injuries and homicides of their partners; the risks of injury and negative effects on children who witness parental violence; and better communication skills to resolve disagreements without violence.¹⁵

Legal Services Corporation offices in nearly every state made representation of DV victims a major part of their work. This was in response to the high demand from women victims of domestic violence in their communities for representation to obtain civil protection orders and divorces. Their clients taught the lawyers that DV was widespread and devastating to the victims and their children.¹⁶

The lawyers learned also that new legal remedies, police and prosecutor responses were necessary so that their clients could achieve safety. The Legal Services Corporation lawyers worked to effectuate their client's First Amendment right of access to court to seek redress of grievances and obtain robust judicial dispositions.

Voluntary police pro-arrest policies across the country followed the New York City¹⁷ and San Francisco¹⁸ law suits against their respective police departments commenced in 1976. The complaints alleged that the police department policies and practices discriminated against women who reported that their husbands had beaten them. The police failed to respond to calls for help and refuse to make arrests because the accused were the husbands of the complainants.¹⁹

By 1994, 14 states and the District of Columbia had enacted mandatory arrest laws. The law suits and statutes motivated many police departments to reject their prior policies of not responding to domestic violence calls.²⁰

Funding from the Federal Law Enforcement Assistance Administration [LEAA] supported pro-arrest policies as a way to reduce the high homicide rate in the US in the 1980's. They targeted domestic violence responses because Intimate Partner Homicides are preventable. The offender is known and targets the same victim repeatedly. The course of conduct and the likely fatal results are known. They were successful as shown above by the IP homicide and violence declines.

Special DV prosecution units were created, also funded by LEAA. These prosecutors showed that convictions were possible when police gathered evidence and support was provided to complainants through victim assistance staff. Guilty pleas have become frequent, providing the opportunity to supervise offenders and protect victims. Family Justice Centers are partly descendants of these early prosecution units and victim assistance programs.

EMPIRICAL DATA SHOW WHAT WORKS, OR NOT

National Institute of Justice studies show weak responses produce retaliation. After police respond but fail to arrest or prosecutors decline domestic violence cases, victims are at greater risk of subsequent injury or death. By contrast, robust responses to domestic violence incidents have a protective effect for victims.²¹ Unfortunately, the reliance on Batterer Intervention Programs ["BIP"] has proven misplaced. Two controlled studies funded by the US Department of Justice, National Institute of Justice ["NIJ"] reported in 2003 and 2005 showed that BIP have zero effect.²²

A third controlled study conducted by the California Administrative Office of the Courts, assessed the effectiveness of 73 BIP in five counties. All the programs require 52 weeks of attendance pursuant to California Law.²³ The results, published in 2009, showed, "there is no statistical association at all between programs and an offender's likelihood of re-offense..."²⁴ "[T]here is no evidence indicating any systemic variance across the programs in their clients' propensity for re-arrest."²⁵ This re-arrest

¹⁵ Harrell, Adele, *Evaluation of Court-Ordered Treatment for Domestic Violence Offenders*, 5-8 (Urban Institute, Washington, D.C. 1991). (The results showed no significant difference between "treated offenders" and "offenders not ordered to treatment," at 66.)

¹⁶ I was a Legal Services Corporation ["LSC"] lawyer at South Brooklyn Legal Services in New York from 1971 to 1986. I met with LSC lawyers around the country and corresponded with many more. We all had the same experiences with lack of police response, no prosecutions, and denied civil remedies. We worked together to correct these barriers to safety for our clients.

¹⁷ *Bruno v. Codd*, 90 M2d 1047; 396 NYS2d 974 (Sup. Ct, NY County 1977); 47 NY2d 582, 419 NYS2d 901 (1979) (sub nom, *Bruno v. McGuire*). Settled prior to the Court of Appeals decision.

¹⁸ *Scott v. Hart*, No. C-76-2395 (US District Court N.C. Cal) filed Oct. 28, 1976.

¹⁹ Note 14.

²⁰ Parnas, Raymond, "Police Discretion and Diversion of Incidents of Intra-Family Violence," 36 *L & Contemporary Problems* 539, 542-43 (1971).

²¹ Laura Dugan, Nagin, & Rosenfeld, "Exposure Reduction or Retaliation? The Effects of Domestic Violence Resources on Intimate-Partner Homicide," 37 *Law and Society Review* 169 (March 2003);

Dugan, L., "Domestic Violence Legislation: Exploring Its Impact on Likelihood of Domestic Violence, Police Involvement, and Arrest," 2 *Criminology & Public Policy* 283 (2003).

²² *Batterer Intervention Programs: Where Do We Go from Here* (2003); Labriola, M., Rempel, M., & Davis, R., "Testing the Effectiveness of Batterer Programs and Judicial Monitoring," (Center for Court Innovation, New York, NY, 2005).

²³ California Penal Law §1203.097.

²⁴ MacLeod, Pi, Smith & Rose-Goodwin, *Batterer Intervention Systems in California*, An Evaluation vi (California Administrative Office of the Courts, 2009). [Emphasis added.]

²⁵ *Id.* at 88.

outcome occurs in spite of the finding of positive change in the “offenders’ capacity for understanding the negative impact of their abusive behavior on others....On the other hand, the anger management subscale ... shows relatively small positive changes.... Personal responsibility, power and control, and dependency -- show similar levels of modest changes.”²⁶

In February 2009, NIJ published, “The Judicial Oversight Demonstration: Culminating Report on the Evaluation,” which found that judicial monitoring of domestic violence offenders compared with probation department supervision at sites in Massachusetts and Michigan had mixed results. There were reduced re-arrests at some locations, but not at others.²⁷

“The reductions in repeat IPV occurred in the jurisdictions that revoked probationers for noncompliance. The implication is that the reduction resulted from incapacitating abusers who failed to comply with probation conditions rather than from deterring offenders.... The results suggest, like those of other studies, that referral to batterer intervention programs does not have a powerful effect in reducing IPV....the implication is that the justice system must continue to focus on protecting victims and using the authority of its agencies to closely monitor offenders and respond rapidly with penalties when violations of court-ordered conditions are detected.”²⁸

LEGAL REMEDIES ARE EFFECTIVE

Most state legislatures enacted DV civil protection remedies and criminalized DV starting in 1977.²⁹ The BJS data above show the major decreases in IP homicides and violence in the period from 1976 to 2006. Diversion from court through case evaluation and screening by non-judicial personnel violates the legislative intent underlying these statutes and the First Amendment and due process rights of plaintiffs and petitioners. Only judges have the authority to determine the legal sufficiency of petitions or complaints and to grant or deny ex parte or final remedies.

Case screening by psychologists, social workers, probation officers, or court clerks has no basis in law. This system increases the risk of harm or death to domestic violence victims through categorizing cases into subjective typologies that have no empirical social-science basis. Once, labeled, there is no procedure for rectifying incorrect categorizations, or changing categories based on subsequent acts or events.³⁰

Alternatives to court and restorative justice proposals are unproven and place relationship preservation above victim safety.³¹ Thus, diversion also increases safety risks for those seeking legal protection by denying access to ex parte, emergency, temporary protection orders.³² Furthermore, these programs are expensive and take funds from court operations.

Unfettered access to court to seek redress of grievances is required by the First Amendment to the United States Constitution.³³ DV victims have the same First Amendment and due process rights as all other plaintiffs and petitioners who seek redress for torts and contract violations. Going backwards by reducing legal remedies or impeding access to court would return to the environment in which IP homicides and violence were double what they were in 2005.

The President of the United States in his address to the Parliament of Ghana on July 11, 2009, emphasized the importance of rule of law to freedom and successful societies.³⁴ Diversion programs interfere with rule of law through compelling parties to accept non-judicial solutions which deny victims of domestic violence legal remedies needed for their safety. (The European Commission regards the denial of state protection to victims of domestic violence as a human rights violation.³⁵)

We need to bring rule of law to domestic violence cases in all our courts at home.

²⁶ *Id.* at 92.

²⁷ *The Judicial Oversight Demonstration: Culminating Report on Evaluation* at 20.

²⁸ *Id.* 20-21.

²⁹ Nancy K. D. Lemon, *Domestic Violence Law* (West/Thomson (<http://west.thomson.com>) 2009, 3d edition) contains citations to state laws and the history of government responses to DV.

³⁰ See eg., Joan B. Kelly & Michael P. Johnson, “Differentiation Among Types of Intimate Partner Violence: Research Update and Implications for Intervention,” 46 *Fam Ct Rev* 476-99 (2008).

³¹ Judith Lewis Herman, Justice From the Victim’s Perspective, 11 *Violence Against Women* 571 (2005).

³² Grillo, Theresa, “The Mediation Alternative: Process Dangers for Women,” 100 *Yale LJ* 1545-1610 (1991);

Kuhner, T. K., “Court Connected Mediation Compared: The Cases of Argentina and the United States,” 11 *ILSA J. International & Comparative L* 519-553 (2005).

³³ *Boddie v. Connecticut*, 401 US 371 (1971), for example.

³⁴ *The New York Times*, online, “Obama Preaches Tough Love in Ghana,” July 11, 2009.

³⁵ Co-ordination Action on Human Rights Violations The justice system as an arena for the protection of human rights for women and children experiencing violence and abuse, Final Report (European Commission, Feb 2006).

DISTRICT NEWS

DISTRICT DIRECTORS

District One (MA, ME, RI, NH, PR)

Hon. Ariane Vuono
Massachusetts Appeals Court

District Two (NY, CT, VT)

Hon. Loren Bailly-Schiffman
Kings County Civil Court, NY

District Three (NJ, PA, DE)

Hon. Stephanie Domitrovich
Erie County Court House, PA

District Four (MD, DC, VA)

Hon. Cathy Hollenberg Serrette
Prince George's County Circuit Court, MD

District Five (FL, GA, NC, SC)

Hon. Cynthia J. Becker
DeKalb County Superior Court, GA

District Six (AL, LA, MS, TN)

Hon. Rosemary Ledet
New Orleans Parish Civil District Court, LA

District Seven (MI, OH, WV)

Hon. Margaret A. Clark
Brown County Probate and Juvenile Court, OH

District Eight (IN, IL, KY)

Hon. Jane Spencer Craney
Morgan Superior Court 3, Indiana

District Nine (MO, IA, WI)

Hon. Nancy L. Whittenburg
Third Judicial District, IA

District Ten (KS, MN, NE, ND, SD)

Hon. Carol A. Beier
Kansas Supreme Court

District Eleven (TX, AR, OK)

Hon. Marisela Saldana
148th District Court, TX

District Twelve (AZ, CO, NM, UT, WY)

Hon. Vernice S. Trease
Third District Court, UT

District Thirteen (WA, OR, AK, HI, ID, MT)

Hon. Julie Elizabeth Frantz
Multnomah County Circuit Court, OR

District Fourteen (CA, NV)

Hon. Cecilia Castellanos
Alameda County Superior Court, CA

International

Hon. Carolyn Engel Temin
Court of Common Pleas, 1st Judicial District, PA

ABA Delagate

Hon. Barbara Ann Zujiga
Contra Costa Superior Court, CA

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



- In April, the District hosted a **spring reception in Northampton, Massachusetts in support of the four women recently appointed** to the bench from Western Massachusetts: Hon Maureen Walsh and Hon Laurie MacLeod to District Courts, Hon. Linda S. Fidnick- to Probate and Family Court, and Hon. Joyce Eaton to Juvenile Court. Chief Justice of the Massachusetts Appeals Court Phillip Rapoza attended as well as former NAWJ President Justice Fernande R.V. Duffly and current Treasurer Judge Amy Nechtem. Approximately 30 judges shared a light supper, pleasant times, and our thoughts and experiences with the new judges.
- Plans are in store for the **Annual Dinner to be held in Cambridge this fall.**
- The District will also continue presentation of its signature event **“Branching Out,”** a program that involves weaving all three branches of government in an effort to expose woman law students and newly graduated woman attorneys to the various options available to them in the public sector.
- It is with great sadness we inform you that **Justice Susan Beck passed away** in March. Susan Beck was for many years an active and supportive member of NAWJ, and continued her active participation in District 1 initiatives after her retirement and until illness prevented her from continuing. A former assistant state attorney general, she joined the governor's office as a counsel to Governor William F. Weld who then appointed her a Justice of the Massachusetts Appeals Court in 1997. Judge Beck retired from the bench in 2006. Along with her husband James Beck a psychiatrist on the faculty of Harvard Medical School, she leaves two daughters, Deborah of Cambridge and Emily of Newton, and three grandchildren.

DISTRICT TWO (NY, CT, VT)

Congratulations to New York State Judges on their 2009 Appointments and Elections: Annual New York Chapter Dinner at the Penthouse Restaurant, Terrace in the Sky, NYC



- Hon. Ann Pfau, Chief Administrative Judge for New York State Courts, appointed Jan. 2009.
- Hon. Loren Bailly-Schiffman, Acting Supreme Court Justice, Kings County, appointed March 2009.
- Hon. Fern Fisher, Deputy Chief Administrative Judge for New York City Courts, appointed March 2009.
- Hon. L. Priscilla Hall, Appellate Judge, Second Department, New York State Courts, appointed March 2009.
- Hon. Kathy King, Acting Supreme Court Justice, Kings County, appointed March 2009.
- Hon. Juanita Bing Newton, Dean of the Judicial Institute, New York State Courts, appointed March, 2009.
- Hon. Rosalyn Richter, Appellate Judge, First Department, New York State Courts, appointed March 2009.

- Hon. Betty J. Williams, Acting Supreme Court Justice, Kings County, appointed March 2009.
- Hon. Sheila Abdus-Salaam, Appellate Judge, First Department, New York State Courts, appointed May 2009.
- Hon. Sylvia O. Hinds Radix, Administrative Judge for Civil Matters, Second Judicial District, appointed May 2009.
- Hon. Judy Harris Kluger, Chief of Policy & Planning for New York State Courts.
- Hon. Edwina Richardson-Mendelson, Administrative Judge of the New York City Family Court, appointed May 2009.
- Hon. Rose H. Sconiers, Chairperson of the Franklin H. Williams Judicial Commission on Minorities, New York State Courts, appointed May 2009.
- Hon. Ruth Smith, Acting Supreme Court Justice, Bronx County, appointed May 2009.
- Hon. Sharon S. Townsend, Vice Dean, Judicial Institute Family & Matrimonial Law, appointed May 2009.
- Hon. Sylvia G. Ash, Vice President, Board of Judges, Civil Court, elected May 2009.
- Hon. Bernice D. Siegal, Supreme Court Justice, Kings County, elected 2009.
- NAWJ President La Tia W. Martin served as a mentor in the "Her Honor" mentoring program created by Judge Judy Sheindlin and attorney Nicole Scheindlin for dynamic female high school leaders.



DISTRICT THREE (NJ, PA, DE)

- On April 18 and 19, 2009, a small but enthusiastic group of **NAWJ judges, from across the state met at the historic Omni Bedford Springs Resort** for rejuvenation and networking. Dinner was held at the Golden Eagle Inn in lovely historic Bedford, where discussion turned on reviewing gender grievances and ethical issues impacting on women judges. The evening ended with libations and live music in the Resort's Tavern where we discussed the best practices with each other in our respective jurisdictions. Some of the participants went on a Sunday morning nature hike and passed two of the Resort's famous springs. The event ended with a farewell getaway brunch in the Crystal Room.
- **New Jersey NAWJ International Judges Chair Sue Pai Yang, (second from left) hosted a delegation of Shanghai, China High Court Justices for breakfast in her home** on June 8th. Attendance included past NAWJ President Shirley Tolentino and Judge Debra Gelson. Featured speakers included NJ Supreme Court Justice Helen Hoens and President



The event was co-sponsored by the Somerset County Bar Assoc., the Asian Pacific American Lawyers Assoc. and the Somerset County Cultural Diversity Coalition.

Judge Ying Yong of the Shanghai High People's Court (third from left). Judge Elaine Goldsmith also attended. This was followed by a tour of the Somerset County Superior Court hosted by Assignment Judge Yolanda Ciccone.

- Member judges **Judge Barbara Curran and Judge Frances Antonin were honored at a joint retirement party** given by the Hudson County Bar Foundation on September 17, 2009 at the Liberty House Restaurant 6:00 pm in Jersey City, New Jersey.
- Luncheon in Harrisburg with **First Lady of Pennsylvania, Hon. Marjorie O. Rendell on Saturday, September 26, 2009 at the Pennsylvania Governor's Mansion** was held as part of a weekend of events including Friday evening cocktails; the Saturday Luncheon with First Lady Marjorie Rendell at the Governor's Residence, tour of the new Pennsylvania Justice Center led by President Judge Bonnie Leadbetter of the Commonwealth Court of Pennsylvania, followed by a District Three Meeting and CLE session; and Sunday Brunch in the Circular Dining Room at Hotel Hershey.
- Another District 3 NAWJ event was held : June 14, 2009, Rehoboth, Bethany Beach, Delaware
- **New Jersey Establishes Pilot Visiting Scholar Program for International Judges.** As a result of the warm relationships developed through the NAWJ pre-convention activities for international judges initiated by District 3 in 2007, judges from Taiwan, Korea and Nigeria have expressed interest in coming to America for an extended stay to study our judicial system.

The Chief Justice of the Taiwan Supreme Court has committed funds to send one judge to America in 2010 to study our criminal justice system for three months. This judge will combine observing our courts to gain practical experience while taking law school courses to gain the theoretical basis of our criminal justice system.

Foundations have also been laid for establishing a similar program for judges from Korea who have just begun a criminal jury system. **Further discussions will be made at the 2010 IAWJ conference in Seoul, Korea.**

Approximately 60 to 70 percent of judges in Nigeria are women. New Jersey courts have an on-going exchange program between Nigeria judges who come to visit our courts and NJ judges who go to Nigeria to give lectures about our judicial system. Now NAWJ New Jersey Chapter is working on formalizing a visiting scholar program with the Nigerian judges to offer them more extended time observing our courts and fostering exchange programs.

- **SAVE THE DATE:** February 20, 2010. District Three will hold an NAWJ Luncheon Meeting at the Four Seasons Hotel which coincides with the Pennsylvania Conference of State Trial Judges Mid-Annual Meeting in Philadelphia. Favorable hotel rates for Saturday over \night guests. Please contact Stephanie Domitrovich at 814.451.6230 for more details.
- **In September, 2008 the NAWJ-NJ co-hosted, with the New Jersey Essex County Executive, a welcome reception for the women of Federation of Indian Chambers of Commerce and Industry (FICCI). These distinguished guest journeyed from India on a mission of cultural exchange.** Judge Michelle Hollar-Gregory, NAWJ New Jersey Co-Chair and a member of the Mission 2007 who visited India, formally welcomed the FICCI women to Essex County and provided a tour of the Essex County Historic Courthouse. The Essex County Executive Honorable Joseph DiVincenzo, Jr. and Essex County Business Administrator, Honorable Joyce Harley, Esq. presented a Proclamation followed by a reception with members of NAWJ, the New Jersey Judiciary and the New Jersey Bar. The Federation of Indian Chambers of Commerce and Industry (FICCI) is an association of business organizations in India, headquartered in the national capital New Delhi (many members are attorneys and judges). FICCI is one of the main organizations to fund and support many governmental and non-governmental educational institutes. It was founded by GD Birla and Purushottam Takkur in 1927, on the advice of Mahatma Gandhi.

- **NAWJ New Jersey Co-Sponsored Seminar on Human Genome Project**
In April, 2008 The NAWJ-NJ and ICLE co-sponsored a one day seminar entitled Legal Implications of the Human Genome Project. **Hon. Michelle Hollar-Gregory, NAWJ-NJ Co-Chair, served as the moderator. Professor Jennifer Rosato of Drexel University School of Law was the key note speaker on the panel which also consisted of Professor Gaia Bernstein of Seton Hall Law School; New Jersey State Senator Nia Gill, and attorney Michael Jones, Esq.** The responses and evaluations proved to be very favorable and it is only to the credit of all who served as panelist and those who contributed in some measure, that the attendees expressed so many compliments. Without the expertise, dedication and generosity of the panelist (sharing your Saturday morning with us) such an engaging discussion could not have been possible. This seminar continued in the tradition of NAWJ and the Human Genome Project.

District Three and Four Join for Brunch on the Beach



On Sunday, June 14, 2009, judges from Districts Three and Four held a joint membership event for the judges of Delaware. The brunch was **co-hosted by Judge Sally Adkins of the Maryland Court of Appeals, in her beautiful ocean-front home in Bethany Beach, Delaware**, along with her colleagues from the Maryland Court of Appeals, Judge Ellen Barbera, and Senior Judge Irma Raker, as well as Judge Joan Churchill, NAWJ Vice President for Districts. The Guest of Honor was NAWJ President, Hon. La Tia Martin, of the Supreme Court of NY for Westchester County, who spoke with considerable enthusiasm about NAWJ and its activities.

- **The Hon. Jane R. Roth, Senior Judge on the U.S. Court of Appeals for the 3rd Circuit received the District 3 NAWJ Lady Justice Award**, presented by Hon. Stephanie Domitrovich, District Director for District 3. The award was a beautiful landscape oil painting, painted by NAWJ member Judge Annette Scieszinski, who had it gold-framed for Judge Roth. We discovered on the day of presentation that Judge Roth enjoys painting too, and she loved the painting, which we engraved from our District.

Judge Carolyn Temin, past president of NAWJ and current International Director, and IAWJ Director for North America, spoke about the international work and opportunities available to NAWJ members through the automatic membership in

IAWJ. Judge Jan Jurden, State Chair for Delaware, and Judge Cathy Serrette, District 4 Director gave greetings.

We were also honored by the presence of Hon. Norma Shapiro, senior judge on the U.S. District Court for the Eastern District of PA, Hon. Myron Steele, Chief Justice of Delaware, Hon. James Vaughn, President Judge of the Delaware Superior Court, Hon. Brenda Murray, Chief Judge of the

Securities and Exchange Commission, and Hon. Beverly Nash, Administrative Law Judge for the DC Office of Administrative Hearings, who is the President of the Maryland Chapter. In all, there were judges from 6 states and the District of Columbia. Everyone enjoyed the delicious gourmet brunch, which was complete with chilled champagne.

DISTRICT FOUR (MD, DC, VA)

District Presents “To Be or Not to Be”...A Judge Program?



(L-R) Judge Karen A. Henenberg, moderator, Judge Leslie M. Alden, Judge Beverly Sherman Nash, Judge M. Hannah Lauck, Judge Gayl B. Carr



(L-R) Judge Joan Churchill, Judge Karen Henenberg, Attorney David Lasso (Judge Henenberg's husband), and GMU law student Eric Steiner



On March 24, 2009 at the George Mason University School of Law in Arlington, Virginia, **Judge Karen A. Henenberg** mounted a successful program on being a judge which included a panel consisting of Federal and State Court Judges who discussed their decisions to pursue a judicial career, their paths to the bench, and the trials and tribulations of being a judge. The program began with greetings from Dean Polsby of the GMU School of Law and introductions of the panelists by Danielle Pawlowski, President of the Women's Law Association.

Judge Karen A. Henenberg, District Four Treasurer and Arlington General District Court Judge coordinated and moderated the program which consisted of Judge Leslie M. Alden, President of the International Association of Women Judges and Fairfax Circuit Court Judge, Judge M. Hannah Lauck, Secretary of District Four and United States Magistrate Judge, Eastern District of Virginia, Judge Beverly Sherman Nash, from the District of Columbia Office of Administrative Hearings, and Judge Gayl Carr, from the Fairfax Juvenile and Domestic Relations Court.

Questions posed to and addressed by the panel included how and why they became a judge and the rewards and challenges of a career on the bench. The program was well attended by law students and practicing attorneys who actively participated in asking questions during the panel discussion. A cocktail reception followed the program and allowed an informal discussion between judges and the attendees. Hon. Joan Churchill, VP for Districts gave remarks and relayed information about NAWJ membership

opportunities. **The event was sponsored by the School of Law and the Women's Law Association.**

An audio recording of the panel discussion may be accessed on the Law School website at www.law.gmu.edu. Under News, click View more news and media resources. Then click on News Archives 2004-Present, and finally click on [NAWJ hosts “To Be or Not to Be”... A Judge](#), published 3/27/09.

District Sponsors newly created “Getting to Know our Specialized Courts” Program



■ On July 23, 2009 the District sponsored panel discussion and reception entitled “Getting to Know our Specialized Courts” was held in the Washington Offices of Landmark Sponsor Dickstein Shapiro LLP. **Panelists included: Hon. Pauline Newman, U.S. Court of Appeals for the Federal Circuit; Hon. Paige Marvel, U.S. Tax Court; Hon. Dawn Eflein, Chief Judge, U.S. Air Force Trial Judiciary; Hon. Jeri Somers, U.S. Civilian Board of Contract Appeals; Hon. Ann Yahner, D.C. Office of Administrative Hearings; and moderator Hon. Joan V. Churchill, U.S. Immigration Court (Retired). Chaired by Resource Board member Elaine Metlin, Esq. of Dickstein Shapiro LLP**, the program's wonderful planning committee drew addition support from NAWJ member Brigida Benitez, Esq., WilmerHale; Nicole E. Erb, Esq., White & Case LLP; and Amy Mauser, Esq., Boies, Schiller & Flexner LLP.

NAWJ VP of Districts Hon. Joan Churchill who created this program last year was thrilled that over 40 persons attended the panel. The audience, which consisted of attorneys from local law firms, members of NAWJ, students, law clerks, and members of academia, mingled with the panelists and each other at a reception sponsored by our hosts. The specialized courts program will next be presented at the NAWJ

Annual Conference in Memphis in October. **The Memphis panel's title will be: *Where have all the Cases Gone?***, emphasizing the increasing proportion in caseloads of administrative and other specialized courts relative to the decline in numbers of trials in the general courts.

- **Reentry Program to Again be Presented at Maryland Correctional Institution for Women**

The District is again organizing a day-long reentry conference entitled "Women Moving Forward" at the Maryland Correctional Institution for Women (MCIW), Maryland's only state prison for women. The conference will take place on Saturday, October 24th, 2009 and will include, among other things, a series of interactive sessions/workshops on finance and money issues, housing, educational opportunities, alcohol and drug treatment, family reunification, and anger management. There will be a plenary session, Walking in My Shoes, a fashion show, and a keynote address by a successful author who was formerly incarcerated. Each participant receive an individualized resource package based on the jurisdiction to which she will be returning. The committee will also compile a list of institutional recommendations based on the feedback received from the women.

- **Judge Susan Gauvey and Carolyn Mattingly, immediate past chair of Maryland's Women's Commission will co-chair this year's conference with Judge Cathy Serrette heading its Resource Committee.**

Judge Sue-Ellen Hantman is coordinating the production of a Program Book. Judge Ellen Heller is drawing support from Baltimore City criminal justice officials. Judge Julia Weatherly, Judge Theresa Nolan and Judge Irma Raker round out the conference organizing committee.

- On September 29th at 6:00 pm the **District met at the National Harbor in Prince Georges County, Maryland to elect a new executive board.** The Hon. Joan Churchill is chairing the nominations committee which also includes the Hon. Patrice Lewis, Hon. Katie O'Ferrall Friedman, and Hon. Karen Henenberg. District 4 members may nominate themselves or any other consenting member. All nominations and letters of recommendation should be sent by email to: churchil@erols.com or by mail to: Joan Churchill, 5612 Western Avenue, Chevy Chase, MD 20815 by August 21, 2009. All offices District Director, President, Vice- President, Secretary and Treasurer, are available.

- **The Maryland Chapter** met for dinner on August 12, 2009 in Annapolis, MD at their favored Jalapeno's to discuss activities over the course of the year, the NAWJ Annual Conference in Memphis, and new officers.

- **Virginia Creates a Novel Student Scholarship Award Process**

The **Virginia Association of Women Judges** awarded its **inaugural VAWJ Scholarship** at a luncheon ceremony held

Saturday, April 18, 2009, at the National Center for State Courts in Williamsburg, Virginia. This year's scholarship recipient was Tiffany Janae Bolden, a high school senior in Charles City, Virginia. VAWJ, in response to a proposal by Judge Gwendolyn Jones- Jackson of Norfolk, Virginia, will award a scholarship each year to a graduating high school senior in Virginia. In addition to providing scholarship assistance to students, **the award is designed to increase awareness of the functions of the legislative and judicial branches of government, of gender diversity, and of the contributions of women to the legislative and judicial branches of government.** The 2009 competition was limited to high school seniors in the eastern and southeastern cities and counties of Virginia. Future competitions will be similarly limited, on a rotating basis, to students in Virginia's four regions – northern, central, western and eastern.

Ms. Bolden, a senior at Charles City High School, will attend George Mason University in the fall. She interviewed Senator Jill Holtzman Vogel (27th District – Clarke, Fauquier, Frederick and Loudoun Counties; City of Winchester) and Judge Lisa A. Mayne of the Fairfax County General District Court. She read her essay, which focused on the benefits of women in politics and the judiciary, to a luncheon audience that included Senator Yvonne B. Miller (5th District – Chesapeake, Norfolk, Virginia Beach), Delegate Roslyn C. Tyler (75th District - Brunswick, Greensville, Isle of Wight, Lunenburg, Southampton and Sussex Counties, Cities of Emporia and Franklin) and Delegate Jeion A. Ward (92nd District - City of Hampton) of the Virginia General Assembly. Ms. Bolden's essay recognized the pioneering efforts of women in Virginia's government, and emphasized the need for increased gender diversity in addressing emerging issues involving the economy, health care, education, and public safety.

Twelve Virginia judges and contestants, with their parents, also attended the luncheon. **Each of the contestants received a framed certificate acknowledging their participation in the contest.** Judge **Roxie O. Holder** of Portsmouth, President of the Virginia Association of Women Judges, congratulated the contestants and their parents, and encouraged the students to continue seeking excellence in their educational and career pursuits. Senator Miller reminded the judges and legislators present that "we are responsible for ensuring high school students, male and female, understand and underline the importance of diversity in the judicial and legislative branches of government – both today and tomorrow."

- Judge Roxie Holder, VAWJ President, will be participating in "**So You Want to be a Judge**" which **will be presented by the Virginia Women's Attorneys Association in Hampton, Virginia.**
- The VAWJ is planning its second high school scholarship program.
- On August 11, 2009 VAWJ held its Breakfast Meeting in Virginia Beach during the District Court Judges Conference.

DISTRICT SEVEN (SEE PAGE 21)

DISTRICT EIGHT (IN, IL, KY)

NAWJ Color of Justice Program Event and Membership Reception in Chicago, Illinois



Justice Shelvin Hall organized a Color of Justice Program held at Collins High School in Chicago. NAWJ President Justice La Tia Martin, Justice Sophia Hall, Judge Shelia Johnson, District 8 Director Judge Jane Craney, and other lawyers and judges discussed our paths through the legal profession with its high school senior class. A lively exchange ensued between the panelists and the student and an informal luncheon followed the presentation offering the students an opportunity to interact with the lawyers and judges individually. Organizing members inspired students to work hard and

to follow their dreams. High school principals, teachers and students expressed their gratitude for the opportunity to hear about the legal profession and to meet women lawyers and members of the bench. Each student was given a certificate of completion of the program and a souvenir with the NAWJ logo. A membership reception to recruit new members of the organization and discuss the national activities was held at day's end at the marvelous home of NAWJ member the Hon. Anne M Burke, Justice of the Illinois Supreme Court and her spouse, Chicago Alderman Edward M Burke, and hosted by Justice Shelvin Hall, NAWJ Past President Judge Sophia Hall and Judge Cheryl Cesario. Many local lawyers and judges were present including representatives of the National Association of Women Lawyers.



DISTRICT NINE (MO, IA, WI)

Districts Nine Mounts Conference on Emerging Issues in the Judiciary

St Louis, Missouri played host for District Nine's first-ever district-wide conference: Emerging Issues in the Judiciary from April 17-19. Chaired by Hon. Brenda Stith Loftin, NAWJ Past President and current Director of Strategic Planning, over 65 judges (NAWJ members and prospective members), lawyers and legal professionals gathered for a weekend at the Frontenac Hilton Hotel to focus on issues of paramount importance facing the judiciary, particularly emerging alternative courts and the use of technology to aid the administration of justice. Chief Justice of Supreme Court of Missouri Hon. Laura Denvir Stith was on hand for a warm beginning greeting to attendees at the Saturday Breakfast with addi-



(L-R) Conference Chair NAWJ Past President Judge Brenda Loftin, Senator Claire McCaskill, and Judge Martin

tional Conference introductions by Program Chairs Judge Mary R. Russell on the Supreme Court of Missouri, and Judge Mary Kay Hoff on the Missouri Court of Appeals-Eastern District.

A highlight of the Conference was the Keynote Luncheon. After welcome remarks from Judge Loftin and NAWJ President La Tia W. Martin, Hon. Mary R. Russell, judge on the Supreme Court of Missouri, introduced keynote speaker U.S. Senator Claire McCaskill. Senator McCaskill was a trailblazing prosecuting attorney in Jackson County, Missouri and a state legislator from Kansas City, Missouri. She helped establish Missouri's first drug court in 1993 in Jackson County and helped turn Missouri's drug court system into a national model. Her address was riveting. The Luncheon was also an occasion for NAWJ to perform one of its favorite things - presentation of Equal Access to Justice Scholarship. The recipient Alicia J. Arellano is a student at the University of Missouri School of Law.

One of our biggest supporters Friends Committee Chair Retired Judge Susan Block now at Paule Camazine & Blumenthal, P.C., gave recognized the contributions of NAWJ and thanked the other donors: St. Louis Bar Foundation, Bryan Cave LLP, Fox Galvin LLC, Gallop Johnson & Newman LC, Missouri Bar Foundation, Thompson Coburn LLP, Mound City Bar Association, and Women Lawyer's Association of Greater St. Louis. These gifts would not have been possible without Friends Mary Bonacorsi, Thompson Coburn LLP; Nicole Colbert-Botchway, State of Missouri Attorney General's Office; Kathie B. Dudley Gallop, Johnson & Neuman; Margaret Mooney, Lashly & Baer, P.C.; and Ronda Williams Savvis Group.

Conference programs included *Emerging Alternative Courts*, moderated by Judge Thea Sherry of the St. Louis County Juvenile Court, including panelists: Judge Lisa Stark, Wisconsin Drug Court; Judge Nancy Whittenburg, Iowa District Court, Clay County Juvenile Court; Judge Christine Carpenter, Missouri Integration Court; and Commissioner James Sullivan, Missouri Drug Court. And, *Emerging Uses of Technology to Aid the Administration of Justice*, moderated by Chief Judge Nannette Baker of the Missouri Court of Appeals, Eastern District, with additional panelists: Judge Audrey Fleissig, Federal Magistrate, Eastern District of Missouri; Commissioner Patrick Connaghan, St. Louis City Probate Court; and Jim Roggero, IT Director, Office of Missouri State Courts Administrator.

Chief Justice Stith and Judge Russell joined other panelist Chief Justice Marsha K. Ternus, Iowa Supreme Court and Judge Patricia Breckenridge, Supreme Court of Missouri in a Supreme Court Panel offering their unique perspectives to attendees on emerging issues facing the judiciary.



(L-R) Hon. Marsha Ternus, Hon. Laura Denvir Stith, Hon. Mary Russell

A Friday evening reception was held at the magnificent mansion of attorneys Annette and Alan Mandel. Special thanks go



to former District Nine Director Judge Ellen Levy-Siwak who hosted Saturday evening's dinner in her lovely home.

■ **Supreme Court Chief Justice Shirley Abrahamson** started her 34th year on the court this summer, holding off Jefferson County Circuit Judge Randy R. Koschnick. Chief Justice Abrahamson's victory means she will continue as "CEO of the state's court system", which costs taxpayers about \$170 million a year. During the campaign, Chief Abrahamson said she plans to serve the entire term, which would make her both the longest-serving justice and longest-serving chief justice in state history at the end of the 10 years. Appointed to the court in 1976 by then Gov. Patrick Lucey, she became chief justice in 1996. According to the Journal Sentinel Online, in her victory statement Abrahamson criticized attempts by third-party groups in past campaigns "to reshape the face of the court for the expectations of the few against the hopes of the many." This year, only one third-party group, the Greater Wisconsin Committee, ran independent TV ads." Most observers say Abrahamson ran a solid, statewide campaign. She visited all 72 counties in the past two years. Her campaign had also raised \$1.3 million by March 23, swamping the \$180,000 that Judge Koschnick said his campaign cost.



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

NAWJ members from Kansas had their first meeting during the Kansas Women Attorneys Association 20th Anniversary Annual Conference in Lindsborg, where they discussed the development of an active Kansas NAWJ group as a logical next step for women lawyers in our state. Potential projects discussed included pursuing a "Storybook Project" for incarcerated Kansas women and their children, perhaps in partnership with the Girl Scouts; a fall gathering with women judges from the Missouri side of Kansas City; and geographic expansion of a program started by a Kansas woman lawyer designed to assist victims of domestic violence with their other legal problems through a special expedited docket and volunteer attorneys. District leadership is excited about expanding membership and reaching its goals.

DISTRICT ELEVEN (AR, TX, OK)

Arizona Supreme Court Chief Justice Ruth McGregor announced to Gov. Jan Brewer in March her June retirement from the bench. "It will be hard to leave the court," said McGregor, adding that the court has become her family. "My husband and I have decided that now is the time to spend more time with family and friends and take more time to pursue other interests."

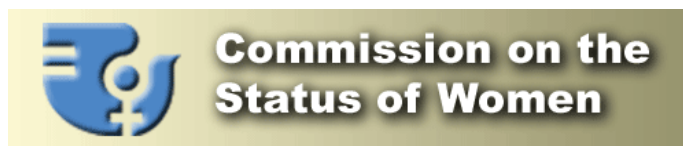


Hon. Ruth McGregor at 2007 Sandra Day O'Connor Keynote Luncheon in San Diego

DISTRICT THIRTEEN (WA, OR, AK, HI, ID, MT)

- In collaboration with the Alaska Justice System, bar associations and law schools, NAWJ President-Elect Chief Justice Fabe reports that their production of Color of Justice programs was once again a very successful multi-day conference, highlighting outreach to both youth and adults. For more information on Alaska's multi day comprehensive agenda and other **Color of Justice program information go to <http://www.nawj.org/outreach.asp>**.
- On October 31, the partners in the Alaska Justice System will present its **fourth Success Inside and Out Conference inside the Hiland Mountain Correctional Center** for women. The program focuses on the preparation, transition and reentry of women leaving prison. Recent issues of the Counterbalance describe in detail the ever-expanding format and participation in these two very successful programs.
- Alaska is also very pleased to report that its former Governor Sarah Palin appointed **NAWJ member Morgan Christen to the Alaska Supreme Court** - only the second woman appointed to Alaska's highest court in the state's 50 year history!

INTERNATIONAL NEWS



IAWJ Members Attend the United Nations Commission on the Status of Women 53rd Session in New York City
by Justice Marcy L. Kahn, Supreme Court, 1st Judicial District, State of New York

Members of International Association of Women Judges (IAWJ) attending the United Nations Commission on the Status of Women (CSW) 53rd Session (CSW 53) in New York City this spring were hosted by members of NAWJ District 2 and District 3, some of whom joined them as delegates to CSW53. The CSW is a commission of the United Nations Economic and Social Council (ECOSOC) dedicated exclusively to working for gender equality and to advancing the interests of women. **The two-week 2009 session of CSW53, designed to evaluate progress and set global standards on gender equality, drew more than 2000 delegates from non-governmental organizations (NGOs), along with the representatives of the 45 Member States, to address the session's priority theme 'The Equal Sharing of Responsibilities between Women and Men, Including Care Giving in the Context of HIV/AIDS'.**

Because of its NGO status with ECOSOC, the IAWJ was able to send its own delegates to observe the CSW session and to participate in the numerous parallel events presented by the various NGOs and Member States. Delegates heard UN Secretary General Ban Ki-moon, who had just returned from Congo, decry violence against women as a crime against humanity, and report that he had told the President of that nation that he was responsible for the horrific incidence of rape of women there. At parallel events, delegates heard about the connections between progress on issues such as the elimination of violence and discrimination based

on sexual orientation and gender identity (SOGI), and efforts by women in non-industrialized nations to address the effects of climate change, and the promotion of gender equality for women.

IAWJ delegates from the United States included Justice Marcy L. Kahn and Justice Bernice Siegal (NAWJ District 2), and Judge Sue P. Yang (NAWJ District 3). IAWJ members serving as delegates from other nations included Justice Martha Koome (Kenya); Justice Sauda Mjasiri (Tanzania); Judge Vera Ngassa (Cameroon); Judge Mary Ann Hedlund (Norway); and Judge Josselyne Bejar (Mexico).



IAWJ Executive Director Joan Winship, Judge Vera Ngassa, Justice Martha Koome, Justice Sauda Mjasiri, Anne Goldstein

IAWJ and NAWJ hosted three events during CSW53. Participating in the IAWJ's panel discussion on The Role of the Judicial System in Shaping the Political and Social Economy of Care on March 6 were three IAWJ members who shared insights from their own experiences as judges and advocates for

women's human rights in their respective African nations: Justice Koome, High Court of Kenya; Justice Mjasiri, Court of Appeals of Tanzania; and Judge Ngassa, President, Court of First Instance of Kumba, Cameroon. The panel was moderated by IAWJ Human Rights Education Director, Anne T. Goldstein, and drew a standing room-only audience.

In observance of International Women's Day, NAWJ District 2 and District 3 members joined forces to introduce the international delegates and IAWJ leadership and staff to members of the greater New York City bench and bar at a reception on March 5 at the New York City Bar Association.

More than 60 people attended this first-ever event, including New York's former Chief Judge, Judith S. Kaye and NGO repre-

sentative to the United Nations for the United States, Peggy Kerry. Attendees heard remarks from IAWJ President, Judge Leslie M. Alden and Executive Director, Joan Winship, as well as personal stories of courageous efforts to pursue gender equality while respecting customary law in their own countries by Justice Koome, Justice Mjasiri and Judge Ngassa.

The group was delighted to receive United States Ambassador to the CSW, the Honorable Meryl Frank, and her fellow official US CSW delegate, the Honorable Beth Booth, both of whom had been newly appointed to their posts. Ambassador Frank delighted the audience by taking its questions after her presentation, despite having been in office less than a week. Attendees were particularly pleased to learn that two weeks after our inquiry of the Ambassador about the failure of the United States to join 66 other nations in a statement by the UN General Assembly condemning SOGI discrimination and violence, the State Department announced that it had signed the statement.



IAWJ Executive Director Joan Winship, Judge Vera Ngassa, Justice Martha Koome, Justice Sauda Mjasiri, Anne Goldstein

Additional co-sponsors of the reception included: NAWJ; New York State Bar Association; Brooklyn (New York) Women's Bar Association; New York Women's Bar Association; Queens (New York) Women's Bar Association; New York County Lawyer's Association; the New York Association of Lesbian and Gay Judges; and the United States Committee for UNIFEM, Metro New York Chapter.

Districts 2 and 3 capped the week with a sumptuous dinner reception for our IAWJ guests at the home of the Honorable Phyllis Gangel-Jacob and Bernard Jacob. Honorary co-chairs of the event were the Honorable Carmen Beauchamp Ciparick, immediately past Acting Chief Judge, and the Honorable Jonathan Lippman, Chief Judge, of the New York Court of Appeals, both of whom joined NAWJ President La Tia Martin in offering welcoming remarks to the capacity crowd.

The New York City-based planning committee for the reception and dinner events consisted of: Justice Marcy L. Kahn, Chair; the Honorable Louise Gruner Gans; the Honorable Phyllis Gangel-Jacob; Justice Ellen Gesmer; Justice Deborah Kaplan; Judge Andrea Masley; Justice Bernice Siegal; and Judge Sue P. Yang. District 2 judges who opened their homes to house the visiting judges were: Justice Ellen Gesmer; Justice Rosalyn Richter; Justice Laura Drager; Justice Helen Freedman; Judge Tanya Kennedy; and Judge Andrea Masley.

■ Judicial Conference on the Hague Convention on the Civil Aspects of International Child Abduction

Judge Cathy Serrette participated, via digital video conference (DVC), in a Chilean/Costa Rican judicial conference on the Hague Convention on the Civil Aspects of International Child Abduction organized by Hon. Hernan Lopez, one of Chile's Network Judges. The conference was hosted by the U.S. Embassy in Chile.

The Chilean judges were particularly interested in learning what happens when children are returned to the United States

and whether absconding parents are disadvantaged in ensuing custody determinations. As well, there was concern about the issuance of warrants for the abducting parent. In particular, the judges were concerned that Chilean mothers returning to the United States would be arrested and denied access to their children.

When the Hague Convention was initially drafted, it was believed that noncustodial parents would be the primary abductors. As it turns out, many of those absconding are custodial mothers. The interpretations of the Convention, which was adopted to protect children from international abductions, is evolving as judges in member states seek to protect children from physical and psychological harm.

Visiting Judges From South Africa Hosted in Washington D.C.



(L-R) Hon. Stefani Buster, Hon. Amanda Venter, Marie Komisar, Judge Joan Churchill, Hon. Nokukhanya Maluleke, Hon. Dawn Hohamed, Hon. Nomathamsanqa Beshe, Hon. Roseni Allie, and Hon. Fariedha Mohamed

On September 1, 2009, NAWJ Vice President of Districts Judge Joan Churchill, Judge Judith N. Macaluso of the Superior Court of the District of Columbia and NAWJ Executive Director Marie Komisar hosted a luncheon for six visiting Judges, magistrates and lawyers from South Africa at the Cosmos Club in Washington D.C. The Judges were visiting the United States as part of the "Women in Judicial Leadership" program sponsored by the International Visitors Leadership Program of the U.S. Department of State, administered by Phelps Stokes, America's oldest operating organization serving the educational needs of the urban and rural poor of Africa, the African Diaspora and the United States with particular attention to people of color. At lunch the judges from South Africa shared information about the jurisdiction and structure of their courts. We learned that the Magistrates are housed in the executive branch, and that even their High courts are dependent on their Justice Ministry for administrative support. The history of their judicial system, and the change to a non jury system for criminal cases was brought to our attention as we explored what they might learn about the U.S. judicial and legal system during their study tour. Judge Macaluso made arrangements for them to visit her court and observe criminal cases. Judge Anna Blackburne-Rigsby of the D.C. Court of Appeals also opened her court to our visitors. The three-week program to provide them with insights about the U.S. legal system and the protection of individual rights

in the United States, began in Washington, D.C. on August 31, 2009 and will continue on to Louisville, Kentucky; Chicago, Illinois; and San Francisco before returning to South Africa.

■ IAWJ Conference in Seoul and Pre-Conference Trip



The next IAWJ Biennial Conference will take place in Seoul, Korea from May 11-15, 2010. I hope that many of you are planning to attend and to take advantage of this opportunity to visit the Far East. In

order to maximize the opportunity to see this part of the World, I have worked with Monarch Travel in Philadelphia to devise a pre-conference trip to Cambodia and Vietnam. The trip will begin in Siem Reap, Cambodia on May 3rd and end in Hanoi, Viet Nam on May 10th, just in time to take the overnight flight from Hanoi to Seoul and arrive with sufficient time to nap before registering for the IAWJ conference.

The trip includes a truly fabulous combination of scenery, art, theater and history from the various cultures and will, I know, be a once-in-a-lifetime experience. You will stay in beautiful hotels, eat exotic foods, ride an elephant, soar in a hot air balloon (tethered) and enjoy the scintillating company of your fellow NAWJ members.

The cost of the trip (based on at least 15 participants) will be \$4,320 per person sharing a double room, plus \$285 to cover air fare from Siem Reap to Hanoi. The price covers all land arrangements. Participants will be responsible for their own air arrangements from:

- U.S. to Seoul
- Seoul to Siem Reap
- Hanoi to Seoul
- Seoul to U.S.

To reserve a place, a non-refundable deposit will be required to be paid by November 1, 2009. The trip is limited to 30 persons and places will be allotted on a first come first served basis.

If you are interested in the trip, and have not yet done so, please notify Jeff by email.

I hope you will join me on this very special adventure.

Carolyn Engel Temin

NAWJ International Director

DISTRICT SEVEN (MI, OH, WV)

NAWJ Vice President of Publications, Judge Shelia R. Johnson, 46th District Court, Southfield, MI, completed a successful term as 2008-2009 President of the Association of Black Judges of Michigan (ABJM), the largest statewide association of its kind in the United States. Judge Johnson was honored, along with the Wolverine Bar Association's outgoing president at a Presidents' Reception which was attended by federal judges, state judges, numerous lawyers as well as United States Congressman John Conyers. The evening was held at the elegant 32nd floor



Judge Johnson and
Michigan Rep. John Conyers

Renaissance Club at the top of Detroit's Renaissance Center, which presented breathtaking views of Detroit's metropolitan area. The evening was sponsored by preeminent law firms, businesses and bar associations and it featured a savory strolling buffet, culminating in a presentation of gift and plaque to Judge Johnson. While she has relinquished her duties with ABJM, Judge Johnson was recently elected to the Board of Directors for the Judicial Council of the National Bar Association at the 84th National Convention held in San Diego, California from August 1-8, 2009. Continued success to Judge Johnson in her leadership positions.

NAWJ MEMBER JUSTICE SONIA SOTOMAYOR



became the first Hispanic and third woman to sit on the United States Supreme Court. NAWJ President La Tia W. Martin attended her investiture at the Court. Sonia Sotomayor, Associate Justice of the United States Supreme Court, was born

in Bronx, New York, on June 25, 1954. She earned a B.A. in 1976 from Princeton University, graduating summa cum laude and receiving the university's highest academic honor. In 1979 she

earned a J.D. from Yale Law School where she served as an editor of the Yale Law Journal. She served as Assistant District Attorney in the New York County District Attorney's Office from 1979-1984. She then litigated international commercial matters in New York City at Pavia & Harcourt, where she served as an associate and then partner from 1984-1992. In 1991, President George H.W. Bush nominated her to the U.S. District Court, Southern District of New York, and she served in that role from 1992-1998. She served as a judge on the United States Court of Appeals for the Second Circuit from 1998-2009. President Barack Obama nominated her as an Associate Justice of the Supreme Court on May 26, 2009, and she assumed this role on August 8, 2009.

NEW YORK

Bayview Women Receive Bard College Degrees



Former Chief Judge of the State of New York Judith S. Kaye, with Bard College President Leon Botstein seated to her immediate left.

On May 14, 2009, at the Bayview Correctional Facility in lower Manhattan, Bard College conferred its first college degrees to its incarcerated students who are women. Seven Bayview residents received Associate of Arts Degrees. Judge Judith S. Kaye delivered the Commencement Address and Bard President Leon Botstein delivered the Charge to the Graduates.

As readers will remember, until 1995 people in prison were eligible for federal Pell Grants which yielded enough funding for colleges to provide access to higher education within prisons nationwide. For thirty years college-in-prison was a demonstrable success. It reduced rates of recidivism, tension within correctional institutions, and restored prisoners' relationships with their families more consistently and at lower cost than any other service of our criminal justice system. Perhaps more importantly, it provided college opportunity to those same Americans our schools and universities have failed most. Despite all that—and the protest of judges, educators and, most of all, jailors themselves—a provision added to the Clinton Crime Bill in 1994 explicitly made people in prison ineligible for Pell support. In the spring semester of 1995 there were over 350 college-in-prison programs across the country. By the fall of that year only a handful remained. As the colleges disappeared, so too did the sole beacon of hope and fulfillment through work and learning within the ever-expanding prison system.

In response to this crisis, Bard students founded the Bard Prison Initiative in 1999. The idea was simple enough, that our college could provide a small answer to the problem of mass incarceration by doing what it does best: liberal arts college education, but, now, for students who are in prison. In 2001, the college accepted our challenge and began enrolling incarcerated students.

The premise of the Bard program is simple. The college offers a full scholarship to its incarcerated students on one condition: that all incarcerated Bardians be held to the same standard of academic excellence and rigor as conventional students on campus. Eight years later over 200 students across five state prisons are engaged in college coursework that covers the breadth of a traditional liberal arts education: mathematics and literature, science, history, and anthropology, intensive study of foreign languages, as well as the arts, including theater, dance and music. Though admission to the college is highly competitive, our student body is representative of the prison population as a whole, heralding



from New York's most isolated communities, most students only received their GED while in prison and others still learned to read while incarcerated. These students are now enrolled at both the associate and bachelor's degree level.

The women who became Bard alumni in May studied with college faculty not only from Bard, but also from Columbia and New York Universities as well as Barnard College. Their accomplishments, their devotion to the college and to learning – under especially difficult circumstances – were extraordinary. One graduate had even arranged to stay in prison weeks longer than necessary, so that she could complete her degree and walk at graduation with her peers. "This will be the first thing I've ever completed in my life," she said, "and I want to see it through." However, for any student in prison the stakes of a college education are terribly high and, thus, their commitment is typically remarkable. This particular group of graduates was unique for another reason.

As a small, 'transitional', medium-security prison, Bayview is in many ways a difficult facility for a college to operate. Quarters are cramped, other entrenched Department programs compete for peoples' time. Students have few designated study hours, no access to computers or word processors, and their days are packed with other institutional responsibilities. Though parole is frighteningly rare in New York State, the possibility of release frequently looms for these students. Preparation for parole takes its toll, as does the distraction of disappointment that too often follows.

What distinguished this group of graduates from the other cadres of Bard students that received their degrees in prison was the role they played in building our college at Bayview. Collaborating with a collection of professional women in Manhattan, as well as a number of New York City judges who are women, a small group of prisoners at Bayview spent years advocating for the restoration of college within the prison that kept them. This unlikely group of women – imprisoned and free – that corralled a college to open within Bayview was well-represented at the graduation ceremony. Among them were the handful of civilians who had worked to raise the funds so that Bard could open its program in 2006. There were also a handful of former students and advocates who had been released from Bayview – one of whom is now completing her degree as a conventional student on campus. Lastly, there were also the judges, including Betty J. Williams of Brooklyn who had pushed for the program years before we were able to open. And, of course, there was Chief Judge Kaye who for many New Yorkers has personified the best of what is possible in the application of justice.

LANDMARK SPONSORS

The National Association of Women Judges greatly appreciates the generosity of law firms, organizations and individuals whose multi-year sponsorships allows us to expand the reach of our programs. NAWJ's mission is to promote the judicial role in protecting the rights of individuals under the rule of law with a strong, committed diverse leadership that acts for fairness and equality in the courts.

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Max Kenner

Though we at Bard have been successful so far in building our program, and a smattering of other similar, privately-funded, programs exist across the country, serious opportunities to learn remain tragically rare within America's prisons. To be clear, this is not due to the lack of will among those who run and work within the prisons, and it is certainly not due to a lack of curiosity or energy among those who could be students. It follows, rather, from the lack of popular concern and leadership. We have learned that lawmakers cannot be relied on to make the conversation about American criminal justice more helpful or less toxic. Let's hope that others might follow the lead of that unlikely collection of women at Bayview and work to make learning as much a birthright of American citizenship as punishment has become a staple.

Max Kenner is founder and Executive Director of the Bard Prison Initiative and will participate in the workshop "Education: Inside & Out, The Multiple Benefits of Educational Programs in Prison" that will be held at NAWJ's Annual Conference in Memphis at 9:00 AM on Saturday October 17, 2009.

■ **The Annual Volunteer Recognition Dinner was held at the Bayview Women's Correctional Facility on May 21, 2009.** Bayview Superintendent Loyce Duke presented Judges Debra A. James and Betty J. Williams with "Certificates of Appreciation" in recognition of: (1) the NAWJ New York Chapter's 8th Annual Beyond the Bars Holiday Program; (2) 2008 Toy/Gift Holiday Drive for the children and grand children of Bayview residents; (3) 2008 Holiday Gift Bags for Bayview residents; and (4) Judge James' and Judge Williams' service on the Bayview Community Advisory Board. Bayview Correctional Facility is located at 550 West 20th Street, New York, NY 10011.

■ **Bard College's 6th Prison Initiative Commencement was held May 14, 2009 at Bayview Women's Correctional Facility.** As part of the Initiative, Bard College conferred its first degrees to its students who happen to be incarcerated women. Seven Bayview residents received Associate of Arts Degrees. Bard President Leon Botstein gave a "Charge to the Graduates" and Judge Judith S. Kaye delivered the commencement address. Judge Betty J. Williams attended the historic event.

■ **Judge Debra James attended the Bayview Community Advisory Board Meeting on April 2, 2009 at Bayview Correctional Facility.**

■ **A Beyond the Bars Workshop/Seminar – "Parole Issues" – Beacon Women's Correctional Facility was held June 18, 2009.** Presentation and Q& A were conducted by two parole attorneys. Judges Cheryl Gonzales, Robin Garson, Debra James, Laura Jacobson and Betty J. Williams attended. Clothing, accessories, toiletries, and discharge bags were delivered to the residents. Beacon Correctional Facility is located in Beacon, New York, north of New York City, approximately two hours by car.

■ **A Letter of Support for New York State's Domestic Violence Merit Time Bill from NAWJ** President Hon. La Tia A. Martin to Governor David A. Paterson was submitted on May 18, 2009. NAWJ has supported this legislation since 2006.

■ **New York State Ethics Opinions were requested on whether the NAWJ could support:** (1) The Adoption and Safe Families Act Expanded Discretion Bill and (2) The Anti-Shackling Bill. (Support requested from the New York Correctional Association and the Coalition for Women Prisoners, 2009 Proposals for Reform).

■ **Beacon Correctional Facility received a letter of thanks sent to Beacon Superintendent** Gail Thomas reads:

Thank you for taking time out of your very busy schedule to coordinate the National Association of Women Judges—Women in Prison Committee Program on the topic of parole at Beacon Correctional Facility on June 19, 2009.

The presenters Edward R. Hammock and Donna M. Sullivan were very dynamic and they were chock full of real, relevant, and helpful information to the population.

The presentation was very well received by the population. There were approximately 90 inmates in attendance and the facility census was 210. The fact that almost half of the population came and that many asked questions showed they had a great interest in the topic of parole. I thank the Committee for being so on point in bringing education, issues and information that are so on point to the needs of the population.

Please be advised that we immediately began distributing the bags and toiletries to the women being released. They have already been receiving the donated clothing and accessories. We really appreciate all that the Women in Prison Committee Program is doing for the population and the facility.

Organized by the NAWJ Women in Prison Committee, the parole workshop was attended by Superintendent Thomas, the Beacon staff, Judges Robin Garson, Cheryl Gonzales, Debra James and Betty J. Williams, and Lakera Tompkins (Howard University Law School summer intern to Judge James). The judges were deeply moved by the many questions the residents asked of the attorneys and the eagerness with which the residents received the attorney's answers and information.

Respectively submitted,

Betty J. Williams

MARYLAND

■ Women in Prison Committee Co-Chair Judge Brenda Murray has driven parallel activity in building educational programs for incarcerated women at the Maryland Correctional Institute for Women (MCIW). One program brings in professors to teach college level credit classes. We are happy to share welcome feedback from a participant in the History of Western Art class taught this summer inside the prison.

Letter from program participant:

My name is Sara Citroni, and I am writing you concerning the recent college program that has been introduced here at the Maryland Correctional Institution for Women. The program is such a positive gift to us, and I just wanted to take a moment to thank you for bringing this.

It is amazing to me how such an activity can actually change the atmosphere in some areas in such a way that we can feel it. Some women are more grounded, and happier because they are applying themselves to move toward a positive goal.

Some of the same women who were usually outside sitting on a bench discussing the latest occurrence on the grounds, are actually sitting at a table researching topics for papers and studying with friends for tests. One young lady was flipping eggs for the breakfast meal, and flipping them while she was studying flash cards that she taped to the walls.

This has created such a change in so many women. Hopefully as time goes on, the number of students will increase, and the numbers of positive activities also.

Thank you so much for bringing some sunshine into this place. It is worth every bit of hard work involved to continue these programs for as long as possible!

Sincerely

*Sara Citroni
#910-540*

■ Chiseche Mibenge, a visiting international human rights scholar and Ph. D. candidate at the University of Utrecht in The Netherlands, came to MCIW last evening to speak on “International Human Rights from an African Perspective.” Judge Murray met Chiseche, who is visiting at American University’s Washington College of Law, recently at a meeting announcing the Avon Global Center for Women and Justice at Cornell Law School. After Judge Murray informed her of the Women in Prison Committee’s Book Club at MCIW, Ms. Mibenge accompanied Judge Murray to a meeting, taking advantage of a rare opportunity to have an African woman speak on the topic of International Human Rights.

The presentation drew 24 women who could have used this precious time to spend out of doors. Ms. Mibenge described her initiation to the field of human rights and used a series of pictures to describe her family circumstances and conditions in Zambia before and after independence from the British. She explained that international human rights covenants, which speak in broad terms, have led to documents drafted by Africans that addressing topics specific to Africa such as polygamy. Worth noting in particular, Ms. Mibenge shared that the fact that Africans drafted these covenants prevented criticisms that outsiders were imposing their standards, though she went on to explain how Zambia is governed by customary law and statutes enacted by the British.

Ms. Mibenge’s well balanced remarks ranging from topics of scholarship to personal experience offered an engaging evening for our audience. The level of interest in international human rights and Africa was high. Almost half the MCIW women asked questions in the discussion afterwards, and Ms. Mibenge handled each one with candor and extended elucidation. Almost all the women came by to say good-bye to Ms. Mibenge and thanked her for coming. It was a superb evening and the women were very appreciative. Judge Brenda Murray.



Infinity Project Launched in Seven States to Increase the Gender Diversity of the Eighth Circuit Court of Appeals

By Dr. Sally J. Kenney

Few observe the work of the powerful federal circuit courts of appeal. Supreme Court justices are widely known and the media closely follow their confirmation hearings and possible vacancies. Federal district court judges preside over high-profile local trials. With appeals courts out of sight, it is easier to assume that women's march towards equality is progressing steadily when in fact we are reversing the progress of the last decade. Nearly 30% of President Clinton's appointments were women but only 20% of President Bush's have been women. Two circuits are one retirement away from becoming all-male courts, the First Circuit (New England) and the Eighth Circuit (Minnesota, North Dakota, South Dakota, Iowa Nebraska, Arkansas, Missouri).

Since it began, the Eighth Circuit has had 61 judges (3 before the court became the Eighth Circuit). Only one of them has been a woman, Diana Murphy, who is 74 years old. (President Clinton nominated Bonnie Campbell but the Senate never held a vote to confirm her.) Eleven judges currently sit on the Eighth Circuit Court of Appeals. (Seventeen judges serve if you count the six judges who have senior status.) The last nine appointments to the court have been men.¹ As of July 2005, nearly 50 women serve on circuit courts, but only one of these judges serves on the Eighth Circuit.²

Some might question whether we should seek to appoint women to the court rather than simply seeking the best person for the job. For better or worse, however, the home-state senators of the president's party who largely decide who the president will nominate rarely look beyond their close circle of friends and supporters. Why is it essential that each state have a representative on the court but not women at a time when women make up nearly half of law school graduates, and thirty percent of our judiciary overall?

All nine justices currently serving on the U.S. Supreme Court first sat as a judge on a court of appeal. If we fail to appoint women to the appeals court, we are making it difficult if not impossible to nominate women to the U.S. Supreme Court. Moreover, the Eighth Circuit is the final appeal for most cases. Of the nearly 9,000 cases parties asked the Supreme Court to hear in the 2006 term, only four that resulted in opinions came from the Eighth Circuit.³

The Infinity Project's mission is to increase the gender diversity of the federal bench to ensure the quality of justice in the Eighth Circuit. (We take our name from the numeral 8 turned on its side.) A group of four core members began the project in 2007 and that group expanded to a group of more than 100 interested in working on the project in Minnesota by 2008. On October 17-18, the group met in Minneapolis to hold a seven-state organizing conference, funded by a grant from the Open Society Institute. Nearly 170 people attended a luncheon where Professor Sherrilyn Iffil (University of Maryland School of Law) argued for the importance of a diverse bench. Judges Diana Murphy and Michael Melloy then spoke about the work of the court, the kinds of cases it hears, and how the current judges came to be there. More than thirty women from across the circuit then met in close session to organize and construct their campaign for change. The group included women who had been interviewed for appointments in the past, as well as leading law professors and attorneys in private practice.

During the 1970s, women's groups organized to press the Carter Administration to appoint women to the federal courts. Since that time, the National Women's Political Caucus, the National Organization for Women's Legal Defense and Education Fund (now Legal Momentum), the National Association of Women Judges, and local groups such as Minnesota Women Lawyers have largely turned their attention to other issues. And new groups devoted to women's greater representation in decision making, such as Emily's List and the White House Project, neglect judicial offices. The numbers from the last eight years demonstrate that we cannot count on the increasing numbers of women in the legal profession to automatically trickle up to judicial appointments. It is time to organize. As Elizabeth Cady Stanton wrote, "these things will not come of themselves."

Dr. Sally J. Kenney is Professor of Public Affairs and Law at the Humphrey Institute of Public Affairs at the University of Minnesota. Starting January 1, 2010 she will be Executive Director and Newcomb College Endowed Chair at the Newcomb College Institute of Tulane University.



Infinity state point people met in Minnesota for an All-Circuit Summit. The Infinity Project honored Judge Diana Murphy, center front row.

¹ <http://www.fjc.gov/public/home.nsf/hisc>. 8/11/08.

² Lynn Hecht Schafran, Not From Central Casting: The Amazing Rise of Women in the American Judiciary, 36 U. TOL. L. REV. 953, 956 (2005).

³ The Supreme Court vacated by memorandum order five more cases, so a total of 9 out of 343 cases came out of the Eighth Circuit. "The Supreme Court—the Statistics," Harvard Law Review 121 (2007-2008): 445.

NEW YORK CHAPTER OF NAWJ LAUNCHES SUMMER JUSTICE ACADEMY FOR YOUNG WOMEN

by Chinyelu O. Udoh, Esq., Principal Court Attorney, Westchester County Supreme Court

Under the leadership of NAWJ President La Tia W. Martin, on July 20-24, 2009, the New York Chapter of the National Association of Women Judges (NY-NAWJ) launched the first Annual Summer Justice Academy for Young Women. The program recognizes that many young women from diverse backgrounds including under-served schools are simply not receiving the training and support to make it through the “pipeline” to law school. What is needed is a different approach, one that reaches back into the pipeline and provides the assistance necessary to truly affect change.

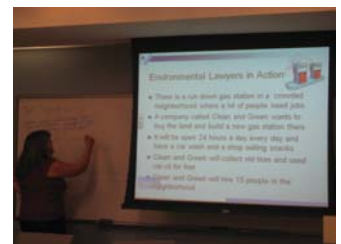
To this end, NY-NAWJ, with the assistance and funding support from various local bar organizations including the Westchester County Black Bar Association, Westchester County Bar Association, Westchester County Women’s Bar Association, Westchester County Women’s Bar Association Foundation, White Plains Bar Association, New Rochelle Bar Association, and Hudson Valley Bank, LexisNexis, Pace University School of Law, the New York State Judicial Institute, and several individual donors, has established this initial summer program. It introduces promising students to the study of law through a pre-college preparatory program conjoining course work in law and leadership with intensive training from various judges, law school professors and legal practitioners.

Some of the substantive legal courses covered includes: Family Law, Constitutional Law, Contract Law, Criminal Law, Environmental Law, Health Law, and Foreclosure Proceedings. A field visit to the Federal Court was organized by Debra Scalise, Esq., President of the Women’s Bar Association. The program’s goal is to provide these young high school women with the skills necessary to succeed in life and, should their interest continue, in law school.

In this program’s first summer, twenty-five students from five New York State school districts, Mount Vernon, Yonkers, White Plains, New Rochelle, and the borough of the Bronx, entering their sophomore, junior or senior years in high school, will complete an intensive, one-week introduction to the law and the writing and analytical skills necessary to study law. Pace University School of Law Dean Michelle Simon has allowed the program to be held on the campus, and provided the luncheon meals for the students during the entire session.

During the Closing Ceremony of the program, each student participant gave remarks regarding their most memorable experience and submitted an essay on the American Jury System. A certificate of completion, along with a monetary stipend was presented to the graduates by NAWJ President Hon. La Tia W. Martin and Westchester County Human Rights Commissioner Delores Brathwaite.

Next summer with additional funding and sponsorships, the program hopes to expand to a two week overnight session on a law school campus and will include more school districts and increased student participants.



NAWJ initiated the Equal Access to Justice Scholarship Program to award recognition to law students who demonstrated a sustained commitment to diversity and equality in the system of justice. Scholarships are presented at NAWJ District events across the country throughout the year. NAWJ hopes to spread the impact of the scholarship program beyond the financial benefit to the recipient and toward the creation of enduring partnerships between NAWJ Districts, area law schools, and the emerging generations of judges to come.

Equal Access to Justice Scholarship Recipients

2008

Allison M. English
 Brutrinia D. Arellano
 WLALA
 Allegra A. Cira, DePaul University School of Law,
 Ruth Bader Ginsburg Scholarship
 Louisiana Judicial Council of
 the National Bar Association:
 Allison McCray, Loyola University College;
 Erica Gibson, Tulane Law School; Stephanie
 Chavis, Louisiana State University Law School
 Jenna M. Leonardis
 Nancy Gonzalez
 Diana F. Grant

2009

Jessica Cecilia Kemp,
 University of Texas at Austin
 Amber C. Saunders, John Marshall Law School
 Lisamarie Nellyn Bristol,
 Georgia State University College of Law
 Alicia Arellano, University of Missouri
 School of Law
 Tobra Richardson, University of Chicago
 Law School



Awardees Lisamarie Nellyn Bristol and Amber C. Saunders, Justice Martin and reception host Georgia Supreme Court Presiding Justice Carol W. Hunstein



Tobra Richardson inspiring high school students at a May 2009 Color of Justice program in Chicago

Hon. Betty J. Williams was the honored recipient of the following letter of appreciation from a 2007 recipient of NAWJ's Equal Access to Justice Scholarship, Jaya Vasandani, a graduate of the Benjamin N. Cardozo School of Law class of 2010. Justice Williams met Ms. Vasandani in 2005 when she was a staff member at the Correctional Association of New York's Women in Prison Project and have had the pleasure of working with her on many of the issues facing women in prison in New York State and around the country. Justice Williams is pleased to report to the wider NAWJ community that Ms. Vasandani has continued her deep commitment to public service at law school, where she has given NAWJ all the more reason to feel proud to call her one of our scholarship recipients. Please read and enjoy.

Peace,
 Betty J. Williams

In her own words: Ms. Jaya Vasandani:

Dear Judges:

Thank you for awarding me the 2007 Access to Justice Scholarship. I am pleased to announce that, during my first year at the Benjamin N. Cardozo School of Law, I co-founded, along with Josh Markowitz, the Cardozo Chapter of the National Lawyers Guild (NLG), an organization dedicated to achieving social justice through changes in the structure of our political and economic system. The Cardozo Chapter currently has a membership of over one hundred students, and with the assistance of the local legal community and student volunteers, has sponsored numerous seminars, discussions and training workshops on the social justice issues confronting young lawyers as they begin their legal careers.

Some of the issues our Chapter has explored include: the effect of rising incarceration rates on child-welfare, the impact of the Rockefeller Drug Laws on prison population growth, the influence of electoral politics on census gathering, and the legal and political challenges to abolishing the death penalty. Two events we have organized that I am, in particular, proud of are: 1) organizing 36 law students to travel to Cleveland, Ohio to serve as poll monitors during the historic Presidential election in November 2008; and, 2) organizing the production of a Legal Observer Training Video, soon to be used around the country to train lawyers, law students, and legal workers to serve as legal observers on election day.

During my second year at Cardozo, I participated in the school's new Immigration Justice Clinic, directed by Professor Peter L. Markowitz. As part of the clinic, I assisted in filing a Freedom of Information Act (FOIA) lawsuit against the Department of Homeland Security (DHS), in the U.S. District Court for the Southern District of New York. The lawsuit demanded disclosure of the policies and procedures used by DHS's Immigration and Customs Enforcement (ICE), during its home raid operations. As a result of the lawsuit, which settled in January 2009, previously unreleased DHS memos, detailing ICE's expansion of its home raid operations, were made public.

The release of these previously secret memos garnered major national press coverage, including a front-page article in the New York Times.

In July 2009, I co-authored a report published by the Immigration Justice Clinic titled, "Constitution on ICE: A report on ICE home raid operations." The report was the first public study of ICE's home raid operations, and documents and analyzes numerous 4th Amendment violations committed by ICE agents while conducting the home raids. I had the privilege of presenting the findings of the report to over 35 chiefs of police from around the country, as well as high level DHS officers and advisors to the Secretary of the DHS, Janet A. Napolitano, at a conference in Phoenix in mid-July. As part of the Immigration clinic, I also had the opportunity to represent a client in immigration court and to counsel a number of immigrants in federal detention facing deportation.

During the summer of 2009, I continued my work as a consultant to the Correctional Association of New York's Women in Prison Project, where I was a staff member, prior to attending Cardozo law school. Throughout the summer, I assisted in conducting a series of visits to the women's prisons, in preparation for a report, focused on evaluating and overcoming systemic problems in New York State's correctional facilities for women.

I am grateful to the NAWJ for awarding me the 2007 Access to Justice Scholarship, which provided me much needed financial support at a critical time in my legal education and career. I would also like to thank the Honorable Betty J. Williams for her support as a mentor and for the great work she and the NAWJ does to improve our legal system, on the systemic as well as the individual level. I look forward to continuing to work with her and the NAWJ on many more worthwhile causes well into the future.

*All the best,
 Jaya Vasandani*



Jaya Vasandani

FIRST EVER MID-YEAR SOUTHEAST LEADERSHIP CONFERENCE IN GEORGIA DRAWS SPLENDID RECEPTION, ATTENDANCE FROM ACROSS ATLANTA'S LEGAL COMMUNITY AND BEYOND

Nearly 200 NAWJ members, interested judges, lawyers, law students and others from Atlanta and beyond joined our Board of Directors at the 2009 MidYear Meeting and Southeastern Leadership Conference. The Conference was hosted by NAWJ President La Tia W. Martin and was held at the Intercontinental Hotel Buckhead in Atlanta. Conference attendees gathered to enjoy a plethora of events, including: an informative luncheon address by the Hon. Glenda Hatchett; a recognition ceremony for the pioneering efforts of former Eleventh Circuit U.S. Appeals Court Judge Hon. Phyllis A. Kravitch which was held at the fabulous law offices of Nelson Mullins Riley & Scarborough LLP; and a general spread of good cheer at the reception held at the lovely home of Conference Co-Chair Georgia Supreme Court Presiding Justice Carol W. Hunstein.

The Keynote Luncheon Speaker, Hon. Glenda Hatchett, host of the syndicated show 'Judge Hatchett' and former Chief Presiding Judge of the Fulton County's Juvenile Court, delivered a riveting speech on children which reminded judges in attendance to "keep their promise to care for our children while upholding the law." This event was graciously sponsored by one of Atlanta's leading law firms: Butler, Wooten & Fryhofer, LLP.

We applaud the outstanding efforts of the Conference Co-Chairs from the Georgia Supreme Court Presiding Justice Carol Hunstein and Chief Justice Leah Ward Sears as well as local conference planning committee members; Hon. Nina Radakovich, Hon. Cynthia Becker, Leah Givan, Terry Cobb and Sylvia Gaines. Programming included a substantive and cutting edge Family Law program which discussed emerging issues of parenthood and the courts response to family and community stability. The outstanding Panel speakers were Washington and Lee University Law School Professor Robin Fretwell Wilson and former Georgia Judge Tom Rawlings, Director of the Georgia Office of the Child Advocate. Those in attendance posed many questions to the panelists which resulted in quite interesting discussions.

Boasting an awe inspiring view of the city, few offices in Atlanta rival those of the Law Offices of Nelson Mullins in the new Atlantic Center Tower, which hosted the Friday evening reception through the enthusiastic charm of one of its attorneys, Taylor Daly.

Hon. Carol W. Hunstein welcomed attendees and friends to her wonderful home for a delightful evening reception at which Equal Access to Justice Scholarships were awarded to Lisamarie Nellyn Bristol, a Juris Doctor candidate at Georgia State University College of Law in Atlanta, Georgia, and Amber C. Saunders, candidate for Juris Doctor at John Marshall Law School in Atlanta, Georgia. Attorneys Kevin Rubin and John Harbin, representatives from reception sponsor law firms Greenberg Traurig and King & Spalding respectively, were on hand to recognize and support efforts to advance emerging leaders in the law.

NAWJ recognizes the persistent and selfless efforts of Friends Committee Chairs Linda A. Klein, Esq., Baker, Donelson, Bearman, Caldwell & Berkowitz, PC; Stephanie E. Parker, Esq., Jones Day; Elizabeth A. Price, Esq., Alston & Bird LLP; Lynn M. Roberson, Esq., Swift, Currie, McGhee & Hiers LLP; Lovita T. Tandy Esq., King & Spalding LLP; and Lee Wallace, Esq., Bird Law Group, P.C. and the supportive Conference Sponsors;

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Thank you all so very much!





RESOURCE BOARD

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

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The Changing Face of the Federal Judiciary

Washington, D.C. think tank Brookings released *The Changing Face of the Federal Judiciary*, a report which summarizes basic demographic data on the make-up of federal judiciary. Written by Russell Wheeler, a visiting fellow in Governance Studies at Brookings, and President of the Governance Institute, the report attempts to understand, in the wake of Justice Sonia Sotomayor's appointment and confirmation and President Barack Obama's nominees to lower federal courts, the growing tendency over the last 50 years to appoint proportionately fewer district court judges from the private bar and more from the public sector. A few highlights from the report which may be found on Brookings' website:

- As of August 2009, of the 161 active judges on the Courts of Appeals, 61 percent were white men (versus 66 percent of the Supreme Court) and one percent were Hispanic women (two judges, with Sotomayor's elevation.)

- Since 1961, the proportion of appointees to the Supreme Court, Courts of Appeals, and District Courts do not vary greatly as to women (16 percent, 15 percent, 13 percent) and African Americans (11 percent, 7 percent, 8 percent), but those figures mask the shrinking proportions of white males appointed to the lower courts more recently, especially under Presidents Carter, Clinton, and W. Bush.

- Over 60 percent of President Eisenhower's district appointees were private practitioners, compared to 36 percent of President W. Bush's appointees.

- Variations exist in the background of appointees by district region. About 15 percent of the judges in the New York Southern district were sitting judges when appointed; that percentage exceeds 50 percent in the Northern Illinois and Colorado districts and 60 percent the Central California district.

The report's author concludes: "Most would agree with the modest proposition that, all things being equal, the federal judiciary should look more or less like the population it serves as to gender, race, and ethnicity—or at least look more or less like the realistic pool of potential judges. Over the last thirty years, the face of the judiciary has changed, although it hardly mirrors the general population and probably not the applicant pool. And it shows different faces in different parts of the country. In any event, there's little reason to doubt the changes will continue, regardless of the party in the White House. Whether the change in district judges' vocational background will or should continue is a more difficult question. For one thing, as an empirical matter, there is scant evidence on whether or not they judge differently."

ABA Tort Trial & Insurance Practice Section Recognizes Judge Shelvin Louise Marie Hall with its Thomson Reuters Sponsored Liberty Achievement Award

NAWJ member Honorable Shelvin Louise Marie Hall was recognized with the 2009 Liberty Achievement Award, which is given by the American Bar Association's Tort Trial & Insurance Practice (TIPS) Section. The award, sponsored by Thomson Reuters, was established in 2008 to honor those lawyers and judges who take a leadership role in promoting diversity in the legal profession. At the July 31 award reception in Chicago, Peter Warwick, President and CEO of West and Thomson Reuters, Legal [NAWJ Platinum Landmark Sponsor], said, "The Liberty Achievement Award is a wonderful means of saying what is important to you, and recognizing the achievements of a remarkable individual. It is with the deepest respect and admiration that I congratulate the honorable Justice Shelvin Louise Marie Hall for being this year's Liberty Achievement Award honoree." Judge Hall serves on the Illinois First District Appellate Court, First Division in Chicago was recognized by TIPS this year for her leadership and role modeling in the promotion of diversity in the legal profession through her legal practice, time on the bench and her participation with organizations serving people of diverse backgrounds.



After law school Judge Hall went into private practice in Houston and formed the first all-black, all-female law firm in the country. In 1980, Judge Hall served as legislative director to late U.S. Congressman Mickey Leland. In 1982 she became general counsel to the Illinois Department of Human Rights. The Illinois Supreme Court appointed Hall to the bench in 1991, and later she was assigned as an appellate court judge and was elected to the position in 2000. She is a member of the bars of the Supreme Courts of Illinois, Texas and the United States.

At the Liberty Achievement Award celebration, Warwick discussed the importance of values in defining an organization, be it the TIPS section of the ABA or Thomson Reuters. "An organization

must have strong values and it should have a purpose that underpins and defines it", he said. "At Thomson Reuters, Legal our mission is to help the legal system perform better, every day, worldwide. To that end, the business is a zealous advocate of diversity and gets behind customers in their support of equal justice and the rule of law."

Video of Judge Shelvin Louis Marie Hall and Thomson Reuters President CEO Peter Warwick and may be viewed at <http://legalcurrent.com/2009/08/04/celebrating-diversity-in-the-law>.



NAWJ Past President Hon. Shirley A. Tolentino, First African-American female named to New Jersey's Superior Court, continues to apply her stalwart but wise hand of justice for the residents of New Jersey while "paving the way for others." Born and raised in Jersey City, Judge Tolentino, the former teacher of Latin and English, was also the first African American female appointed to the municipal bench in Jersey City, NJ, and was thereafter appointed as its Presiding Judge. Since 1984, Judge Tolentino has presided over cases in the Superior Court in New Jersey.

While studying Latin in college, Judge Tolentino was marked by the social changes of the 60's: "I thought, I'm not in the sit-ins in the South, and I'm not in that type of movement, but maybe if I went into the field of law, I could do my small part in establishing justice for my people." Inspired by the first African American female Federal Judge Constance Baker Motley, and United States Supreme

Court Justice Thurgood Marshall, she choose a career in law, earning her juris doctor degree from Seton Hall University. Judge Tolentino has received numerous awards and recognitions, including the Whitney Young Award from the Hudson County chapter of the Urban League. From 1996-1997, Judge Tolentino served as the 17th President of the National Association of Women Judges.

Col Dawn Eflein, Chief Trial Judge of the U.S. Air Force Co-Hosts Military Judges Course Ice-Breaker

In April 21, 2009, NAWJ co-hosted an ice-breaker at the Military Judges' Course (MJC) in Charlottesville, VA. The course is an annual 3-week course held at the U.S. Army Judge Advocate General's Legal Center and School, on the campus of the University of Virginia. Each year, all service members from all Armed Forces that have been selected as trial or appellate judges (active duty, reserve, or national guard) attend this course for a comprehensive refresher on criminal law and military justice, as well as to learn practice points on serving in the judiciary. This year, Col Dawn Eflein, Chief Trial Judge of the U.S. Air Force, attended to represent NAWJ, answer questions, and recruit new members of the various Armed Forces into NAWJ.



NAWJ President La Tia W. Martin and Vice President Shelia Johnson attended the National Bar Association's 84th Annual Convention "Unleashing The Power of Our Legacy: The Time is Now." NBA Chair of the Judicial Council, Florida Supreme Court Chief Justice Peggy Quince, hosted a reception at the conference for judges which included several NAWJ members.

COUNCIL OF CHIEF JUSTICES MIDYEAR MEETING



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