

Democracy's Last Line of Defense



A symposium on why and how to preserve the rule of law and an independent, impartial judiciary.

Thursday, May 26, 2022

The Old Post Office | Chicago, Illinois

WHY ARE WE HERE?

Today's program was put together by the organizations shown below with additional financial support from the Founding Sponsors listed on the back of this program.

Your presence here today indicates that you share our grave concern about threats to the future of the judiciary and democracy. We organized this event – the first in a planned series – to share critical intelligence on the sources of these threats and devise strategies to confront them. Before this day is out, you will have the opportunity to personally contribute ideas to counter these threats.

Thank you for demonstrating your concern and commitment. This is just the beginning.

SYMPOSIUM ORGANIZERS



Use your phone's camera to scan the QR code (or go to the URL below) to access all symposium information, including an interactive schedule with speaker bios and session materials.

JUDGES.ORG/DLLD2022



AGENDA

- MAY 25

6-8 PM

Opening Reception *Fairmont Chicago at Millennium Park*
Remarks by **Marc Racicot**, former Governor of Montana and Chair of the Republican National Committee; introduction by **A. Clifford Edwards**, Founder, Edwards & Culver
- MAY 26

8-8:15 AM

Welcome & Opening Remarks *The Old Post Office*
Roman Silberfeld, Immediate Past President, International Academy of Trial Lawyers
Hon. Benes Z. Aldana (Ret.), President & CEO, The National Judicial College
Andrew Bradt, Faculty Director, Civil Justice Research Initiative
Reginald M. Turner, Jr., President, American Bar Association
Hon. Anne M. Burke, Chief Justice, Supreme Court of Illinois
- 8:15–8:45

Keynote Address
Doug Jones, former U.S. Senator and U.S. Attorney from Alabama, member of the law firm ArentFox Schiff; introduction by **J. Mark White**, Founder and Partner, White, Arnold & Dowd P.C., past President, International Academy of Trial Lawyers
- 8:45-8:50

Break
- 8:50-10:20

Democracy & the Courts
- 10:20-10:35

Break
- 10:35-12:05

Social Media & Countering Disinformation in the Courts
- 12:05-1:50

Lunch & **The Future of the Supreme Court**
- 1:50-2

Break
- 2-3:30

Racial Justice & the Courts
- 3:30-3:45

Break
- 3:45-5:15

Next Steps to Protect the Judiciary
- 5:15-5:45

Closing Address
Hon. Tani Cantil-Sakauye, Chief Justice of California
- 5:45-5:50

Wrap-up & Adjournment: Roman Silberfeld and **Hon. Benes Z. Aldana (Ret.)**

KEYNOTE ADDRESS

Doug Jones

Former U.S. Senator and U.S. Attorney for Alabama; attorney, ArentFox Schiff LLP

While serving as U.S. Attorney for Northern Alabama in the early 2000s, Doug Jones successfully prosecuted two members of the Ku Klux Klan for their roles in the 1963 bombing of Birmingham’s 16th Street Baptist Church. The attack killed four young Black girls. He represented Alabama in the Senate from 2018 to 2021 and was most recently an adviser to the Biden administration during the nomination of Supreme Court Justice Ketanji Brown Jackson.



J. Mark White

Founder and Partner, White, Arnold & Dowd P.C.; Past President, International Academy of Trial Lawyers

Mark White has been lead counsel in a number of high-profile trials and is a frequent speaker on campaign oversight committees and judicial ethics. He founded the law firm of White, Dunn & Booker in Birmingham, Alabama, which became White Arnold & Dowd in 2003.



CLOSING ADDRESS

Hon. Tani Cantil-Sakauye

Chief Justice of California

When she was sworn into her current position in January 2011, Tani Cantil-Sakauye became the first person of color and the second woman to serve as the state’s chief justice. She has emerged as one of the country’s leading advocates for equal access to justice, civic education, and reform of court-funding models and procedures that unfairly impact the poor.



OPENING RECEPTION

Marc Racicot

Former Governor of Montana and former Chair of the Republican National Committee

Marc Racicot was governor of Montana from 1993 to 2001 and attorney general from 1989 to 1993. He served as chair of the RNC from 2001 to 2003 and was chairman of the Bush/Cheney Re-election Campaign from 2003 to 2004.



A. Clifford Edwards

Founder, Edwards & Culver

A third-generation Montanan, attorney Cliff Edwards secured two of the five largest jury verdicts in his home state’s history. He a member of the American College of Trial Lawyers, a past President (2019) of the International Academy of Trial Lawyers, a Trustee of The National Judicial College and former co-chair of the College’s Board of Visitors.



WELCOME & OPENING REMARKS

Roman Silberfeld

Partner and National Trial Chair, Robins Kaplan LLP; Immediate Past President, International Academy of Trial Lawyers

A leading class-action attorney, Roman Silberfeld secured a \$319 million judgment against Walt Disney in the largest verdict ever in a Hollywood accounting lawsuit. The IATL is an exclusive body of civil and criminal trial lawyers (prosecutors and defense) that strives to promote reforms in the law, facilitate the administration of justice, promote the rule of law internationally, and evaluate the standards of integrity, honor, and courtesy in the legal profession. He is co-chair of The National Judicial College Board of Visitors.





Hon. Benes Z. Aldana (Ret.)

President & CEO, The National Judicial College

Benes Aldana recently began his sixth year as head of the NJC, the nation's oldest, largest and most widely attended school for judges. He joined the College following a distinguished 22-year career in the United States Coast Guard where he became the first Asian-Pacific (Filipino) American to serve as chief trial judge of a U.S. military branch.



Andrew Bradt

Faculty Director, Civil Justice Research Initiative

Andrew Bradt is Professor of Law at the University of California, Berkeley, where he teaches and writes on Civil Procedure, Conflict of Laws, and Remedies. In 2018, he was appointed by the Counselor to the Chief Justice of the United States to the Supreme Court Fellows Program's Academic Advisory Board.



Reginald M. Turner, Jr.

President, American Bar Association

As president of the ABA, Reginald Turner heads the world's largest voluntary association of lawyers, judges and other legal professionals. He is past president of the National Bar Association and the State Bar of Michigan and served as chair of the ABA Commission on Racial and Ethnic Diversity in the Profession and the ABA Commission on the Lawyer's Role in Assuring Every Child a Quality Education.



Hon. Anne M. Burke

Chief Justice, Illinois Supreme Court

Anne Burke has been a Justice of the Illinois Supreme Court since 2006 and Chief since 2019. A longtime advocate for children and disabled persons, she was a founder of the Special Olympics in 1968 and chaired the lay National Review Board of the U.S. Conference of Catholic Bishops, which investigates accusations of clerical sexual abuse in the Roman Catholic Church.

DEMOCRACY & THE COURTS



MODERATOR David Corn

Washington bureau chief, Mother Jones magazine; on-air analyst, MSNBC

David Corn was Washington editor of *The Nation* magazine for 20 years and has written for *The New York Times*, *The Washington Post*, *Harper's*, *The Atlantic*, *The New Republic*, *Slate* and other outlets. He is the co-author (with Michael Isikoff) of *The New York Times* No. 1 best seller "Russian Roulette: The Inside Story of Putin's War on America and the Election of Donald Trump."



Erwin Chemerinsky

Dean and Jesse H. Choper Distinguished Professor of Law, University of California, Berkeley School of Law

Named the most influential person in legal education in the United States by National Jurist magazine in 2017, Erwin Chemerinsky currently serves as President of the Association of American Law Schools. He is the author of 14 books and more than 200 law review articles, and also frequently argues appellate cases, including in the United States Supreme Court.



Hon. Reggie Walton

Senior Judge, U.S. District Court for the District of Columbia

Reggie Walton has been a United States District Court Judge in Washington, D.C., since 2001. From 2007 to 2014, he also served as a judge of the United States Foreign Intelligence Surveillance Court and was the FISA court's presiding judge from 2013 to 2014.



Hon. Ganna Vronska

Justice, Supreme Court of Ukraine

Currently living in exile, Ganna Vronska is Judge of the Central Administrative Court of the Supreme Court and Secretary of the Court Chamber on Corporate Disputes, Corporate Rights and Securities. Her previous posts included Acting Minister of Ecology and Natural Resources. In 2016 she was named among the 10 most effective civil servants in a study by the legal newspaper *Yurydychna Gazeta*.

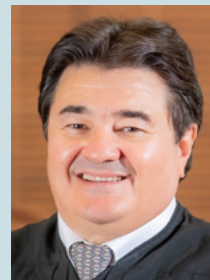
**Alicia Bannon***Judiciary Program Director, Brennan Center for Justice*

Alicia Bannon manages projects on fair courts and redistricting for the Brennan Center, an affiliate of the New York University School of Law. An experienced constitutional lawyer, she is the author of numerous nationally recognized reports and pieces of legal scholarship, and she regularly writes and comments for media outlets such as *The New York Times*, *The Washington Post*, *The Atlantic*, MSNBC and NPR.

**Kim Lane Scheppele***Laurance S. Rockefeller Professor of Sociology and International Affairs, Princeton University; Faculty Fellow, University of Pennsylvania Law School*

Since the 1990s, Kim Lane Scheppele has worked as a researcher at the constitutional courts of Hungary and Russia and now documents assaults on judicial independence around the world. She is an elected member of the American Academy of Arts and Sciences and the International Academy of Comparative Law.

SOCIAL MEDIA & COUNTERING DISINFORMATION IN THE COURTS

**MODERATOR Hon. Robert J. Torres, Jr.***Associate Justice, Supreme Court of Guam*

Born and raised on the Pacific island of Guam, Robert Torres was sworn in as a Justice of the Supreme Court in 2004 and has twice served as Chief Justice. He presently serves on the American Judges Association's Executive Committee and Board of Governors, and since 2016 has been on the Social Media and Technology Committee. He has spoken at numerous conferences on "Judicial Ethics and Social Media" and has lectured in more than 20 countries on a variety of subjects.

**Hon. Robert M. Brutinel***Chief Justice, Arizona Supreme Court*

A Justice of the Arizona Supreme since 2010 and Chief since 2019, Robert Brutinel has served on numerous boards and committees, including the Board of Directors of the Conference of Chief Justices, the Supreme Court's Civil Justice Reform Committee, the Commission on Judicial Conduct, and the Arizona Character Education Commission. In 2010 he was named Court Appointed Special Advocates (CASA) National Judge of the Year.

**Philippa H. Stewart***Head of Digital Communications, Clooney Foundation for Justice*

Philippa Stewart is responsible for digital media, communications outreach, and media strategy at the Clooney Foundation, an organization that advocates for justice through accountability for human rights abuses around the world. She has worked as a freelance reporter and photographer in Ukraine and before that was a producer and editor for *Al Jazeera*.

**Elizabeth Rindskopf Parker***Consultant, Center for Strategic and International Studies*

Senior consultant to the CSIS's Defending Democratic Institutions Project, Elizabeth Rindskopf Parker is a former General Counsel of the National Security Agency, Principal Deputy Legal Adviser at the U.S. Department of State, and General Counsel of the Central Intelligence Agency. She was a member of the Senior Advisory Group for three successive Directors of National Intelligence. From 2002 to 2012, she was Dean of the University of the Pacific McGeorge School of Law.

**Leslie C. Levin***Hugh Macgill Professor of Law, University of Connecticut School of Law*

Leslie Levin writes on the legal profession, ethical decision making and lawyer discipline. She is co-editor (with Lynn Mather) of "Lawyers in Practice: Ethical Decision Making in Context" (2012, University of Chicago Press).

THE FUTURE OF THE SUPREME COURT



Moderator Hon. Jeremy Fogel (Ret.)
Executive Director, Berkeley Judicial Institute

In 2018, Jeremy Fogel became the first Executive Director of BJI, a center at Berkeley Law School created to build bridges between judges and academics and promote an ethical, resilient and independent judiciary. Prior to his appointment at Berkeley, he served as Director of the Federal Judicial Center in Washington, D.C., and as a U.S. District Court Judge for the Northern District of California.



Marin K. Levy
Professor of Law, Duke University School of Law

Marin Levy's scholarship appears in leading law journals and has been discussed in *The New York Times*, *The Washington Post*, *The Atlantic* and other public outlets. She currently serves as Director of Duke's Program in Public Law and is a faculty advisor to the Bolch Judicial Institute.



Melissa Murray
Fredrick I. and Grace Stokes Professor of Law, New York University School of Law

Melissa Murray is an expert in family law, constitutional law, and reproductive rights and justice whose research focuses on the legal regulation of intimate life, including sex and sexuality, marriage and its alternatives, marriage equality, the legal recognition of caregiving, and reproductive rights and justice. She writes for popular publications such as *The New York Times*, *Newsweek*, the *San Francisco Chronicle*, *Vanity Fair* and the *Huffington Post* and has offered commentary for media outlets including NPR, MSNBC and PBS.



Hon. Thomas B. Griffith (Ret.)
U.S. Court of Appeals for the District of Columbia Circuit (2005-20)

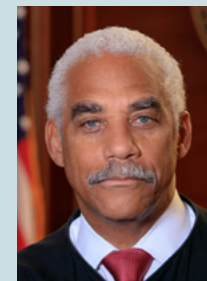
Prior to his appointment to the D.C. Circuit, Thomas Griffith was the nonpartisan chief legal officer of the United States Senate. In 2021 President Biden appointed him to a commission tasked with analyzing the role of the Supreme Court. He is currently a Lecturer on Law at Harvard Law School and a Fellow at the Wheatley Institution at Brigham Young University.



David A. Kaplan
Adjunct Professor, New York University; former Legal Affairs Editor, Newsweek

David A. Kaplan was a senior editor and legal affairs correspondent at Newsweek for 20 years (writing 26 cover stories, including on *Roe v. Wade*, Justices Brennan and Thomas, and the late New York Yankees owner George Steinbrenner). He's also written for *The New York Times Magazine*, *The Washington Post*, *Fortune* and *The Atlantic*. He's the author of five books, including the bestselling "The Most Dangerous Branch: Inside the Supreme Court in the Age of Trump."

RACIAL JUSTICE AND THE COURTS



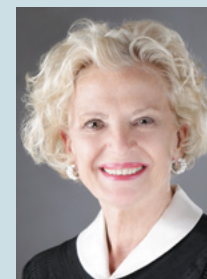
Moderator Hon. George W. Draper III
Justice, Supreme Court of Missouri

George Draper has been a justice of the Missouri Supreme Court since 2011 and served as Chief from 2019 to 2021. In his State of the Judiciary address to the Missouri General Assembly in 2020, he described himself as the great-grandson of a North Carolina slave girl and a Union soldier on his mother's side, and a dark-skinned Black man from Florida and a third-generation German immigrant woman from New Jersey on his father's side.



Jerry Kang
Distinguished Professor of Law and Distinguished Professor of Asian American Studies, UCLA School of Law

UCLA's founding Vice Chancellor for Equity, Diversity and Inclusion, Jerry Kang is considered a leading scholar on implicit bias and critical race studies. He also served as UCLA's inaugural Korea Times – Hankook Ilbo Endowed Chair for Law and Korean American Studies from 2010 to 2020.



Hon. Anne M. Burke
Chief Justice, Illinois Supreme Court

Anne Burke has been a Justice of the Illinois Supreme Court since 2006 and Chief since 2019. A longtime advocate for children and disabled persons, she was a founder of the Special Olympics in 1968 and chaired the lay National Review Board of the U.S. Conference of Catholic Bishops, which investigates accusations of clerical sexual abuse in the Roman Catholic Church.

**Hon. Anita Josey-Herring***Chief Judge, Superior Court of the District of Columbia*

In 1997, Anita Josey-Herring was appointed by President Clinton as an Associate Judge to the D.C. Superior Court. She became the Chief Judge in October 2020. Previously, as deputy director of the D.C. Public Defender Service, she supervised the Investigations Divisions, the Prisoner Rights Program, and the Criminal Justice Act Office, which is responsible for coordinating the appointment of counsel in all criminal cases.

**Deanie Brown***Chief Diversity and Inclusion Officer, Illinois Supreme Court*

In her current role, which she began in November 2020, attorney Deanie Brown is responsible for fostering diverse, equitable and inclusive leadership and staffing for the Illinois Judicial Branch. She previously served as associate chancellor, chief of staff, and director of HR and internal relations at universities in Illinois, California and New Orleans.

**Eva Paterson***Co-founder and President, Equal Justice Society*

A civil rights champion and litigator for more than four decades, Eva Jefferson Paterson leads the Equal Justice Society, whose mission is to transform the nation's consciousness on race through law, social science and the arts. She is a frequent speaker and commentator on topics such as white supremacy, implicit bias and affirmative action, and she has appeared before the U.S. House Judiciary Committee and the Ninth Circuit Court of Appeals Judicial Conference, among other groups.

**Victor D. Quintanilla***Professor of Law, Val Nolan Faculty Fellow, Indiana University Maurer School of Law*

Victor Quintanilla's research investigates civil justice and access to justice by drawing on theory and methods within the field of social psychology. At IU, he is also Co-Director of the Center for Law, Society & Culture and an Affiliated Professor in the Department of Psychological and Brain Sciences.

NEXT STEPS TO PROTECT THE JUDICIARY

This session will break audience members into five groups. Expert facilitators will lead each in brainstorming concrete, specific steps each sector of the legal profession can take to protect the independence of the judiciary. Then all will reconvene to share insights and ideas.

**MODERATOR Scott Westfahl***Professor of Practice and Faculty Director, Harvard Law School Executive Education*

As Director of Executive Education, Scott Westfahl leads the law school's effort to support and develop lawyers across the arc of their careers, particularly as they advance to new levels of leadership and responsibility. He also teaches courses on leadership, design thinking and innovation.

GROUP 1: HOW CORPORATE LEADERS CAN RESPOND

**Veta T. Richardson***President & CEO, Association of Corporate Counsel*

In addition to leading the ACC, which represents more than 45,000 corporate counsel at 10,000 companies in 85 nations, Veta Richardson has advised hundreds of multinational corporations and the administrations of presidents Clinton, G. W. Bush and Obama on issues of diversity, equity and inclusion. Her first book, "Take Six" (2021, ForbesBooks), was an Amazon No. 1 bestseller in the category of strategic management books.

**Ricky Raven***Senior Vice President-Deputy General Counsel, Allstate Insurance*

Ricky Raven is a member of the Houston Police Officers' Civil Service Commission and former commissioner and secretary of the State Commission on Judicial Conduct. He is also a regent of the University of Houston System and former director of the Texas Higher Education Coordinating Board. He serves on The National Judicial College Board of Visitors.

GROUP 2: HOW JUDGES CAN RESPOND



Hon. Bernice Donald

U.S. Court of Appeals for the Sixth Circuit

Bernice Donald was the first African-American woman to serve as a U.S. Bankruptcy Court judge and the first African-American woman judge in Tennessee's history. She has been President of both the National Association of Women Judges and the Association of Women Attorneys and has received more than 100 awards for professional, civic and community activities.



Hon. Scott Bales (Ret.)

Former Chief Justice, Arizona Supreme Court

Scott Bales served on the Arizona Supreme Court for 14 years and was Chief Justice from 2014 to 2019. After retiring from the court, he was the Executive Director of the Institute for the Advancement of the American Legal System at the University of Denver.

GROUP 3: HOW PRACTITIONERS CAN RESPOND



Judy Perry Martinez

Former President, American Bar Association

Judy Perry Martinez led the ABA, the largest voluntary association of lawyers in the world, from 2019 to 2020. She is Of Counsel at Simon, Peragine, Smith & Redfearn and previously was vice president and CCO of Northrop Grumman Corporation. She is a vice-president of the World Justice Project.



Laurel Halbany

Attorney, Kazan, McClain, Satterley & Greenwood

Laurel Halbany is a past chair of the American Association for Justice LGBT Caucus and currently serves as California representative to the AAJ Board of Governors. Her professional specialty is representing victims of asbestos-related disease, particularly mesothelioma.

GROUP 4: HOW NONPROFITS AND FOUNDATIONS CAN RESPOND



Qudsiya Naqui

Officer, Pew Charitable Trusts

A lawyer and disability justice activist based in Washington, D.C., Qudsiya Naqui is also the creator and host of Down to the Struts, a podcast about disability and design. Her work on disability has been featured in Vox, Oxford University Press, the Disability Visibility Project and Forbes magazine.



Jocelyn D. Larkin

Executive Director, Impact Fund

Jocelyn Larkin is the Executive Director of the Impact Fund, a legal foundation in Berkeley, California, that provides funding, training and representation in support of social justice impact litigation. Her practice focuses on complex employment discrimination and class action practice on behalf of plaintiffs. She serves on the Board of the Civil Justice Research Initiative at Berkeley Law.

GROUP 5: HOW THE LEGAL ACADEMY CAN RESPOND



David Yellen

Dean-designate, University of Miami School of Law; former CEO, Institute for the Advancement of the American Legal System

Before joining IAALS as CEO in 2021, David Yellen served as Dean and Professor of Law at Loyola University Chicago School of Law and afterward was President of Marist College. He has been active in pro bono and community service work and led an inquiry into police torture in Chicago and argued a federal sentencing case at the United States Supreme Court.



Kellye Testy

President and CEO, The Law School Admission Council

Kellye Testy has headed the LSAC, an assessment, data and technology hub for law schools and their candidates, since 2017, the same year she was named the nation's second-most-influential leader in legal education by *National Jurist*. Previously she was the first female Dean of the University of Washington School of Law and Dean and Professor at Seattle University School of Law.

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