

## APPENDIX

### The ABA Justice Kennedy Commission

#### Chair

**Stephen A. Saltzburg** is the Wallace and Beverley Woodbury University Professor at the George Washington University Law School. Professor Saltzburg served as Associate Independent Counsel in the Iran-Contra investigation. In 1988 and 1989, he served as Deputy Assistant Attorney General in the Criminal Division of the Department of Justice, and in 1989 and 1990 was the Attorney General's ex officio representative on the United States Sentencing Commission. In June, 1994, the Secretary of the Treasury appointed Professor Saltzburg as the Director of the Tax Refund Fraud Task Force, a position he held until January, 1995. Professor Saltzburg is the author of numerous books and articles on evidence, procedure, and litigation. He serves as a member of the ABA House of Delegates from the Criminal Justice Section and is a member of the ABA Task Force on Treatment of Enemy Combatants and the ABA Task Force on Gatekeeper Regulation and the Law.

#### Members

**Phyllis G. Bossin** practices law in Cincinnati, Ohio at her own firm and specializes in family law. She is currently the Chair of the ABA Section of Family Law. During the first twelve years of her career, she also engaged in criminal defense work in both state and federal court, mostly for indigent defendants charged with aggravated felonies. She also holds a Master's Degree in Public Policy.

**The Honorable Pamila J. Brown** is an Associate Judge for the District Court of Maryland, Howard County, having been appointed in May 2002. Judge Brown received her B.A. from Macalester College in St. Paul, Minnesota and her J.D. from the University of Baltimore School of Law. She is a former Chair of the ABA Government and Public Sector Division and currently serves as the Division's Delegate to the ABA House of Delegates. Judge Brown has been on the faculty of the National Institute of Trial Advocacy, a lecturer for the Defense Research Institute and an Adjunct Professor at the University of Baltimore School of Law. Prior to her appointment she served as a Maryland Assistant Attorney General handling civil and criminal matters. Judge Brown also served as an Assistant City Solicitor for Baltimore City where she engaged in extensive Federal Court practice and as Director of Inmate Legal Services at the Baltimore City Jail. Judge Brown is a past president of the Bar Association of Baltimore City and has served on the State Bar Board of Governors and the Maryland and Baltimore Bar Foundations. Judge Brown is the recipient of numerous awards and honors including, Maryland's Top 100 women, the ABA Nelson Award and the Alumna of the Year from the University of Baltimore.

**Ian Comisky** is a partner at Blank Rome LLP. After graduating from the Wharton School of the University of Pennsylvania magna cum laude and the University of Pennsylvania Law School, Mr. Comisky clerked for the Honorable Alfred L. Luongo, Jr. of the United States Eastern District of Pennsylvania. After finishing his clerkship, Mr. Comisky worked 2 ½ years as an Assistant District Attorney in Philadelphia County handling appeals, misdemeanor and felony cases. He then accepted a position as an Assistant United States Attorney for the Southern District of Florida where he worked from 1978 to 1980. Mr. Comisky's practice includes both white-collar criminal and complex commercial litigation and he is the coauthor of a two-volume treatise entitled Tax Fraud and Evasion.

**The Honorable Andre M. Davis** has been a United States District Judge since 1995. Before his appointment to the federal bench, he was a Maryland state trial judge. He is the 2003-2004 Chair of the National Conference of Federal Trial Judges and a member of the Council of the Judicial Division of the ABA. He is a member of the Criminal Standards Committee of the ABA. He has taught criminal procedure for more than 20 years at the University of Maryland School of Law, where he is also a member of the Board of Visitors.

**Robert M. A. Johnson**, University of Minnesota Law School 1968; Anoka County Attorney's Chief Deputy 1974-1982, Anoka County Attorney 1983-present; National District Attorneys Association, past President; American Bar Association Criminal Justice Section Council member 1991-1995, Vice Chair for Governmental Affairs 2003; American Prosecutors Research Institute Board of Directors 2000-2003; National College of District Attorneys Board of Regents 2000-2003; American Law Institute, Advisor-Model Penal Code: Sentencing 2002-present; Minnesota National Guard 1968-2003; Minnesota County Attorneys Association, past President; Minnesota State Bar Association Board of Governors; Anoka County Bar Association, past president; Anoka County Joint Law Enforcement Council, chair.

**The Honorable Eileen A Kato** was appointed to the King County District Court bench in June of 1994, where she has served as presiding judge of the Seattle Division and on the Executive Committee of the King County District Court in 1997 and 2002. Judge Kato currently serves as President of the Washington State District and Municipal Court Judges' Association, as immediate past-chair of the National Conference of Specialized Court Judges of the ABA Judicial Division, and President of the Judicial Council of the National Asian Pacific American Bar Association. Judge Kato's ABA activities include the Council on Racial and Ethnic Justice, Standing Committee of Minorities in the Judiciary, and Judicial Liaison to the Commission on Racial and Ethnic Diversity in the Profession

**Albert J. Krieger**, Immediate Past Chair of the Criminal Justice Section of the ABA, is a member of the New York, Michigan, and Florida Bars; founding member and past-president of the National Association of Criminal Defense Lawyers (“NACDL”); a member of the House of Delegates of the ABA, has served on the Criminal Justice Standards Committee and various Task Forces; awards include: *Outstanding Practitioner*, Criminal Justice Section, New York State Bar Association, 1977; *Fifth Annual Award for Significant Contributions to the Criminal Justice System*, California Attorneys for Criminal Justice, 1981; *Lifetime Achievement Award*, NACDL, 1987; Robert C. Heeney Award, NACDL, 1995; C. Clyde Atkins Civil Liberties Award from the Miami Chapter of the ACLU and the Lifetime Achievement Award of the Miami Chapter of the FACDL.

**Mark Krudys** has been engaged in the private practice of law since 1996, in both large and small firm settings. Immediately before entering private practice, Mr. Krudys served as a Special Assistant U.S. Attorney in Miami and Ft. Lauderdale, Florida assigned to the Securities Fraud Unit. While assigned to that Unit, Mr. Krudys primarily prosecuted criminal violations of the federal securities laws, including insider trading, market manipulation, money laundering, mail and wire fraud, perjury, and making false statements to a government agency. From 1990 to 1993, Mr. Krudys was an attorney with the Enforcement Division of the Securities and Exchange Commission in Washington, D.C. He began his legal career as a Judge Advocate in the U.S. Marine Corps, serving initially as a prosecutor and later as a defense counsel. Mr. Krudys earned his Master of Laws degree (Securities Regulation) from Georgetown University Law Center and his J.D. and B.B.A. from Baylor University. Mr. Krudys has taught as an Adjunct Professor at the University of Richmond School of Law. He previously served as Chair of the ABA’s Section of Business Law’s Criminal Laws Committee and Securities Enforcement Subcommittee.

**David Craig Landon** handles product liability, toxic tort, environmental liability and mass tort litigation. He serves as national coordinating and trial counsel in a variety of litigation settings. Landon is a Past-President of The Virginia Bar Association; Past-President of The Virginia Association of Defense Attorneys and Past-President of The Virginia Law Foundation. He is the current Chair of the ABA Standing Committee on Federal Judicial Improvements and a member of the Lawyers’ Committee of the National Center for State Courts. He is a Recipient of the *Exceptional Performance Award*, Defense Research Institute and was elected a Fellow of the Virginia Law Foundation. He was named to *The Best Lawyers in America*, Seaview/Putnam Press, beginning in 1987 and voted among “The Legal Elite,” Virginia’s Top Lawyers in Litigation, *Virginia Business* (2000, 2001, 2002). Landon lectured at the University of Virginia School of Law as an adjunct professor on Trial Advocacy from 1978-84 and on Civil Litigation, Principles and Practice in 1995-96.

**Laura Ariane Miller**, Chair of the Government Investigations practice at Nixon Peabody LLP, is the current Co-Chair of the ABA Criminal Litigation Committee. After graduating from Yale Law School, where she worked in the United States Attorney's Office, Ms. Miller clerked at the United States Supreme Court for Justice Byron R. White. In previous years, she served as Special Assistant to the Secretary of the United States Department of Health, Education and Welfare and was Deputy Commissioner of the United States Administration for Children, Youth and Families. She is also a graduate of the University of Michigan and Harvard's Kennedy School of Government.

**The Honorable William D. Missouri** was appointed to the Circuit Court for Prince George's County, Maryland on December 21, 1987 by Governor William Donald Schaefer. He was reappointed on November 21, 2003 by Governor Robert L. Ehrlich after his initial 15 year term concluded. He has served as County Administrative Judge since October, 1992 and was appointed by Chief Judge Robert M. Bell to the position of Administrative Judge for the Seventh Judicial Circuit (Calvert, Charles, St. Mary's and Prince George's Counties) on May 1, 1997. Prior to his appointment to the Circuit Court, Judge Missouri served as an Associate and Administrative Judge of the 5th District Court for Prince George's County. At the time of his appointment to the 5<sup>th</sup> District Court in June, 1985, he was a member of the Prince George's County State's Attorney's Office felony trial staff. In that capacity he tried many serious felonies such as arson, robbery with a dangerous weapon, and murder, including death penalty cases. He is presently admitted to practice before the following courts: Court of Appeals of Maryland; U.S. District Court for Maryland; U.S. Court of Appeals for the 4<sup>th</sup> Circuit and the District of Columbia; U.S. Court of Appeals for the Federal Circuit; U.S. Tax Court; U.S. Court of Military Appeals; and the United States Supreme Court.

**Andrea Sheridan Ordin** is a civil litigation partner, resident in the Los Angeles office of Morgan Lewis & Bockius. In addition to her business trial and appellate practice primarily in the areas of environmental, antitrust and securities, she serves as the pro bono partner in Los Angeles. Prior to joining the Firm, she served four years as the United States Attorney for Central District of California under three Attorneys General, and eight years as Chief Assistant Attorney General for the State of California, heading the Public Rights Division. She was a member of the ten person Independent Commission, known as the Christopher Commission which investigated the Los Angeles Police Department, in the wake of televised beating of Rodney King. Ms. Ordin is the former Chair of Federal Judicial Improvement Section of the ABA, an ABA Margaret Brent Award recipient, and is the representative of the Standing Committee on Judicial Independence.

**A. Victor Rawl, Jr.** is a Shareholder in the Litigation Section of the McNair Law Firm in Columbia, South Carolina, where his practice areas include business litigation, commercial litigation, and health law. After receiving a Masters in International Business Studies and a Juris Doctor from the University of South Carolina in 1995, Vic served as law clerk to the Honorable P. Michael Duffy, U. S. District Judge, District of South Carolina. In the ABA Vic is a TIPS NOW Fellow in the Tort Trial and Insurance Practice Section (a member of the Long Range Planning Committee and vice-chair of the Business Torts Committee), and a member of the Litigation and Health Law Sections. In the ABA Young Lawyers Division, since 1998 Vic has served as chair of the Ethics and Professionalism Committee, district representative for South Carolina and the U. S. Virgin Islands, a member of the Affiliate Assistance Team, a member of Executive Council, and liaison to the Section Officers Conference.

**Neal R. Sonnett** heads his own Miami, Florida law firm, concentrating on the defense of corporate, white collar and complex criminal cases. He is a former Assistant United States Attorney and Chief of the Criminal Division for the Southern District of Florida. He is past chair of the ABA Criminal Justice Section, which he now represents in the ABA House of Delegates, past chair of the ABA Committee on Criminal Justice Improvements, and past president of the National Association of Criminal Defense Lawyers. He presently serves as vice-chair of the American Judicature Society, chair of the ABA Task Force on Treatment of Enemy Combatants, a member of the ABA Task Force on Gatekeeper Regulation and the Law, and is on the Executive Council of the ABA Section of Individual Rights & Responsibilities. He has been profiled by the National Law Journal as one of the "Nation's Top Litigators" and one of the "Nation's Top White Collar Criminal Defense Lawyers" and was selected three times by that publication as one of the "100 Most Influential Lawyers In America."

## Reporters

**Angela J. Davis** is a Professor of Law at American University Washington College of Law where she teaches Criminal Law, Criminal Procedure, and related courses. Professor Davis is a former director, deputy director, and staff attorney of the Public Defender Service for the District of Columbia. She is a co-author of *Basic Criminal Procedure*, 3<sup>rd</sup> Edition (2003), and the author of numerous articles and book chapters on racial disparity in the criminal justice system and on prosecutorial power and discretion. Professor Davis is a 2003-2004 Soros Senior Justice Fellow and a 1997 recipient of the National Council on Crime and Delinquency's New American Community Award. She has served on various ABA Committees, including the Criminal Justice Standards Committee, the Criminal Justice Section Council, the Committee on Race and Racism in the Criminal Justice System, and the Ad Hoc Committee on Indigent Defense.

**Margaret Colgate Love** practices law in Washington, D.C., specializing in post-conviction remedies, executive clemency, and professional responsibility. Previously, she served for twenty years in the U.S. Department of Justice, including seven as U.S. Pardon Attorney under the first President Bush and President Clinton (1990-1997). She chairs the Criminal Justice Section's Committee on Corrections and Sentencing, and serves as a member of the CJS Council. She also chairs the Criminal Justice Standards Committee's Task Force on Collateral Sanctions. From 1995-1996 she chaired the ABA Standing Committee on Ethics and Professional Responsibility, and was a member of the ABA Commission to revise the Model Rules ("Ethics 2000"). She has been awarded a Soros Senior Fellowship for 2004-2005 to study mechanisms for the restoration of rights to convicted persons.