

**ABA JUDICIAL DIVISION  
NATIONAL CONFERENCE OF ADMINISTRATIVE LAW JUDGES**

**Minutes of the NCALJ Annual Meeting  
Friday, August 3, 2001  
Hotel Inter-Continental  
Chicago, Illinois**

**Burnham, 8th Fl. S. Tower:**

**CALL TO ORDER 9:15 AM**

The Chair, **Judge Ed Felter**, called the meeting to order.

**Members Present:**

**Ed Felter - Chair**

**Chris Graham**

**Ron Bernoski**

**Robert A. Fitz**

**Larry Craddock**

**James. W. Kerr, Jr.**

**Ed Schoenbaum**

**Ronnie A. Yoder**

**Gregory Holiday**

**Ann Young**

**Donald B. Jarvis**

**Ann Breen-Greco**

**Tyrone Butler**

**Errol H. Powell**

**Carroll D. Little**

**Tela L. Gatewood**

**James L. Simpson**

**Richard C. Goodwin**

**Charles Bechhoefer**

**Dan Solomon**

**Jodi Levine**

**Jean Cooper**

**Richard (Rick) Luis**

**Janet M. Coulter**

All participants present identified themselves in turn around the table.

The Chair called for a moment of silence in recognition of the terrible misfortune that has befallen our colleague **Judge John Hardwicke**.

The chair reminded everyone to prepare the reimbursement sheet for his signature.

**APPROVAL OF THE 2001 SAN DIEGO MID-YEAR MEETING MINUTES**

**Judge Chris Graham** moved that the Minutes of the February 16th, 17th and 18th, 2001, Mid- Year Meeting be APPROVED, **Judge Errol H. Powell** seconded the motion.

The minutes were approved as amended with two corrections.

The Chair moved that our Conference do something appropriate for **John Hardwicke** in memory of his wife, seconded by **Judge Jodi Levine**. When we have more information the Conference staff will take action. The motion was approved unanimously.

## **CHAIR'S REPORT**

**Ed Felter's** Chair's Report has been published in the Agenda Book, he will not therefore, give a lengthy report. He noted that: **Judge Ed Schoenbaum** will report on our successful education programs this year and deliver the Education Committee Report. **Judge Chris McNeill**, was awarded the NHTSA Fellowship, **John Hardwicke** chaired the selection committee.

The Conference's Resolution on Judicial Independence was discussed. The essence and substance of the resolution was not changed but some wording was changed to satisfy the document's supporters. Adoption of the Resolution is anticipated. It was noted that **Judge Ann Young** was chair of the Judicial Independence Committee when the Resolution came to fruition. Judges **Ron Bernoski and Jodi Levine** offered their commendations to **Ed Felter** and the Committee for its work on the Resolution. It is hoped that other Sections and Divisions will join in cosponsoring the Resolution.

**Ed Felter** cleared up some confusion regarding the distribution of tickets to the reserved table for Sunday's Annual Dinner in Honor of the Judiciary.

**Judge James Kerr**, Secretary of the National Judicial College (NJC) Board of Trustees presented his report on NJC. There was discussion of NCALJ and NAALJ working with the NJC to avoid the presentation of conflicting educational programs. **Jodi Levine**, offered that the two groups need to coordinate and work out a compromise. An extensive discussion followed re: ways to work with NJC on future programs with comments from **Judge Jean Cooper, Ed Schoenbaum** and **Ed Felter**.

**Ed Schoenbaum** segued into the Education Committee report from the above discussion. He uses surveys of the participants in order to decide which programs to present.

**Judge Ruth Kleinfeld** and **John Hardwicke** are excused from this meeting by unanimous resolution.

**James Kerr** concluded his remarks by noting that 40% of NJC students are state administrative law judges. **Ed Schoenbaum** followed up with a comment on the ability of state ALJs to afford the NJC tuition. The matter is tabled pending further discussion and compromise. **Judge Carroll Little**, offered a historical perspective. **Judge Gregory Holiday**, presented the faculty perspective. **Ann Young** stated the need for diversity in the presentation of subjects, and **Larry Craddock** offered a defense of the collaboration between the NJC, NAALJ and NCALJ. **Judge Tyrone Butler** pointed out a need for the

formation of a committee to coordinate the educational programs. **Jodi Levine** stated that it is her intention to form this committee as a conclusion to this discussion.

**Ed Felter**, housekeeping issues: attendance at this evening's NCALJ dinner and our program presentation on "Ethics, Professionalism and Independence in the Administrative Judiciary", at 2 PM.

**Judge Diarmuid O'Scannlain**, Chair-Elect of JD, stopped in and congratulated the conference on its good work and requested that we inform him of our opinion on Conference priorities.

**Ed Schoenbaum** requested direction on how to vote in the House of Delegates. He has requested that he go uninstructed as he has in the past. The proposals are under tab 8 in the agenda book. He was given the following instructions:

- 101B - Supported as amended (this is our resolution)  
Motion - **Jodi Levine**, Second - **Chris Graham**
- 107D - Tabled for further discussion after additional information is developed.
- 105B - Co-sponsor  
Motion - **Tyrone Butler**, Second - **Judge Dan Solomon**
- 11-1 - Motion to oppose - **Dan Solomon**, Second - **Ron Bernoski**  
Motion to table - **Chris Graham**, Second - **Ed Schoenbaum**  
Motion to table passed - one against.
- 11-2 - Motion to support - **Gregory Holiday**, Second - **Ann Young**

Motion that **Ed Schoenbaum** go uninstructed on all other resolutions excepting those noted above - **Jodi Levine**, Second - **Chris Graham**.

Reminder: Conference elections will take place tomorrow, Saturday, August 4, 2001 at 11:00 AM.

**Break - 10:55 to 11:10**

**Judge Tela Gatewood**, Chair of the Mentorship Committee, reported on committee activities. **Jodi Levine** added her comments on the Conference's future programming around mentoring with additional comments from **Ed Felter**.

**Judge Ann Breen Greco** reported on the progress of the Newsletter, and requested submissions from the committee chairs. **Jodi Levine** made suggestions about the content of the newsletter and suggested articles could be written that discuss the individual members and their interests. **Ann Young** announced that she is looking for articles on Therapeutic Justice and other subjects for the Judges' Journal.

**Judge Larry Craddock**, Chair, State Ad Law Committee gave his report.

**Ed Felter** gave congratulations to **Judge Ronnie Yoder** who has been appointed the Chief ALJ for the US Department of Transportation. He was also appointed to the Standing Committee on Ethics and Responsibility by ABA President Hirshon. Ronnie then commented on his new committee appointment.

Housekeeping Announcement - Hospitality suite.

**Gregory Holiday** - relayed greeting from Diane Livingston, former Staff Director for NCALJ.

**Jean Cooper** - Theresa O'Byrne was present at last night's reception. Added a follow-up to **Tela Gatewood's** mentoring report.

**Ed Felter** - Invited all to attend the Ad Law reception at Northwestern Law School this PM.

Motion to adjourn - **Jodi Levine**, Second - **Jean Cooper**

11:45: Meeting Adjourned

Respectfully Submitted

Tyrone T. Butler  
Acting Secretary