2019 JOINT CONFERENCE OF THE

Supreme Court of Illinois Judicial College and the American Judges Association

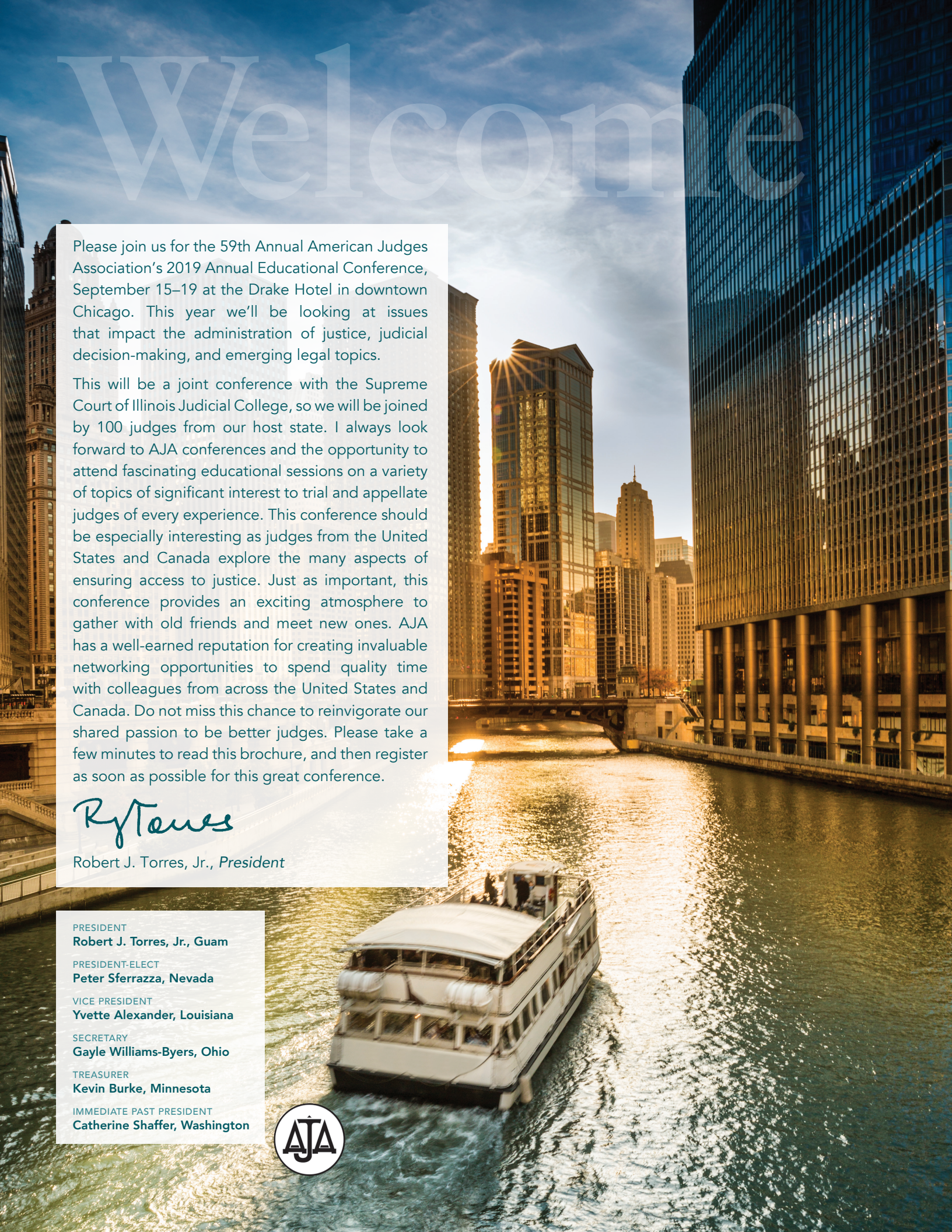
59TH AJA ANNUAL EDUCATIONAL CONFERENCE

SEPTEMBER 15–19, 2019

THE DRAKE HOTEL, CHICAGO, ILLINOIS



Welcome



Please join us for the 59th Annual American Judges Association's 2019 Annual Educational Conference, September 15–19 at the Drake Hotel in downtown Chicago. This year we'll be looking at issues that impact the administration of justice, judicial decision-making, and emerging legal topics.

This will be a joint conference with the Supreme Court of Illinois Judicial College, so we will be joined by 100 judges from our host state. I always look forward to AJA conferences and the opportunity to attend fascinating educational sessions on a variety of topics of significant interest to trial and appellate judges of every experience. This conference should be especially interesting as judges from the United States and Canada explore the many aspects of ensuring access to justice. Just as important, this conference provides an exciting atmosphere to gather with old friends and meet new ones. AJA has a well-earned reputation for creating invaluable networking opportunities to spend quality time with colleagues from across the United States and Canada. Do not miss this chance to reinvigorate our shared passion to be better judges. Please take a few minutes to read this brochure, and then register as soon as possible for this great conference.

Robert J. Torres, Jr., *President*

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SCHEDULE AT A GLANCE

SUNDAY, SEPTEMBER 15

10:00 a.m. – Noon	AJA Budget Committee Meeting
10:00 a.m. – 1:00 p.m.	AJA Nominations Committee Meeting
10:00 a.m. – 5:00 p.m.	AJA Registration
8:00 p.m. – 10:00 p.m.	AJA Executive Committee Meeting

MONDAY, SEPTEMBER 16

7:00 a.m. – 8:00 a.m.	AJF Officers' & Trustees' Meeting
7:00 a.m. – 5:00 p.m.	Registration for AJA Members
7:30 a.m. – 9:00 a.m.	Committee Meetings
7:30 a.m. – 4:30 p.m.	Vendor Area Open
8:30 a.m. – 11:45 a.m.	Education Sessions
11:45 a.m. – Noon	Registration for Illinois Judges
Noon – 1:45 p.m.	Plenary Luncheon
2:00 p.m. – 5:15 p.m.	Education Sessions
6:00 p.m. – 7:00 p.m.	Joint Welcome Reception
	All conference attendees welcome.

TUESDAY, SEPTEMBER 17

7:30 a.m. – 3:00 p.m.	Vendor Area Open
8:00 a.m. – Noon	Education Sessions
Noon – 1:30 p.m.	Lunch on Your Own
1:30 p.m. – 2:45 p.m.	Education Sessions
3:00 p.m. – 7:00 p.m.	Elective Session: Illinois Holocaust Museum Visit, Skokie, Illinois
6:00 p.m. – 9:00 p.m.	AJF Fundraiser Reception

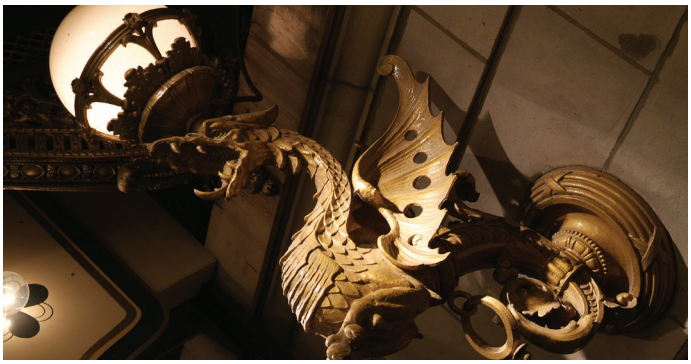
WEDNESDAY, SEPTEMBER 18

7:30 a.m. – 9:00 a.m.	AJA Committee Meetings
7:30 a.m. – 12:15 p.m.	Vendor Area Open
9:00 a.m. – 11:45 a.m.	Education Sessions
6:00 p.m. – 10:00 p.m.	AJA President's Reception & Installation Banquet
	Illinois judges are welcome to attend at an additional fee.

THURSDAY, SEPTEMBER 19

8:00 a.m. – 9:00 a.m.	AJA General Assembly Meeting & Awards Presentations
	All members are encouraged to attend.
9:00 a.m. – 9:30 a.m.	AJF Annual Membership Meeting
9:30 a.m. – Noon	Board of Governors Meeting
Noon – 1:30 p.m.	Executive Committee Meeting





DRAGON AT THE DRAKE HOTEL IN CHICAGO, ILLINOIS

FOR AMERICAN JUDGES ASSOCIATION MEMBERS

The conference registration fee is $525; however, those judges who postmark their registrations **(accompanied by payment)** by **July 1, 2019** will pay only $495. The fee for guests and spouses is $200, with an "early bird special" of $175 for registrations postmarked by July 1. The judge registration fee includes the welcome reception, Monday lunch, coffee breaks, the reception and banquet, and all conference materials. The spouse registration fee includes the welcome reception, Monday lunch, and the final reception and banquet. Cancellations must be submitted in writing; all cancellations will incur a $50 processing fee ($25 for guest/spouse fees).

SPECIAL NOTES FOR ILLINOIS JUDGES

One hundred Illinois judges are eligible to attend. Chief judges and presiding justices will nominate judges from each judicial circuit and appellate district and submit those names to the Administrative Office of the Illinois Courts. Illinois judges are approved to attend September 16–18, 2019. Lodging is approved for eligible judges for the evenings of Monday, September 16 and Tuesday, September 17, 2019 only. Reimbursement is not available for spouses, partners, or family members of Illinois judges. Illinois judges may call 312–793–2011 for questions regarding nominations, waiver of fees, and lodging eligibility.

VENDORS

A variety of companies will be invited to display their products and services in a general vendor area that will be open during the major days of the conference. This is a wonderful opportunity to see the latest technology and ideas available to assist judges and their courts.

HOTEL ACCOMMODATIONS

The Drake Hotel was built as the nation's first urban resort, and is located at the top of the Magnificent Mile and Oak Street Park and Beach. The Historic Hotel of America has been welcoming guests since opening on New Year's Eve 1920. Special room rates have been arranged for AJA. Rates are $245 single/double plus tax. Reservations must be received by **August 18, 2019**. Please make your reservations using the link available on the AJA website (www.amjudges.org/conferences) or call 1-800-HILTONS and mention AJA. **Please be sure to make your reservations as soon as possible —** it is easier to cancel a reservation than it is to get a room when nothing is available, and the room block may fill before the cutoff date.

TRANSPORTATION

The hotel is easily accessible from O'Hare or Midway airports. You really do not need a car in downtown Chicago, especially since valet parking is $70/day and self-parking is $49.

ATTIRE

Casual attire is acceptable at AJA educational programs. The Welcome Reception and President's Reception and Banquet require business attire.

WEATHER

AJA will be in Chicago at a great time of year. The average high temperature is in the low to mid-70s and the average low in the low 60s — wonderful fall weather!

ACTIVITIES/ATTRACTIONS

Chicago abounds with things to do, whether you want to explore world-class dining, visit outstanding museums, see a show, or take in a baseball game. Complete information can be found at https://www.choosechicago.com/. You will see there is a lot to do in Chicago, in addition to a fantastic education program, when you come to AJA's 59th Annual Conference. Sign up today!

Chicago, the "City in a Garden"

The exciting, vibrant city of Chicago awaits. Explore Millennium Park, the lakefront trail and beaches, and the Chicago Riverwalk. Schedule a Chicago architectural walking tour, visit the Art Institute of Chicago, the Field Museum of Natural History, or the Shedd Aquarium, or shop the Magnificent Mile. In the evening, dine at an award-winning restaurant or try some deep-dish pizza, then catch a show at Second City, see a play, or visit a jazz club. Don't miss the opportunity to experience this fabulous city!

Several optional activities are scheduled. On Sunday afternoon, you can experience the excitement of Major League Baseball at a game between the Chicago Cubs and the Pittsburgh Pirates. Tuesday afternoon, visit the Illinois Holocaust Museum to learn more about "Law, Justice and the Holocaust," which will be presented at a plenary session on Monday. Wednesday afternoon, enjoy a 90-minute river cruise, presented by the Chicago Architecture Center — the "top tour in Chicago and one of the top ten tours in the U.S." according to TripAdvisor. Learn how Chicago grew from a small, bustling settlement into one of the world's largest cities in under 100 years.

Each optional activity involves an additional fee. See the registration form for pricing. Please note that all three activities are subject to meeting minimum numbers and that payment is required in advance no later than **August 1**. Other scheduled social events include the welcome reception at the Drake on Monday evening and the closing reception and dinner on Wednesday. Illinois judges wishing to attend the reception/dinner will need to pay an additional fee. The American Judges Foundation also will host its annual Fundraiser Reception; details will follow.

CONFERENCE EDUCATION SESSIONS

MONDAY, SEPTEMBER 16

8:30 – 10:30 a.m.

Concurrent Education Sessions

Note: Illinois judges may attend the Monday morning sessions without Sunday travel or lodging reimbursement

Session #1 – Immigrant Crime Victims & Immigrant Children

Rosemary Collins, Judge (ret.), 17th Circuit, Illinois; **Prof. Leslye E. Orloff**, Director, National Immigrant Women's Advocacy Project (NIWAP), American University Washington College of Law

This session will focus on issues that arise in state court cases involving immigrant children, immigrant crime victims and their families, and the impact of current immigration enforcement policies on the courts, judges, and the administration of justice.

Session #2 – Family Wellness: Judicial Family Institute

Stephanie McCann, LMSW, Michigan State University School of Social Work

AJA invites judges, spouses, and partners of judges to join in a discussion of the ways judicial families are challenged and the strategies we have crafted to meet those challenges.

10:45 – 11:45 a.m.

Concurrent Education Sessions

Session #1 – Winning the War Against High-Risk Impaired Drivers through Assessment-Driven Sentencing & Supervision

Lisa Y. Wilson, Judge, 10th Circuit, Illinois; **Erin Holmes**, Foundation for Advancing Alcohol Responsibility; **Mark Stodola**, Probation Fellow, American Probation and Parole Association (APPA) NHTSA

In 2017 there were over 400,000 men and women on community supervision with three or more driving while intoxicated (DWI) convictions. It can be challenging to determine how to best supervise DWI offenders, determine their risk level, and understand their treatment needs. This interactive presentation will provide the latest information on national DWI research and statistics and two new validated DWI assessment tools. Using research on characteristics of high-risk drunk drivers as a backdrop, participants will understand the vital role these tools can play in determining risk to recidivate while assisting criminal justice professionals in developing supervision plans.

Session #2 – Law & Literature

David Ellis, Justice, 1st Appellate District, Illinois

Justice Ellis is the author of fourteen novels, including *Line of Vision*, for which he won the Edgar Allan Poe Award; *The Hidden Man*, for which he was a finalist for the *L.A. Times* Book Prize for Fiction; and five suspense novels co-written with James Patterson.

12:00 – 1:45 p.m.

Plenary Luncheon – Celebrating Judicial Excellence in Illinois

Marcia A. Meis, Director, Administrative Office of the Illinois Courts; **Timothy C. Evans**, Chief Judge, Circuit Court of Cook County; **Lloyd A. Karmeier**, Chief Justice, Supreme Court of Illinois; **John Lupton**, Executive Director, Illinois Supreme Court Historic Preservation Commission; **Alison Spanner**, Assistant Director, Access to Justice Division, Administrative Office of the Illinois Courts; **Debra Walker**, Chair, Illinois Supreme Court Commission on Professionalism, Judge, Circuit Court of Cook County, Illinois; **Lisa Holder White**, Chair, Supreme Court of Illinois Judicial College Board of Trustees, Justice, 4th Appellate District, Illinois

The Illinois Supreme Court's commitment to judicial excellence is built upon a framework that recognizes the role of judges as informed and impartial decision-makers, leaders of the court process, and citizens of the court community. We will celebrate the judiciary's 200-year rich history and highlight policies and initiatives of the Illinois Supreme Court aimed at the timely and effective administration of justice, including the establishment of the Illinois Judicial College competency-based curriculum and continuing education opportunities for judges and justice partners, which promote procedural fairness, equal access to justice, bail and criminal justice reform, and mandatory electronic filing.

2:00 – 3:30 p.m.

Plenary Education Session – Law, Justice & the Holocaust: How the Courts Failed Germany

Dr. William F. Meinecke, Jr., Ph.D., Historian, United States Holocaust Museum

In the Museum's *Law, Justice, and the Holocaust* program, participants seek to critically examine the pressures faced by German jurists under the Nazis. Using legal decrees, judicial opinions, and case law of the period, they study the role of judges in the destruction of democracy and the establishment of the Nazi German state. This close scrutiny of the past provides a framework for a debate on the role of the judiciary in the United States today: What is the responsibility of judges in preserving the health and strength of a democracy?

3:45 – 5:15 p.m.

Concurrent Education Sessions

Session #1 – Social Media & Judicial Independence

Kathleen Pantle, Judge (ret.), Circuit Court of Cook County, Illinois; **LaDoris Hazzard Cordell**, Justice (ret.), Supreme Court of California; **Douglas Keith**, Counsel, Brennan Center for Justice at NYU School of Law; **Raymond McKoski**, Judge (ret.), 19th Circuit, Illinois; **Rob Warden**, Executive Director, Injustice Watch

This session focuses on social media campaigns to unseat various elected judges, who, in someone's opinion, did not do the "right" thing. Panelists are Judge LaDoris Cordell (ret.), who worked to stop the recall of Judge Aaron Persky of California; Douglas Keith of the Brennan Center, which has analyzed these campaigns against judges; Rob Warden, a journalist, who has worked to involve the public in the deselection of some judges; and Judge Raymond McKoski (ret.), who will provide ethical guidance on what judges can do when they find themselves at the receiving end of a negative social media campaign.

Session #2 – Diversity & Deliberative Decision-Making

Joseph McGraw, Judge, 17th Circuit, Illinois; **Prof. Andrea Miller**, Ph.D., J.D., Department of Psychology, University of Illinois Urbana-Champaign; **Donald R. Johnson**, Judge, 19th Judicial District, Baton Rouge, Louisiana; **Lisa Woodruff-White**, Judge, Family Court of East Baton Rouge Parish, Baton Rouge, Louisiana

Given what we know of the existence of implicit bias, this session will focus on strategic and intentional approaches to decision-making to ensure the delivery of equal justice to all litigants.

TUESDAY, SEPTEMBER 17

8:00 – 8:45 a.m.

Plenary Education Session – National Opioid Task Force

Marcia M. Meis, Director, Administrative Office of the Illinois Courts; **Loretta H. Rush**, Chief Justice, Supreme Court of Indiana

In 2017 the Conference of Chief Justices and Conference of State Court Administrators created the National Judicial Opioid Task Force in response to the opioid epidemic and its significant impact upon state courts. Co-chair Chief Justice Loretta Rush and Executive Committee Member Marcia Meis will share a number of tools and resources that have been developed specifically for trial courts, a description of promising court programs and responses from around the country, and the policy and best practice recommendations that have been adopted by CCJ and COSCA.

9:00 – 10:15 a.m.

Plenary Education Session – U.S. Supreme Court Update

Erwin Chemerinsky, Dean, University of California Berkeley Law, Jesse H. Choper Distinguished Professor of Law

The October Term 2018 of the Supreme Court was filled with blockbuster decisions in so many areas of the law. U.S. Supreme Court scholar Erwin Chemerinsky returns for his review of the previous term's work and its impact on state court judicial practice.

10:30 a.m. – Noon

Concurrent Education Sessions

Session #1 – The Opioid Crisis & the Criminal Justice System

George Grasso, Supervising Judge, NYC Criminal Court–Bronx County; **Maria Almonte-Weston**, Project Director for Bronx Community Solutions; **Charles P. Burns**, Judge, Drug Treatment Court, Circuit Court of Cook County, Illinois; **Darcel Clark**, Bronx County District Attorney

This session will focus on the ability of courts and judges to play a central role in working with key stakeholders in the Criminal Justice System to help stem the tide of overdose deaths throughout the United States. Examples of these efforts will include a discussion regarding the creation and implementation of a novel Bronx Court known as the Overdose Avoidance and Recovery Court (OAR), as well as the operations of a Cook County Drug Treatment Court by the Circuit Court of Cook County.

Session #2 – Judicial Ethics in a Virtual World: Avoiding the Pitfalls

Michael B. Hyman, Justice, 1st Appellate District, Illinois; **Prof. Kevin L. Hopkins**, John Marshall Law School; **Keith R. Fisher**, Principal Court Consultant – Senior Counsel, National Center for State Courts; **Robert J. Torres, Jr.**, Justice, Supreme Court of Guam, President, American Judges Association

Use of technology can present ethical issues that a judge might not anticipate. This program will provide guidance on avoiding some of the major ethical perils confronting judges in the digital age. What do the ethics rules say about judges going online and conducting independent research outside of the record? Are sites like Facebook and LinkedIn an asset or a liability? What about using social media in election campaigns? What duties do judges have to protect data stored on electronic devices? Answers to these questions and others will be addressed through scenarios drawn from actual situations and interactive exercises.

Noon – 1:30 p.m.

Lunch on Your Own

1:30 – 2:45 p.m.

Concurrent Education Sessions

Session #1 – LGBTQ Law & Your Courtroom: It's Not Just Wedding Cakes

James E. Snyder, Judge, Circuit Court of Cook County, Illinois; **Prof. Todd Brower**, Judicial Education Director, UCLA School of Law; **D. Zeke Zeidler**, Judge, Los Angeles Superior Court, Monterey Park, California

In this era of 24-hour news cycles, social media, and sweeping legal and societal change, a busy judge may struggle to keep up with the rapidly developing law relating to LGBTQ community. This highly interactive session will discuss three significant legal shifts that will affect judges on the bench in every jurisdiction: the clash between LGBTQ rights and religious freedom; the implications and limits of recent U.S. Supreme Court opinions on marriage, including impacts on marital and parentage presumptions; and ethical and practical considerations for judges on transgender and gender nonconforming people in courts.

Session #2 – Marijuana & Driving: Growing Issues for the Courts

Mary Celeste, Judge (ret.), Denver County Court, Colorado; **David Cutshall**, Assistant District Attorney, Brockton, Massachusetts; **Jeffrey S. Gard**, Criminal Defense and Cannabis Attorney, Boulder, Colorado; **Dr. Jerrold B. Leikin**, Director of Medical Toxicology, NorthShore University Health System and Clinical Professor, University of Chicago Pritzker School of Medicine

Much is changing in cannabis and driving. Courts are experiencing an increase in marijuana driving cases. Two important reports have been published in the last two years: the National Highway Traffic Safety Administration's (NHTSA) Report to Congress on marijuana and driving and the Governor's Highway Safety Office/FAAR Report. Along with appellate decisions across the country, it also saw the Massachusetts Supreme Court ruling in *Gerhardt* that addressed the applicability of standard field sobriety testing and marijuana driving impairment. How do the marijuana driving laws differ across the country? How does marijuana affect driving? Is there a specific THC level that establishes marijuana impairment? These questions and more will be discussed by an esteemed, balanced panel.

3:00 – 7:00 p.m.

Elective Session – Illinois Holocaust Museum Visit, Skokie, Illinois

Registration required in advance. There is an additional $14.50 per person charge for transportation and museum fee.

WEDNESDAY, SEPTEMBER 18

9:00 – 10:30 a.m.

Concurrent Education Sessions

Session #1 – Is That Admissible? What Judges Need to Know About Social Media & Technology Evidence in Cases of Domestic Violence

Ian Harris, Safety Net Legal Manager, National Network to End Domestic Violence

Emojis, gifs, and memes. Technology has become a primary means of communication, interaction, and information-gathering. Families use technology to organize their lives and to stay connected. While technology has improved the lives of many, technology is also used to stalk, harass, surveil, and intimidate. This interactive workshop will examine how technology impacts your cases, specifically providing information about 1) common types of technology evidence in domestic violence cases; 2) evidentiary rules regarding admitting technological evidence; and 3) ethics and technology for judges.

Session #2 – Low-Income Families, Bail Decisions & Unintended Consequences

Alicia L. Aiken, J.D., Principal, Danu Center for Strategic Advocacy; **Robbin Stuckert**, Judge, 23rd Circuit, Illinois

In this interactive workshop, participants will be asked to think about the hard decisions that confront people living in low-income communities, especially when they are also interacting with the criminal justice system. Participants will spend 45 minutes trying to maintain housing, education, and well-being for a family of four on the income of a childcare provider, while also responding to unexpected legal and financial challenges. Afterward, the participants and facilitator will discuss the experience and share insights with each other.

10:45 a.m. – Noon

Plenary Education Session – Redemption & Reentry Programs in Illinois

Arne Duncan and Guest, Emerson Collective, Chicago CRED

You will hear from Arne Duncan about the range of efforts underway in Chicago to help the young men most affected by gun violence transform their lives. Mr. Duncan will discuss the intensive community-level work CRED and their partners are leading in several communities ravaged by violence. Mr. Duncan will also highlight the nascent work at the city and state level designed to develop a comprehensive response to the violence crisis.