

The 36th Annual Conference

The Courts, the Media and the Public: Building Bridges



BUILDING BRIDGES

CCJSCA – October 6-10, 2015

The Hilton Meadowlands Hotel • East Rutherford, New Jersey

COUNCIL OF CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Vance W. Raye
President, Council of
Chief Judges

36th Annual
Conference of
the Council of
Chief Judges,
October
6-10, 2015.

PRESIDENT'S MESSAGE

VANCE W. RAYE

Dear Friends and Colleagues,

There is no metropolitan area in the world quite like Northern New Jersey and New York City — the “Garden State” with its exceptional blend of natural beauty and diverse cities with unique cultural amenities lies a short distance from Manhattan, a world-class city that the author Pearl S. Buck called “a place apart . . . there is not its match in any other country in the world.”

It is my pleasure as President of the Council of Chief Judges of the State Courts of Appeal, and on behalf of the Council's Executive Committee, to invite you to join your colleagues and a group of exceptional speakers and distinguished judicial educators in this wonderful place from October 6 through 10 for the Council's 36th Annual Conference.

As before, the Annual Conference Committee, this year under the leadership of Judge Maggie Robb of the Court of Appeals of Indiana, has developed an exciting educational program centered on the conference theme, “The Courts, The Media and The Public: Building Bridges.” Our keynote speaker,

David A. Schulz, is a nationally renowned First Amendment lawyer who has successfully represented media organizations at Guantanamo and provided advice on the WikiLeaks and Edward Snowden disclosures. Our first panel, “The Media and the Courts: Perception and Reality,” will be moderated by Kevin Newsom, a former SCOTUS law clerk and appellate litigator, with Andrew P. Napolitano, Senior Judicial Analyst, Fox News Channel and former Judge on the New Jersey Superior Court; Stephen Adler, Editor-in-chief of Reuters and a member of the Board of the Columbia Journalism Review; and Kevin Whitner, Vice President, NJ Advance Media in Iselin, New Jersey. The United States Supreme Court begins its Fall term during the week of our conference. On October 7, we will hear from Supreme Court litigator Bryan Stevenson, recently identified by Time Magazine as one of the world's 100 most influential people, who will share his perceptions about the news media's coverage of high visibility capital crimes and tell us about the organization he founded to represent death row inmates, the Equal



Justice Initiative. He will also discuss and may be available to sign his widely acclaimed book, “Just Mercy.” That same day, we will also be enlightened by one of the nation’s outstanding commentators on the Supreme Court, Erwin Chemerinsky, Dean, School of Law, University of California, Irvine, who will discuss the court’s First Amendment jurisprudence as it relates to the ability of judges to comment on issues and court decisions.

There’s more — but not enough space to cover it all here: opportunities to share with each other our knowledge and advice on court outreach programs and public information officers, noted commentators, and authors who will bring to life noteworthy court cases from the past that illustrate the challenges of media coverage. Practical advice on employment law and dealing with judicial stress will be offered and ample opportunities to mix, mingle, and trade ideas with each other will be provided.

And then there’s the social program. We will explore the neighborhood with the assistance of our host committee, Presiding Judge Carmen Messano and his predecessor on the New Jersey Superior Court, Appellate Division, our beloved Ed Stern. As we did last year in New Orleans, we will participate in “giving back to the community” through

volunteer donations of books to the underprivileged. On October 7 we will be hosted by the Seton Hall University School of Law at an evening reception at the law school, followed by dinner on our own at a wonderful selection of local restaurants.

No visit to the area would be complete without a trip to the 9/11 Museum in New York City. A tour has been arranged on the afternoon of October 8, preceded by a lecture on 9/11 by John J. Farmer, Jr., Senior Counsel to the 9/11 Commission, and author of *The Ground Truth: The Untold Story of America Under Attack On 9/11*. You will be free to have dinner on your own in New York City or New Jersey the evening of October 8. The conference closes on October 9 with a dinner cruise featuring spectacular views of the Empire State Building, World Trade Center, Ellis Island, and the Statue of Liberty.

So come to New Jersey in October! I look forward to seeing you there.

Please visit the CCJSCA website at ccjsca.org for registration and other conference information.

COUNCIL OF CHIEF JUDGES OF THE STATE COURTS OF APPEAL

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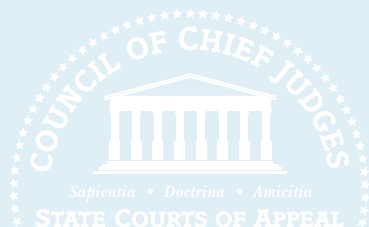
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ANNUAL CONFERENCE COMMITTEE • 2014-2015

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Division II*

IN THEIR WORDS



Linda M. McGee
North Carolina
Court of Appeals

"Attending the Annual Conference of CCJSCA in New Orleans last November as a newly-appointed chief judge broadened my view of the specialized role of a chief judge and challenged me to improve my leadership skills. The talented role model chief judges who well planned and presented an outstanding, highly informative program also warmly welcomed me and generously answered the many questions of a new chief judge. Our 2015 conference program promises practical, useful information we can promptly use to improve the public's understanding of the important role of our courts and I look forward to again learning from the leading chief judges in the country."

Linda M. McGee



**William C.
Hetherington**
Oklahoma Court
of Civil Appeals

"It was an invaluable experience for me as Vice Chief Judge of the Oklahoma Court of Civil Appeals to be able to attend last year's CCJSCA conference in New Orleans and am most proud that Oklahoma is now a member State. This is a great organization dedicated to teaching intermediate civil appellate process, leadership and case management skills we all use and refine every day. It is a very help-oriented group always ready to respond to any request I have had and, now as Chief Judge is greatly appreciated. It is much more than just education. It is a networking group of appellate excellence that we all benefit from."

William C. Hetherington

SPECIAL EVENTS

Community Outreach – 2nd Annual Book Drive

Our very successful book drive initiated at last year's annual conference in New Orleans is happening again this year! Our hosts, Presiding Judge Carmen Messano and Presiding Judge (ret.) Ed Stern have identified a worthy organization to whom the books will be donated. The organization is the York Street Project whose mission is to provide housing, education, and childhood development with counseling and life-skills training to economically-disadvantaged women and children in New Jersey.

Our target for this year's book drive is children ages six years old and under. Please help this worthy cause by bringing a suitable book with you to New Jersey. Please drop off your book donation in the Conference Office located in the Triple Crown Room of the Hilton Meadowlands Hotel.



Door Prizes

This year, the Annual Conference Committee is requesting all attendees to bring a small token from their home jurisdiction, which will be used for door prizes throughout the conference. Items will be collected in the Conference Office and should not exceed \$15. Help us Build Bridges during our conference by adding your own home-town touch.



Hall of Fame Inductees

Please join us at the business meeting on Friday, October 9 when the Council will recognize and honor individuals who have provided notable, extraordinary service to the CCJSCA.



Please see the Social Program agenda for a schedule of all the wonderful daytime and evening activities planned.



*The Statue of Liberty
Liberty Island, Manhattan
New York City*

EDUCATION PROGRAM AGENDA

THEME: *“The Courts, the Media and the Public: Building Bridges”*

TUESDAY, OCTOBER 6

Noon to 7:00 PM

Registration

Triple Crown, 3rd Floor

**Community Outreach –
2nd Annual Book Drive**

Participants, spouses, and guests

6:30 PM to 8:00 PM

Welcome Reception

Participants, spouses, and guests

*Diamond Court Ballroom AB,
2nd Floor*

**Introduction of New Members
and Special Guests**

Hon. Vance W. Raye, Administrative Presiding Justice, California Court of Appeal, Third District; President, Council of Chief Judges of the State Courts of Appeal

*Diamond Court Ballroom AB,
2nd Floor*

7:30 AM to 5:00 PM

Registration (continued)

Triple Crown, 3rd Floor

7:30 AM to 8:30 AM

**Administration of Justice
Committee Meeting**

Administration of Justice
Committee Members
Hambletonian, 3rd Floor

7:30 AM to 8:30 AM

Education Committee Meeting

Education Committee Members
Preakness, 3rd Floor

7:30 AM to 8:30 AM

Membership Committee Meeting

Membership Committee Members
Monticello, 3rd Floor

WEDNESDAY, OCTOBER 7

7:00 AM to 8:30 AM

Breakfast

Participants, spouses, and guests

8:30 AM to 9:00 AM

Opening Ceremonies

Participants, spouses, and guests
Derby West, 2nd Floor

**National Anthem and “Bridge
Over Troubled Water”** performed
by “Judicial Voices in Unity”

**Presiding, Welcoming Remarks,
and Introduction of Guest Speaker**

Hon. Vance W. Raye, Administrative Presiding Justice, California Court of Appeal, Third District; President, Council of Chief Judges of the State Courts of Appeal

Guest Speaker

Hon. Stuart Rabner, Chief Justice
of New Jersey

8:55 AM to 9:00 AM

Stretch Break

9:00 AM to 10:00 AM

Keynote Address: *21st Century
Newsgathering: How the Courts
Will Shape the Media ... and Vice
Versa*

Participants and guests
Derby West, 2nd Floor

Introduction

Hon. Margret G. Robb, Judge,
Indiana Court of Appeals

Speaker

David A. Schulz, Partner, Levine Sullivan Koch & Schulz LLP, New York

Description

Fundamental tension exists between the First Amendment rights of freedom of speech and the Sixth Amendment right of fair and open public trials. In this session, Dave Schulz will discuss the balancing act needed by both the courts and media to ensure a defendant's right to a fair trial is not impeded all the while accommodating for freedom of the press.

10:00 AM to 10:15 AM

Break

10:15 AM to 11:30 AM

Education Session: *The Media and the Courts: Perception and Reality*

Participants and guests
Derby West, 2nd Floor

Introduction

Hon. Margaret G. Robb, Judge,
Indiana Court of Appeals

Moderator

Kevin C. Newsom, Partner, Bradley Arant Boult Cummings Legal Services, Birmingham, Alabama

Panelists

Stephen J. Adler, President and Editor-in-Chief, Reuters News, Thomson Reuters, New York

Hon. Andrew P. Napolitano, Senior Judicial Analyst, Fox News Channel and former Judge, New Jersey Superior Court

Kevin Whitner, Vice President, NJ Advance Media, Iselin, New Jersey

Description

The panel will discuss what the media does and how they report on our cases; their role in informing the public, and whether we, the judges, and they, the media, see the results as reality or if both believe the other has an inaccurate view of what each does. The Q&A portion will allow for an interactive discussion of the above to see if common ground can be found and how we move forward.

11:30 AM to 1:00 PM

Luncheon

Participants and guests
Diamond Court Ballroom AB, 2nd Floor

Topic: *Courts, Media, and the Power of Narrative*

Introduction

Hon. Vance W. Raye, Administrative Presiding Justice, California Court of Appeal, Third District

Speaker

Bryan Stevenson, Founder and Executive Director, Equal Justice Initiative, Montgomery, Alabama

1:00 PM to 1:15 PM

Break

1:15 PM to 3:00 PM

Education Session: *The Judiciary and the First Amendment*

Participants and guests
Derby West, 2nd Floor

Introduction

Hon. Melanie G. May, Judge,
Florida Court of Appeal,
Fourth District

Speaker

Erwin Chemerinsky, Dean, School of Law, University of California, Irvine

Description

Dean Chemerinsky will provide the latest First Amendment case law and challenge our thinking on the extent of our ability to comment on issues and decisions.

3:00 PM to 3:15 PM

Break

3:15 PM to 4:30 PM

Education Session: *How the Courts Can Be "Appealing" to the Public*

Participants and guests
Derby West, 2nd Floor



Introduction and Moderator

Hon. Michael J. Talbot, Chief Judge, Michigan Court of Appeals

Panelists

Hon. John G. Baker, Judge, Indiana Court of Appeals

Hon. Alexandra D. DiPentima, Chief Judge, Connecticut Appellate Court

Hon. Vanessa G. Whipple, Chief Judge, Louisiana Court of Appeal, First Circuit

Description

This session will focus on three public outreach programs that are being successfully implemented by appellate courts - traveling oral arguments, law schools for journalists, and courts in the classroom. Through brief presentations and audience interaction, members will learn about each program and have the opportunity to exchange local success stories regarding other outreach programs that have resulted in a greater public understanding of the court's work.

6:00 PM to 7:30 PM

Reception at Seton Hall University School of Law

Participants, spouses, and guests

Hosted by the Seton Hall University School of Law

Dinner on your own

THURSDAY, OCTOBER 8

7:00 AM to 8:30 AM

Breakfast

Participants, spouses, and guests
Diamond Court Ballroom AB, 2nd Floor

7:30 AM to 8:30 AM

New Members Breakfast

New Members, Executive Committee Members, Membership Committee Members and "Buddy Judges"

Pimlico/Belmont, 2nd Floor

7:30 AM to 8:30 AM

Long Range Planning Committee Meeting

Long Range Planning Committee Members

Hambletonian, 3rd Floor

7:30 AM to 8:30 AM

Website Committee Meeting

Website Committee Members
Preakness, 3rd Floor



8:30 AM to 8:40 AM

National Center for State Courts: Providing Services to Appellate Courts

Participants and guests
Derby West, 2nd Floor

Introduction

Hon. Vance W. Raye, Administrative Presiding Justice, California Court of Appeal, Third District

Speaker

John Meeks, Vice President, Institute for Court Management, National Center for State Courts

Description

NCSC is the organization courts turn to for authoritative knowledge and information. Whether for research, information services,

education or consulting, NCSC is able to help courts plan, make decisions, and implement improvements that save time and money, while ensuring judicial administration that supports fair and impartial decision-making.

8:40 AM to 8:55 AM

Westlaw: The Next Generation

Participants and guests
Derby West, 2nd Floor

Introduction

Hon. Melanie G. May, Judge, Florida Court of Appeal, Fourth District

Speaker

Dinyar Mehta, Director, Westlaw Product Management

Description

This session will focus on WestlawNext, and provide you with highlights of the program. Learn helpful hints and research techniques to improve your efficiency and results from use of the next generation of Westlaw.

8:55 AM to 9:00 AM

Stretch Break

9:00 AM to 10:30 AM

Education Session: *“The Court Public Information Officer – The Judiciary’s Critical Link to the Media and the Public at Large”*

Participants and guests
Derby West, 2nd Floor

Introduction

Hon. Alan M. Loeb, Chief Judge,
Colorado Court of Appeals

Moderator

Christopher J. Davey, Assistant
Vice President for Media and
Public Relations, Ohio State
University

Panelists

Stephanie M. Harris, Former
Communications Counsel,
Arkansas Supreme Court

Tom Hodson, J.D., Associate
Professor and Joe Berman
Professor of Communication,

Scripps School of Journalism,
Ohio State University

Rob McCallum, Public Information
Officer, Colorado Judicial
Department

Description

The panel will discuss the various roles and responsibilities of a judicial PIO; how a PIO uses social media to assist judges and the court system in communicating with the media; and how a PIO can be a critical link in communicating with and educating the media and the public about the role of the judiciary in our system of government.

10:30 AM to 10:45 AM

Break

10:45 AM to 11:45 AM

Education Session: *The Lessons of 9/11*

Participants and guests
Derby West, 2nd Floor

Introduction

Hon. Edwin H. Stern, Presiding
Judge for Administration (ret.),
New Jersey Superior Court,
Appellate Division

Speaker

John J. Farmer, Jr., University
Professor, Justice Alan B.

Handler Scholar and Special
Counsel to the President,
Rutgers School of Law

Description

Dean Farmer will present his views on the events of 9/11 and the national response, and how best to prevent a similar attack.

11:45 AM to 12:15 PM

Box Lunch Distribution

Participants, spouses, and guests
*Diamond Court Ballroom AB,
2nd Floor*

Buses leave for Ground Zero at
12:45 PM.

1:30 PM to 4:00 PM

9/11 Memorial Museum Tour

Participants, spouses, and guests
or
Free afternoon and evening

FRIDAY, OCTOBER 9

7:00 AM to 8:30 AM

Breakfast

Participants, spouses, and guests
*Diamond Court Ballroom AB,
2nd Floor*

7:30 AM to 8:30 AM

Annual Conference Committee Meeting

2015 and 2016 Annual Conference
Committee Members
Pimlico, 2nd Floor

7:30 AM to 8:30 AM

Finance Committee Meeting
Finance Committee Members
Hambletonian, 3rd Floor

7:30 AM to 8:30 AM

Newsletter Committee Meeting
Newsletter Committee Members
Preakness, 3rd Floor

8:30 AM to 9:45 AM

Education Session: *Justice Jackson, Communicating the Nuremberg Trial: Prosecuting the Nazis before the Eyes of the World, 1945-1946*

Participants and guests
Derby West, 2nd Floor

Introduction

Hon. Bonnie Brigance Leadbetter,
Judge, Pennsylvania
Commonwealth Court

Speaker

John Q. Barrett, Professor, St. Johns
University School of Law

Description

Professor Barrett will describe Justice Robert Jackson’s experience as Chief Nuremberg prosecutor, with particular emphasis on the media attention to the proceedings.

9:45 AM to 10:00 AM

Break

10:00 AM to 11:00 AM

Education Session: *State of New Jersey v. Bruno Richard Hauptmann: The Impact of Media Coverage on a Criminal Trial*

Participants and guests
Derby West, 2nd Floor

Introduction

Hon. Carmen Messano, Presiding Judge for Administration, New Jersey Superior Court, Appellate Division

Speaker

Jack Ford, CBS News Correspondent and former NBC News Chief Legal Correspondent

Description

Jack Ford, a noted commentator and educator on issues involving the media and its coverage of legal proceedings, will discuss the Lindbergh baby kidnapping case, a crime and prosecution that occurred in New Jersey during the 1930's.

11:00 AM to 11:05 AM

Stretch break

11:05 AM to 12:20 PM

Education Session: *Sleepless in Secaucus: Addressing Appellate Judicial Stress*

Participants and guests
Derby West, 2nd Floor

Introduction and Moderator

Hon. Rick Haselton, Chief Judge,
Oregon Court of Appeals

Panelists

Dr. Pamela M. Casey, Principal Research Consultant, National Center for State Courts

Hon. Steve Leben, Judge, Kansas Court of Appeals

Hon. John C. Martin, Chief Judge (ret.), North Carolina Court of Appeals

Description

What are the most common or acute sources of judicial stress, including appellate judicial stress, and management-related stress experienced by chief judges? And what are the most effective approaches and techniques to reduce and resolve such stress? A panel of research psychologist, Dr. Pam Casey, Judge Steve Leben of the Kansas Court of Appeals, and veteran Chief Judge John Martin will, with audience participation,

explore those questions. The presentation will be supported and informed by a pre-conference survey of CCJSCA members.

12:20 PM to 2:00 PM

Luncheon and Business Meeting

Participants and guests
Diamond Court Ballroom AB, 2nd Floor

2:00 PM to 2:30 PM

Group Photograph

Council Members
Diamond Court Ballroom Foyer

2:30 PM to 4:15 PM

Education Session: *Employment Law 2015 for the Court as Employer: A Dozen Important Changes and a Deep Dive into Personnel Issues in the Age of Social Media*

Participants and guests
Derby West, 2nd Floor

Introduction

Hon. Brad Hill, Presiding Justice,
California Court of Appeal, Fifth District

Speaker

Nancy Abell, Partner, Employment Law Department, Paul Hastings

Description

How can the court as employer maintain an effective and accountable workplace at a time when social media and electronic devices have opened up communications in ways that were not even possible just a few years ago? In addition to addressing the legal policies regarding the use of social media by the court and its employees, renowned attorney Nancy Abell will address an abundance of other policies and regulations that must be updated.

6:00 PM to 9:00 PM

Dinner Cruise

Participants, spouses, and guests

SATURDAY, OCTOBER 10

8:30 AM to 10:00 AM

Executive Committee Meeting

Executive Committee Members

Adjournment

“The Courts, the Media and the Public: Building Bridges”

HOTEL AND REGISTRATION INFORMATION



Enjoy excellent views of the New York skyline from your room.



HOTEL

The CCJSCA 2015 annual conference will be held at The Hilton Meadowlands Hotel in East Rutherford, New Jersey. The hotel is located at 2 Meadowlands Plaza. The telephone number at the Hilton Meadowlands is 201-896-0500. The fax number is 201-507-2825.

The Hilton Meadowlands is located near MetLife Stadium (home of the NY Giants and NJ Jets) and minutes from New York City. The hotel provides easy access via complimentary shuttle service to public transportation and major highways, making it easy to reach New York City. (Please click on the Transportation icon on the conference website at ccjsca.org for other ground transportation options between the hotel and New York City.)

The room rate at the Meadowlands Hotel is \$120 per night single or double, plus 15% tax. The room rate is good October 4, 2015 to October 11, 2015. The cut-off date for making reservations is Monday, September 7, 2015. Reservations may be cancelled up to 24 hours prior to arrival without penalty. If complete cancellation takes place within 24 hours of the scheduled arrival, a cancellation fee equal to one (1) night's room rate will be charged with the exception of a personal or medical emergency where verification can be provided. Check-in

time is 4:00PM. Check-out time is 11:00AM. Please visit the CCJSCA website at ccjsca.org for registration and other conference information.

TUITION AND REGISTRATION FEES

The conference tuition and registration fee is \$395 per participant. The spouse/guest fee is \$295 per spouse or guest. Please complete and submit the online registration form at ccjsca.org no later than August 21, 2015. Your adherence to this schedule will greatly assist the host state and the Secretariat in planning for your participation. The CCJSCA Federal Taxpayer ID Number is 26-0143427.

CCJSCA REFUND/ CANCELLATION POLICY

All fees will be refunded less a \$50 processing fee to those whose written request is received by the National Center for State Courts before September 29, 2015.

SCHOLARSHIP APPLICATION

Completed scholarship applications are due to the Secretariat no later than **July 31, 2015**. Please complete the online scholarship application at ccjsca.org as soon as possible. Your application will be received by the Secretariat and provided to the Scholarship Committee for consideration.



TRAVEL

The hotel is located 20 minutes northeast of the Newark International Airport and 60 minutes northwest of the John F. Kennedy International Airport.

A cab ride costs approximately \$45.00 from the Newark International Airport to the hotel. The local taxi commission automatically adds a \$5.50 surcharge to all credit card transactions. There is an additional charge for each piece of baggage over 24 inches. A 10% senior citizen discount applies (62 years and older) upon presentation of proper identification.

Carmel Car & Limousine Service and Dial 7 Car & Limousine Service are two limousine services offered from Newark Liberty International Airport to East Rutherford, New Jersey. Rates begin at \$43-\$52 for one passenger. To make a reservation or for more ground transportation options, please visit the Newark Liberty International Airport website.

CLIMATE

The average maximum temperature in East Rutherford in October is 65 degrees. The average minimum temperature in October is 48 degrees. You may want to pack an umbrella just in case the area experiences rain showers.



FOR FURTHER INFORMATION, PLEASE CONTACT:

Council of Chief Judges
c/o National Center for State Courts
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