

## **The Bench Press**

*The Federal Judges Association Newsletter* February 2025

Dear Federal Judges Association (FJA) Members:

In his 2024 year-end report, Chief Justice John Roberts expressed concerns about threats to the independence of the judiciary through violence, intimidation, disinformation, and defiance of rulings by the courts. Chief Justice Roberts wrote:

"At the end of the day, judges perform a critical function in our democracy. Since the beginning of the Republic, the rulings of judges have shaped the Nation's development and checked the excesses of the other branches."

The Federal Judges Association recognizes the threats



judges often face and has collectively responded to such attacks by supporting the Daniel Anderl Judicial Security and Privacy Act, which protects judges' personally identifiable information. We now encourage all of our members to participate in our civics education outreach programs to inform the general public about our role as judges in the co-equal third branch of government. Educating the public empowers all to understand the system of checks and balances which is critical to a democracy. While we cannot speak about individual cases, we can always inform others about the judicial process, including the right of appeal for litigants who disagree with a decision.

Please stand in solidarity with the FJA as we support our fellow judges who make tough decisions in cases every day and should be able to do so without fear, intimidation, or retaliation. We will continue to work together, in the FJA and the judiciary at large, to promote efficiency, transparency, and public trust and confidence in our institutions.

#### J. Michelle Childs, President



## Register Today for the Judicial Independence & Integrity Webinar March 11, 2025 3:00 PM ET \ 12:00 PM PT Committee Chair: Jacqueline H. Nguyen



The Judicial Independence and Integrity Committee is hosting a webinar on **March 11, 2025**, to discuss threats to the rule of law, public confidence in the judiciary, and how judges can uphold the integrity of our judicial system. The conversation will be moderated by Jeremy Fogel, former Director of the Federal Judicial Center and current Executive Director of the Berkeley Judicial Institute. This webinar will be for FJA members only and Zoom Webinar information will be sent upon registration.

During registration you will be asked to answer the following questions in advance:

- What topics do you hope that the group will talk about?
- Is there a particular topic about which you'd like to share your thoughts with the group?

If you have any additional questions or comments, you may address them directly with <u>Hon.</u> Jeremy Fogel (ret.) or contact us at <u>fja@federaljudgesassoc.org</u>.

*Please Note: This webinar will not be available via phone, so please be sure to view online. A recording will be available to members in the Members Only section.* 



Hon. J. Michelle Childs U.S. Court of Appeals District of Columbia

#### **Register Today**



Hon. Jacqueline Nguyen U.S. Court of Appeals Ninth Circuit



Hon. Jeremy Fogel (ret.) Executive Director Berkeley Judicial Institute

## AFBNJ Statement Supporting the Judiciary and Upholding the Constitution of the United States of America

While judges are bound by judicial canons that constrain their ability to speak on issues that may present themselves before the courts, the FJA is grateful for the efforts of the legal community to speak on behalf of judges who come under attack for discharging their constitutional duties. One such effort is noteworthy today. Click **HERE** to read more.

## **Committee Updates**

Our committees are working for you! Here are some highlights of their accomplishments.

Civics & Service Chair: Robin Rosenbaum



The FJA's Civics and Service Committee continues to work on its projects: the Naturalization Civics Challenge (along with the Scholars Exchange, in partnership with the National Constitution Center), the Clerkship Chats, and the Speech Bank. Judges Beth Bloom of the Southern District of Florida and Lauren King of the Western District of Washington did a terrific job explaining these programs during our recent webinar. This month, we want to focus attention on their efforts and on those of the other judges on our committee who have been working with them. So, if you're interested in learning more about our projects, please view the webinar and access the materials by clicking the button below. Feel free to contact **Judge Robin S. Rosenbaum** with any questions. We hope to work with you!

#### Access Civics & Service Webinar/Materials

## International Rule of Law

Chair: Cynthia M. Rufe



## CAPE TOWN NEWS PART III

As promised in last month's FJA newsletter, reports from the International Association of Judges Annual Meeting in Cape Town, South Africa, continue. For an overview of our FJA delegates' activities at the conference, I am including a message from the Secretary General of the IAJ, Giacomo Oberto, below, that summarizes the meetings, and highlights with links to reports of each of the four Study Commissions, as well as two special reports on AI, the educational theme of the conference:

**Download Oberto Message** 

We are particularly proud of Past Presidents Marilyn Huff and Margaret McKeown, who made stellar presentations on the AI panel. Their respective reports are included herein:



Honorable Marilyn Huff, President of the First Study Commission of the IAJ: The Effects of Artificial Intelligence on the Judiciary as a Whole



Honorable Margaret McKeown, President of the Fourth Study Commission of the IAJ, Artificial Intelligence: its Impact on Social Law

**Download Speech** 

**Download Presentation** 

For a comprehensive summary of the activities of the International Association of Judges in 2024, I include a link to the annual newsletter from Secretariat Oberto for your information:

#### Annual Newsletter

Next month, I will demonstrate the work the FJA Delegates contribute to the Study Commissions and to our geographical group, ANAO. Upcoming events:

ANAO Mid-Year Meeting, Toronto, Canada, <u>May 14-16, 2025</u> 2025 IAJ Meeting - Baku, Azerbajian, <u>October 12-16, 2025</u>

Respectfully Submitted,

Cynthia M. Rufe, Lead Delegate, FJA Chair, International Rule of Law Committee

> Membership Chair: Nannette Jolivette Brown



The Membership Committee welcomes the following new members to the FJA:

Robert S. Ballou (W.D. Va.) John W. Holcomb (C.D. Cal.) Embry J. Kidd (11th Cir.)

The following judges have been confirmed recently. Please join us in welcoming them to the judiciary and encourage their membership in the FJA!

Benjamin Jerome Cheeks (S.D. Cal.) Sarah Morgan Davenport (D.N.M.) Sharad H. Desai (D. Ariz.) Melissa R. DuBose (D.R.I.) Tiffany Rene Johnson (N.D. Ga.) Embry J. Kidd (11th Cir.) Serena Raquel Murillo (C.D. Cal.) Keli M. Neary (M.D. Pa.) Sparkle L. Sooknanan (D.D.C.) Cynthia Valenzuela Dixon (C.D. Cal.) Gail A. Weilheimer (E.D. Pa.) Noel Wise (N.D. Cal.)

## In Memoriam



**Hon. Louis C. Bechtle**: The Eastern District of Pennsylvania mourns the loss of the Hon. Louis C. Bechtle, former senior U.S. District Judge. Judge Bechtle had previously served as the United States Attorney for EDPA before serving three decades on the bench. He passed away on Sunday, December 22, 2024, in an assisted-living facility in Audubon, Montgomery County.

**Hon. Malcolm Jones Howard**: The Hon. Malcolm J. Howard passed away Sunday, January 12, 2025. Judge Howard on served as a U.S. District Judge for the Eastern District of North Carolina from 1988 - 2005. Howard served as a Judge of the United States Foreign Intelligence Surveillance Court from 2005 to 2012.

**Hon. Richard G. Kopf**: The Honorable Richard G. Kopf passed away on Friday, January 17, 2025. Judge Kopf was nominated by President George H.W. Bush on April 7, 1992, to serve on the United States District Court for the District of Nebraska. Judge Kopf was confirmed by the United States Senate on May 21, 1992, and received his commission on May 26, 1992. Upon Judge Kopf's appointment, then-Senator Bob Kerrey predicted that his career as a federal district judge would be "one of genuine distinction." This prediction proved to be entirely accurate.

**Hon. Peter J. Messitte**: The Honorable Peter J. Messitte passed away on Saturday, January 11, 2025, after a short illness. Judge Messitte was commissioned as a U.S. District Judge on October 20, 1993. He served in the Court's Southern Division at the Greenbelt Courthouse and was on active status until September 1, 2008. Judge Messitte continued service on senior status until his death. Judge Messitte was renowned for his judicial outreach throughout the world, and especially in Latin America. In June 2017, he received the Order of the Southern Cross for his contributions to the Brazilian Judiciary. His colleagues and Court staff deeply mourn his passing.

**Hon. Sylvia H. Rambo**: The Hon. Sylvia H. Rambo, whose groundbreaking career spanned more than four decades, passed away on Monday, December 23, 2024 at the age of 88. An iconic figure in Pennsylvania's legal community, Judge Rambo broke barriers at every turn, cementing her place as a trailblazer for women in the law.

Quadrennial April 27-29, 2026 in Washington, D.C. Co-Chairs: Cathy Bissoon and Sara Darrow



# Got books?

## **Book Fair Survey**

The FJA Quadrennial Book Fair has become a much-anticipated part of FJA's Quadrennial Conference, an event for federal judges and their guests held every four years in Washington, D.C. The committee is excited to host another Book Fair at the upcoming 2026 Quadrennial and needs your help in identifying books and authors to highlight, specifically, books authored by our very own members. Please take a quick moment to

answer this survey so that we can begin compiling a comprehensive list of books and authors for the 2026 Quadrennial Book Fair.

Thank you in advance for your participation. Please feel free to reach out to the FJA with any questions at **fja@federaljudgesassoc.org** or (888) 329-1941.

Sincerely,

Judge Debra Brown (N.D. Miss.) Judge Marina Garcia Marmolejo (S.D. Tex.) Judge Robert Lasnik (W.D. Wa.) Judge Jack McConnell (D.R.I.)

**Complete Survey Here** 

## Announcements



## ABA Liaison Report Submitted by Nannette Jolivette Brown, FJA-ABA Liaison

The American Bar Association serves as an important voice for attorneys who practice law in this country. As judges, maintaining a connection with the bar through this association is critical to our ability to anticipate issues and remain informed on the workings and interests of the bar. The Federal Judges Association has a direct connection to the leadership of not only the lawyers in the ABA but other judges—both state and federal.

The ABA had its Mid-year meeting in February in Phoenix, Arizona. The following resolutions were adopted by the governing body of the organization. Because they affect and/or may have an impact on federal judges, we report them in summary below.

• **Resolution 200** passed the House of Delegates (HoD) without discernible opposition. Resolution 200 urges Congress to pass federal legislation to eliminate case assignment systems in the federal courts that predictably assign cases to a single district judge without random assignment in cases seeking to enjoin or mandate the enforcement, or declaratory relief concerning enforcement of a state or federal law or regulation. The sponsoring sections were Litigation, Civil Rights and Social Justice (CRSJ), and Tort Trial and Insurance Practice (TIPS). Many other sections were noted as supporting the resolution including Health Law and GP-Solo.

The HoD adopted other resolutions relating to judicial administration:

- **Resolution 201** from the Maryland State Bar Association "[e]ncourages state, local, territorial, tribal, and specialty bar associations to adopt policies to prioritize enhancing judicial security in their jurisdiction."
- **Resolution 202** urges "all state, local, territorial and tribal governments" to take action "to prohibit the disclosure of personally identifiable information of active or former government officials and employees, and the immediate family members with whom they share a residence." This resolution was sponsored by Government and Public Sector Lawyers Division, Judicial Division, CRSJ, State and Local Government Law, Standing Committee on Gun Violence, and the Standing Committee on Public Education.
- **Resolution 203** from the New York City Bar Association and King County (WA) Bar Association urges "the Supreme Court of the United States to modify the ethics code it adopted in 2023 and adopt a binding ethics code for the Supreme Court that is as strict as the Code of Conduct for United States Judges...including a Supreme Court-adopted appropriate enforcement mechanism."

Information about all the Resolutions proposed and adopted is available here: https://www.americanbar.org/groups/leadership/house\_of\_delegates/2025hodmidyearme eting/.

It is important to note that there is a Judicial Division of the ABA. Within the Judicial Division is the National Conference of Federal Trial Judges (NCFTJ). NCFTJ has an

opportunity to discuss in advance and send a representative to vote on all resolutions, or to abstain when we believe it is an issue that could come before us or one in which federal judges may have a conflict of interest in weighing in.

Resolution 200 initiated a lot of debate within the NCFTJ, as we were closely divided on whether to abstain or vote against it. Considering there is no opportunity to publish an explanation for opposition, some judges believed opposition could be viewed as encouraging lawyer forum shopping. Others in the conference believed we should have voted against it, due to the constitutional implications of Congress enacting legislation that would curb the power of federal judges. We are a separate branch, independent from the control of Congress. As we have in the past, should we decide to modify our own power, we should be allowed to do so without interference from Congress, outside influence, or other pressures.

In the end, the vote to abstain prevailed. However, for those federal district judges who feel strongly that Congress should not be invited to interfere with our constitutional authority and power, please know that there was strong opposition from the NCFTJ regarding inviting Congress to regulate our branch. Ultimately, the consensus was that the litigation section of the ABA has the ability to control forum shopping, not by requesting Congress to curb the authority and power of federal judges, but by encouraging its members and lawyers in general to stop forum shopping in the first place.

Issues that affect the independence of the judiciary are arising more frequently recently, and so in addition to your membership in the Federal Judges Association, I invite you to also join the ABA National Conference of Federal Trial Judges. You can contact **Nannette Jolivette Brown** or **Cathy Bissoon**, Co-Chairs Membership ABA-NCFTJ, for more information on joining and becoming active and engaged.

## In Case You Missed It: A Conversation on <u>Brown</u> Three Score and Ten Years Later: Looking Back and Thinking Ahead Recorded on: June 26, 2024

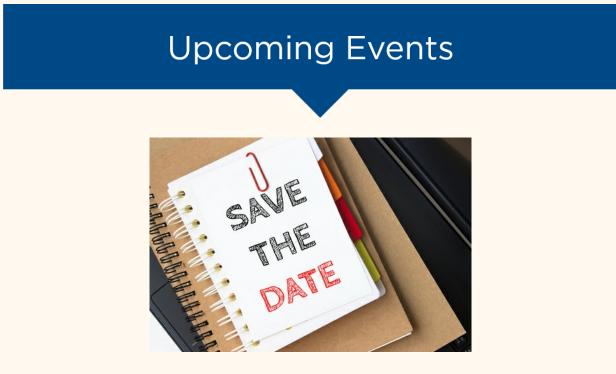
Lawyer, activist, and professor Cornell William Brooks of Harvard's Kennedy School of Government moderates a conversation between Judge Roger Gregory of the Fourth Circuit Court of Appeals and Judge Carlton Reeves of the Southern District of Mississippi about the Supreme Court's iconic decision in <u>Brown v. Board of Education</u>. It's been 70 years since the high court declared that "separate" was not "equal." Professor Brooks discusses with Judges Gregory and Reeves the decision's impact on Fourteenth Amendment jurisprudence and American society, as well as the lived experiences of all three having grown up and gone to school in the South in the years that followed it. We invite you to watch this recorded webinar at your leisure and share any comments you may have with us.

View Webinar

## Members in the News

#### Pathways to Federal Clerkship 2025

On January 10, 2025, **Hon. Mitchell S. Goldberg**, Chief Judge of the District Court for the Eastern District of Pennsylvania, hosted more than 150 law students and recent graduates for an event. The event was open to all and provided information to potential clerkship applicants interested in pursuing public interest legal careers. **Judge Goldberg, Hon. Juan R. Sánchez, District Judge**, Hon. José R. Arteaga, Magistrate Judge, and Clerk of Court George V. Wylesol greeted attendees as they arrived in the Ceremonial Courtroom.



FJA 2025 Board Meeting

The 2025 Board Meeting has been scheduled for April 2 - 4, 2025 in Philadelphia, Pennsylvania. We are excited to host the 2025 Board Meeting at The Green Federal Building with a reception and dinner to follow at the National Constitution Center. Next month we will provide Zoom registration details if you would like to join us virtually.

#### March Edition | The Bench Press

Have a submission for the upcoming edition of The Bench Press? Please share it by **March 10, 2025**. We would love to share your special news with the membership. **Email us**!

Email Us Your News



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