



# 2015 Annual Conference Council of Chief Judges of the State Courts of Appeal

**OCTOBER 6-10, 2015**

**HILTON MEADOWLANDS HOTEL  
EAST RUTHERFORD, NEW JERSEY**

<b>Topic:</b> Media/Public Relations
<b>Course Name:</b> <i>“21st Century Newsgathering: How the Courts Will Shape the Media ... and Vice Versa”</i>
<b>Day/Date/Time:</b> Wednesday, October 7, 2015 at 9:00 to 10:00 a.m.
<b>Responsible Judge:</b> Margret G. Robb
<b>Learning Objectives:</b> <i>As a result of this course, participants should be better able to:</i>  1. Understand how the First Amendment and the Sixth Amendment complement and complicate each other.
<b>Faculty:</b>  – David A. Schulz, Partner, Levine Sullivan Koch & Schulz LLP, New York
<b>Delivery Methods/Learning Activities:</b>  Lecture, Q & A
<b>Program Description:</b>  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.



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<b>Topic:</b> Media/Public Relations
<b>Course Name:</b> <i>“The Media and the Courts: Perceptions and Reality”</i>
<b>Day/Date/Time:</b> Wednesday, October 7, 2015 at 10:15 to 11:30 a.m.
<b>Responsible Judge:</b> Margret G. Robb
<p><b>Learning Objectives:</b> <i>As a result of this course, participants should be better able to:</i></p> <ol style="list-style-type: none"> <li>1. Understand how the media reports on judicial cases and recognize how inaccuracies and misperceptions can occur.</li> <li>2. Learn whether the media believes that judicial opinions are written based upon expectations of what will be reported.</li> <li>3. Identify and implement judicial practices designed to better ensure that media reports accurately reflect court opinions.</li> <li>4. Understand how judicial opinions may impact the public.</li> <li>5. Identify whether the changing media platforms can impact accurate reporting.</li> <li>6. Guide judicial colleagues to perform statutory tasks with media relations in mind.</li> </ol>
<p><b>Faculty:</b></p> <ul style="list-style-type: none"> <li>– Stephen Adler, Editor-in-Chief, Reuters News, Thomson Reuters, New York</li> <li>– Hon. Andrew P. Napolitano, Senior Judicial Analyst, Fox News Channel and former Judge, New Jersey Superior Court</li> <li>– Kevin C. Newsom, Partner, Bradley Arant Boult Cummings Legal Services, Birmingham, Alabama</li> </ul>
<p><b>Delivery Methods/Learning Activities:</b></p> <p>Lecture, Q &amp; A</p>
<p><b>Program Description:</b></p> <p>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&amp;A portion will allow for an interactive discussion of the above to see if common ground can be found and how we move forward.</p>



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<b>Topic:</b> Media, Communications, and the First Amendment
<b>Course Name:</b> <i>“The Judiciary and the First Amendment”</i>
<b>Day/Date/Time:</b> Wednesday, October 7, 2015 at 1:15 to 2:45 p.m.
<b>Responsible Judge:</b> Melanie G. May
<b>Learning Objectives:</b> <i>As a result of this course, participants should be better able to:</i> <ol style="list-style-type: none"> <li>1. Identify the limitations on judicial speech.</li> <li>2. Apply First Amendment cases to judicial communications and speeches.</li> <li>3. Determine the extent to which the judiciary may comment on issues.</li> </ol>
<b>Faculty:</b> <p>– Erwin Chemerinsky, Dean, University of California, Irvine School of Law</p>
<b>Sub-Topic:</b> <p>Recent Supreme Court decisions on the First Amendment</p>
<b>Delivery Methods/Learning Activities:</b> <p>Lecture, Q &amp; A</p>
<b>Program Description:</b> <p>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.</p>



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<b>Topic:</b> Public outreach programs implemented by appellate courts.
<b>Course Name:</b> <i>“How the Courts Can Be ‘Appealing’ to the Public”</i>
<b>Day/Date/Time:</b> Wednesday, October 7, 2015 at 3:15 to 4:30 p.m.
<b>Responsible Judges:</b> Michael J. Talbot
<p><b>Learning Objectives:</b> <i>As a result of this course, participants should be better able to:</i></p> <ol style="list-style-type: none"> <li>1. Identify valuable outreach programs that will provide a greater public understanding of the court’s work.</li> <li>2. Describe and explain the present outreach program(s) utilized by their appellate court and determine whether objective information is available regarding achieved benefits and overall effectiveness.</li> </ol>
<p><b>Faculty:</b></p> <ul style="list-style-type: none"> <li>– Hon. Michael J. Talbot, Chief Judge, Michigan Court of Appeals</li> <li>– Hon. John G. Baker, Judge, Indiana Court of Appeals</li> <li>– Hon. Alexandra D. DiPentima, Chief Judge, Connecticut Appellate Court</li> <li>– Hon. Vanessa G. Whipple, Chief Judge, Louisiana First Circuit Court of Appeal</li> </ul>
<p><b>Delivery Methods/Learning Activities:</b></p> <p>Brief presentations from judicial colleagues, audience interaction, printed handout materials</p>
<p><b>Program Description:</b></p> <p>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 class room. 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.</p>



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**Topic:** The Role of Court Public Information Officers in Helping Judges Communicate with the Media and the Public

**Course Name:** *“The Court Public Information Officer -- The Judiciary’s Critical Link to the Media and the Public at Large”*

**Day/Date/Time:** Thursday, October 8, 2015 at 9:00 to 10:30 a.m.

**Responsible Judge:** Alan M. Loeb

**Learning Objectives:** *As a result of this course, participants should be better able to:*

1. Identify the nuts and bolts of a court Public Information Officer’s role in helping the judiciary communicate with the media and the public.
2. Recognize how a PIO can effectively utilize various forms of social media.
3. Utilize a PIO to help you understand your “media rights” as a judge.
4. Recognize the pitfalls that judges encounter in communicating with the media and how a PIO can help you avoid those pitfalls.
5. Identify specific ways a PIO can be helpful to you in your role as a Chief Judge of an appellate court.

**Faculty:**

- Christopher J. Davey, Assistant Vice President for Media and Public Relations, Ohio State University
- 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
- Stephanie M. Harris, Communications Counsel, Arkansas Supreme Court

**Delivery Methods/Learning Activities::**

Panel discussion; Q and A among panel and audience

**Program 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.



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<b>Topic:</b> Local History and Points of Interest
<b>Course Name:</b> <i>“The Lessons of 9/11”</i>
<b>Day/Date/Time:</b> Thursday, October 8, 2015 at 10:45 to 11:45 a.m.
<b>Responsible Judges:</b> Edwin H. Stern
<b>Learning Objectives:</b> <i>As a result of this course, participants should be better able to:</i> <ol style="list-style-type: none"> <li>1. Understand the events of 9/11 and our national response.</li> <li>2. Understand what the U.S. is doing, and should be doing to prevent another such attack.</li> <li>3. Better understand the purposes and impact of 9/11 on legislation such as the Freedom Act and issues which have arisen and are pending in courts.</li> </ol>
<b>Faculty:</b> <ul style="list-style-type: none"> <li>– John J. Farmer, Jr., University Professor, Justice Alan B. Handler Scholar and Special Counsel to the President, Rutgers School of Law</li> </ul>
<b>Delivery Methods/Learning Activities:</b> <p>Lecture, Q&amp;A, and visit to “Ground Zero.”</p>
<b>Program Description:</b> <p>Dean Farmer will present his views on the events of 9/11 and the national response, and how best to prevent a similar attack.</p>



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<b>Topic:</b> Communications and Media Relations
<b>Course Name:</b> <i>“Justice Jackson, Communicating the Nuremberg Trial: Prosecuting the Nazis before the Eyes of the World, 1945-1946”</i>
<b>Day/Date/Time:</b> Friday, October 9, 2015 at 8:30 to 9:45 a.m.
<b>Responsible Judge:</b> Bonnie Leadbetter
<p><b>Learning Objectives:</b> <i>As a result of this course, participants should be better able to:</i></p> <ol style="list-style-type: none"> <li>1. Understand the difficulties of conducting court proceedings in a highly publicized and controversial environment.</li> <li>2. Learn methods of dealing with the media through the lens of history.</li> <li>3. Prepare for the unaccustomed role of being in the public spotlight.</li> </ol>
<p><b>Faculty:</b></p> <p>– John Q. Barrett, Professor, St. Johns University School of Law</p>
<p><b>Delivery Methods/Learning Activities:</b></p> <p>Lecture, Q &amp; A</p>
<p><b>Program Description:</b></p> <p>Professor Barrett will describe Justice Robert Jackson’s experience as Chief Nuremberg prosecutor, with particular emphasis on the media attention to the proceedings.</p>



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<b>Topic:</b> Media Coverage of a High-Profile Criminal Prosecution
<b>Course Name:</b> <i>“State of New Jersey v. Bruno Richard Hauptmann: The Impact of Media Coverage on a Criminal Trial”</i>
<b>Day/Date/Time:</b> Friday, October 9, 2015 at 10:00 a.m. to 11:00 p.m.
<b>Responsible Judge:</b> Carmen Messano
<p><b>Learning Objectives:</b> <i>As a result of this course, participants should be better able to:</i></p> <ol style="list-style-type: none"> <li>1. Identify societal forces that surrounded one of the most famous American trials of the 20th century.</li> <li>2. Examine the role that the media played during the investigation and prosecution of the case.</li> <li>3. Compare media coverage of that trial with the media of coverage of high-profile trials today.</li> </ol>
<p><b>Faculty:</b></p> <p>– Jack Ford, CBS News Correspondent and former NBC News Chief Legal Correspondent</p>
<p><b>Delivery Methods/Learning Activities:</b></p> <p>Lecture with questions and answers to follow.</p>
<p><b>Program Description:</b></p> <p>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.</p>



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<b>Topic:</b> Personal and Professional Development
<b>Course Name:</b> <i>“Sleepless in Secaucus: Addressing Appellate Judicial Stress”</i>
<b>Day/Date/Time:</b> Friday, October 9, 2015 at 11:05 to 12:20 p.m.
<b>Responsible Judges:</b> Rick Haselton
<p><b>Learning Objectives:</b> <i>As a result of this course, participants should be better able to:</i></p> <ol style="list-style-type: none"> <li>1. Understand the most frequent and acute causes of appellate judicial stress, including stress specific to the chief judge's role and responsibilities.</li> <li>2. Understand the implications of such stress, and other related factors, with respect to judicial decision-making and collegial dynamics.</li> <li>3. Identify and implement effective measures for recognizing and meaningfully mitigating appellate judicial stress and its adverse effects on judicial decision-making and collegial leadership.</li> </ol>
<p><b>Faculty:</b></p> <ul style="list-style-type: none"> <li>– Dr. Pamela M. Casey, Principal Research Consultant, National Center for State Courts</li> <li>– Hon. Steve Leben, Judge, Kansas Court of Appeals</li> <li>– Hon. John C. Martin, Chief Judge (ret.), North Carolina Court of Appeals</li> </ul>
<p><b>Delivery Methods/Learning Activities:</b></p> <p>Lecture, Q &amp; A</p>
<p><b>Program Description:</b></p> <p>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. It is anticipated that the presentation will be supported and informed by a pre-conference survey of CCJSCA members.</p>



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<b>Topic:</b> Administration of Court Personnel Issues
<b>Course Name:</b> <i>“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”</i>
<b>Day/Date/Time:</b> Friday, October 9, 2015 at 2:30 to 4:15 p.m.
<b>Responsible Judge:</b> Brad Hill
<p><b>Learning Objectives:</b> <i>As a result of this course, participants should be better able to:</i></p> <ol style="list-style-type: none"> <li>1. Develop standardized and effective personnel procedures to utilize at your court;</li> <li>2. Deal effectively with court personnel issues in the context of the ever-changing employment law landscape; and</li> <li>3. Be proactive by anticipating potential personnel issues and thus be better able to navigate the various employment law minefields.</li> </ol>
<p><b>Faculty:</b></p> <p>– Nancy Abell, Partner, Employment Law Department, Paul Hastings</p>
<p><b>Delivery Methods/Learning Activities:</b></p> <p>Lecture, Q &amp; A</p>
<p><b>Program Description:</b></p> <p>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.</p>