

**2007 Annual Meeting Programming
Info as of June 20, 2007**

Join the Judicial Division in San Francisco, August 8-12, for the 2007 Annual Meeting. The Judicial Division and its Justice Center counterparts are gearing up for fabulous learning opportunities.

Most programs will take place at the San Francisco Marriott Hotel, the Division's headquarters hotel.

To register for the meeting, please log onto: <http://www.abanet.org/annual/2007/>

Wednesday, August 8

1:00pm – 5:00pm

Outreach Program:

**The Nexus: Domestic Violence, Child Abuse and Juvenile Delinquency
Marines' Memorial Club, 609 Sutter Street**

The purpose of this program will be to reach out to educators, lawyers, judges and those engaged in child abuse and domestic violence prevention to discuss the connection between Domestic Violence, Child Abuse, and Juvenile Delinquency. We anticipate a "town forum" type of setting where teachers, lawyers, judges, social workers and others can exchange their ideas and concerns about what is working and what is not working to protect kids and families who are caught in the nexus of child abuse, domestic violence, and juvenile delinquency. We also want to speak to the learning challenges these kids face when they are in such dysfunctional settings, and discuss the concerns of teachers and parents who have to deal with the reporting requirements for suspected child abuse. It is a chance for judges, lawyers, social workers and teachers to come together to hear about the challenges each field sees from their perspective with respect to these very challenging issues.

Sponsor: National Conference of Specialized Court Judges

Speakers: Ms Kathleen Baxter, M.S.W., San Francisco Mayor's Council on Child Abuse, San Francisco, CA; Judge Pamela Brown, Elliott City, MD; Judge Ernestine Gray, New Orleans, LA; Ms. Susan Goodwin, Special Education Administrator, San Francisco, CA; Judge Kathleen Kroll, West Palm Beach, FL; Judge Jim Riehl, Port Orchard, WA; Dr Lana Edwards Santoro, Ph.D. Special Education and Reading, San Francisco, CA; Ms Victoria Li, J.D., San Francisco Unified School District, San Francisco, CA

Thursday, August 9

9:00am – 12:30pm

**It Takes a Village: Getting Our Youth Back in School and Out of Court
San Francisco Marriott, Ballroom Salons 10/11, Lower B2 Level**

This program is broken into three sessions. The first session will define truancy, teach best practices and important statistical information on truancy through an interactive activity, and examine research and analysis. Session II will provide participants with an opportunity to look at truancy in their own jurisdictions, identify existing programs and possible partners for collaboration in their area, and develop a preliminary plan for a truancy program in their area. Session III will be a panel discussion comprised of

professionals who have successfully implemented truancy programs in their areas and the steps they took to develop their programs.

Sponsors: National Conference of State Trial Judges, National Conference of Specialized Court Judges, CourtCall, LexisNexis and National Council of Juvenile and Family Court Judges

Cosponsors: Criminal Justice Section, Section of Family Law, Young Lawyers Division
Moderator: Hon. Toni Clarke, Upper Marlboro, MD

Speakers: Hon. Bobbe J. Bridge, Olympia, WA; Hon. Joan Byer, Louisville, KY; Teresa Drenick, Oakland, CA; Hon. Brenda Harbin-Forte, Hayward, CA; Dr. Ken Seeley, Denver, CO; Mr. William Woodruff, Washington, DC.

1:00pm – 3:00pm

Contingent Fees: Access to the Court or Threat to Capitalism?

San Francisco Marriott, Sierra Suite J, 5th Floor

Contingent fees continue to stir great controversy especially in class action cases, mass torts, and medical malpractice lawsuits. The controversy most recently gained national attention when President Bush banned contingency fees in cases filed by the U.S. Government. Federal judges have called contingent fees “grotesque” and plaintiffs claim they will be denied access to the courts without them. The debate remains lively among plaintiff and defense lawyers, academics, the judiciary, insurance companies, the Chamber of Commerce and the general public. Recent legislation and efforts to amend state constitutions to limit contingent fees have been successful. Is there a problem with contingent fees? Do plaintiff's lawyers reap a windfall when enormous fees are awarded? What are the real risks undertaken by plaintiff's counsel and does the risk justify the reward? Are contingent fee awards out of whack? Who will benefit or suffer if they are restricted or eliminated?

Sponsor: Coalition for Justice

Cosponsor: Tort Trial and Insurance Practice Section

Speakers: George Fleming, Fleming, Austin, TX, Steven B. Lesser, Ft. Lauderdale, FL, Patrick Longan, Macon, GA, Daniel Mulholand, Ft. Lauderdale, FL.

1:00pm – 3:30pm

Fair and Impartial Courts-Another Perspective?

San Francisco Marriott, Ballroom Salons 13/14/15, Lower B2 Level

The "Least Understood Branch" is a joint initiative of the Standing Committee on Judicial Independence and the Judicial Division with the purpose of developing and delivering compelling messages designed to enhance the trust and confidence of the public in our judiciary systems. Justice at Stake, the National Center for State Courts and the League of Women Voters have joined in this initiative. Opinion research conducted on behalf of Justice at Stake has concluded that the importance of an independent judiciary is best expressed through terms such as the importance of "fair and impartial" courts which protect constitutional rights. The same and other research has consistently shown, however, that the public's trust and confidence in their state courts is at an unsatisfactorily low level especially in minority communities. This program is designed to develop a candid discussion of varying perspectives as to the reasons for this shortfall of trust and confidence through presentations by representatives of several of the national

minority bar associations and the judiciary. Only through first identification and then recognition of the impediments to trust and confidence can we make progress in responding to these impediments.

Sponsors: Standing Committee on Judicial Independence, Judicial Division

Speakers: Vanita Banks, National Bar Association President-elect, Hawthorn Woods, IL; Judge Ernestine Gray, Orleans Parish Juvenile Court, New Orleans, LA; Jimmie V. Reyna, Washington, DC; Stephen A. Saltzburg, George Washington University Law Center, Washington, DC; John C. Yang, National Association Asian Pacific Bar Association, Washington, DC

1:30pm – 4:30pm

Dispute Resolution Principles & Techniques for the Bench

San Francisco Marriott, Pacific Suite H, 4th Floor

This program offers three 1-hour presentations focusing on differences between mediation and settlement conferences, psychological principles in negotiation & mediation, and risk analysis.

Sponsors: Lawyers Conference, National Conference of the Administrative Law Judiciary, National Conference of Federal Trial Judges, Section on Dispute Resolution, California Judges Association

Cosponsors: Business Law Section, Tort Trial & Insurance Practice Section, Young Lawyers Division, Administrative Law and Regulatory Practice Section, Section of Labor and Employment Law, National Conference of State Trial Judges

Speakers: Mary Alexander, Esq., San Francisco, CA; Professor Richard Birke, Salem, OR; Magistrate Judge Wayne Brazil, Oakland, CA; Hon. Bruce T. Cooper (former ALJ), Marina del Rey, CA; Hon. David Horowitz (ret.), Studio City, CA; Professor Yolanda Jackson, Vallejo, CA; Hon. Harry W. Low (ret.), San Francisco, CA; Hon. Ellen Sickles James (ret.), Walnut Creek, CA; Professor Melissa Nelken, San Francisco, CA.

Friday, August 10

9:00am – 10:30am

Innovative Judicial and Legal Responses to Teen Dating Violence

San Francisco Marriott, Sierra Suite C, 5th Floor

Focus on the innovative judiciary and legal responses to the unique issues facing teen survivors of domestic violence.

Speakers:

Sponsors: National Conference of Specialized Court Judges and the ABA Commission on Domestic Violence

10:30am – 12:00pm

When the Public Judges its Judges: Fallout from Controversial Cases

ABA Plenary Session

Moscone Center West, Rooms 2001/2003, 2nd Floor

Does fear of strident public reaction and threats of political reprisals allow judicial decision-making to be truly fair and independent? A renown panel of judges in high profile cases -- including Terry Schiavo, same sex marriage, Operation Rescue, and the death penalty -- engage in a spirited review of the forces at work, and their consequences.

Sponsors: Judicial Division National Conference of Federal Trial Judges and the Section of Litigation

Speakers: Judge George W. Greer, Clearwater, FL; Mr. Adam Liptak, New York, NY; Eileen O'Neill, Esq. (former District Court Judge), Houston, TX; Prof. Cruz Reynosa, Davis, CA; Judge Roberto Rivera-Soto, Westmont, NJ

12:30pm – 5:00pm

Achieving a Diverse Judiciary: The Path to Becoming a Judge

Golden Gate University School of Law, 536 Mission Street

This program will bring together judges, lawyers and others who are interested in increasing diversity within the judiciary. The program will address the difficult and complex issues confronted by gay, lesbian and lawyers of color who aspire to become judges at all levels of the judiciary through the elected, appointed, and nominations process. It will open with a plenary session followed by breakout sessions for federal trial/appellate; state trial/appellate; state and federal administrative; military; tribal courts and one solely for California courts. The program will provide insightful information into the judicial selection process. A mentoring program has also been created by the Judicial Division providing attorneys an opportunity to partner with a judge for ongoing guidance following the program.

Sponsors: Commission on Women in the Profession, Center for Racial and Ethnic Diversity, Commission on Domestic Violence, Government and Public Sector, Individual Rights & Responsibilities, Council on Racial and Ethnic Justice, Commission on Racial and Ethnic Diversity in the Profession, Young Lawyers Division, State and Local Government Law, Antitrust Law, Coalition for Justice, Section of Business Law, Senior Lawyers Division, Young Lawyers Division, Section of Administrative Law & Regulatory Practice

Saturday, August 11

9:00am – 12:00pm

The Dos and Don'ts of Representing Immigrant Clients: How to be Effective and Avoid Pitfalls

Westin San Francisco, Franciscan Ballroom I, 2nd Floor

This program is designed to provide attorneys who practice in a variety of areas with the basics for identifying issues pertaining to immigrant clients, including both those with lawful status and those who are undocumented, and how to effectively assist them in various proceedings.

Sponsors: National Conference of Administrative Law Judiciary, Lawyers Conference, National Conference of Specialized Court Judges, ABA Commission on Immigration

Cosponsors: Commission on Domestic Violence, Criminal Justice Section, Section of Science and Technology, Standing Committee on Legal Aid and Indigent Defendants, Young Lawyers Division, Section of International Law, Government and Public Sector Lawyers Division, General Practice Section

Moderators: Judge Ira Sandron, former Immigration Judge in Miami, FL; Neil S. Dornbaum, Dornbaum & Peregoy LLC

Panelists: Judge Jennifer Gee, United States Department of Labor; Judge Dana Marks, Executive Office for Immigration Review, San Francisco, CA; Ana Avendaño Denier, Immigrant Worker Program, AFL-CIO; Professor Anna Williams Shavers, University of Nebraska College of Law; Karen T. Grisez, Fried, Frank, Harris, Shriver & Jacobson LLP; Gabrielle M. Buckley, Vedder, Price, Kaufman & Kammholz, P.C.

1:00pm – 3:00pm

Seen But Not Heard? The New World of Unpublished Appellate Decisions as Precedent

San Francisco Marriott, Pacific Suite H, 4th Floor

The US Supreme Court's adoption of FRAP 32.1 effective January 1, 2007, may have opened the door to citation of unpublished appellate decisions nationwide, but it does not dictate how such citations, will be greeted or how appellate courts will react to potential citation in drafting memorandum decisions. Will unpublished decisions move into the mainstream or remain a realm of pseudo-precedent? How will appellate and trial judges react to or use unpublished decisions now that they are citable? When should lawyers cite them? Will some courts begin issuing even more cryptic memorandum decisions to thwart citation? Will state courts follow the federal courts' example? A panel of appellate and trial judges and practicing lawyers will address the continuing practical issues z

Sponsor: Council of Appellate Lawyers

Speakers: Sharon Freytag, Dallas, TX; Hon. Michael Daly Hawkins, Phoenix, AZ; W. Thomas McGough, Jr., Pittsburgh, PA; Hon. John Tunheim, Minneapolis, MN

3:00pm – 4:30pm

Scientific Evidence in the Courts: What's on the Horizon?

San Francisco Marriott, Golden Gate Hall C1, B2 Level

Discussion on current issues involving the use of scientific evidence in the courtroom including admissibility issues, the CSI effect and the various approaches that courts can consider when faced with complex scientific disputes. We will present different perspectives on scientific evidence in the courtroom, including that of a judge, a scientist, a litigator and a juror.

Sponsors: Judicial Division and Section of Science and Technology

Speakers: Cynthia Cwik, San Diego, CA; Carol Henderson, St. Petersburg, FL; Dr. Henry Lee, Meriden, CT; Stephen J. Paterson, El Segundo, CA; Judge Ronald S. Reinstein, Phoenix, AZ