

Online

with the

Judicial Family Institute

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The New Board 2008-2009

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Fond Farewells

The Judicial Family Institute bids a fond farewell to two of our more energetic members.

We thank former treasurer Lucille Taylor, spouse of the Chief Justice of Michigan, for her outstanding service to JFI.

Judge Thomas R. (Skip) Frierson of Tennessee also merits our applause. He undertook an important JFI study of judicial family programs in different jurisdictions.

The Judicial Family Institute is grateful to you both for your unstinting commitment to our mission.

Saludos From the Chair

Dear Friends and Colleagues:

The Judicial Family Institute turned 21 years old this year and, to celebrate our coming of age, we are moving full speed ahead to build the future of our institution on the work of the past.

We have exciting challenges to face as we enter our 22nd year, there are vital causes in the judicial community to support and we are ready to take on the job. This newsletter is the first step in that direction. We want members and advisors, state liaisons, judicial educators, judges and Judicial family members to know and remain informed about our activities.

A few weeks ago, I left Anchorage, the site of the Conference of Chief Justices, stirred by the business meeting as well as the trust you placed in me as the new chair of the Judicial Family Institute. I am honored by your confidence and vow to honor that trust to the best of my abilities. My commitment to the mandate of JFI to inform and educate judicial family members on issues of concern and importance is firm.

A preview of our plans was presented at the JFI business meeting held at the Annual Conference of Chief Justices on July 28, 2008. We expect to update our website with current articles on issues affecting judges and their families. These issues include substance abuse, eating disorders, and judicial-related stress. You will shortly find new articles regarding judicial elections and their impact on the candidates' families. We will make every effort to keep our community fully aware of diverse security risks both at home and on the web.

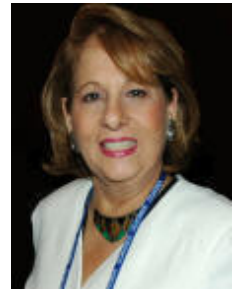
In addition, we will also insert the purpose of JFI in revised state judicial codes. Clearly, we are now an integral part of the Annual Conference of Chief Justices. A program geared to Chief Justices and their spouses that will highlight ethical concerns and the impact of judicial elections on judicial families is also on the boards. The program is scheduled possibly for the next mid year or annual Conference of Chief Justices in Phoenix, Arizona.

Plan to attend.

Our mandate is to provide information and education "on issues of concern and importance to judicial family members, including security and ethical conflicts for judges and their families." Our commissions and committees are doing just that. I hope you are as full of expectations as I am and that, together, we will continue the efforts of the Judicial Family Institute. There is much work to do to prepare for our meetings in Phoenix (winter, 2009), Santa Fe (summer, 2009) and the U.S. Virgin Islands (winter 2010).

We will keep you posted on our progress through this newsletter. Let us join forces and move forward with dedication, enthusiasm, and hope.

Hasta pronto!



Isabel Pico-Vidal, Esq.

JFI Chair

A First-rate talk on the First Amendment

COMMITTEES and THEIR AGENDAS, 2008-2009

Website Committee

- Widen use and sharpen appeal of website
- Post approved new articles.
- Revise JFI graphics and layout of website
- Work with JFI chair on organizational chart and timetable.
- Request biannual report on website hits from NCSC.
- Submit new articles to committee chairs on such topics as political stress, finances, career changes, children of judges, among others.

Chair: Jan Aikman Dickson (IN) Roslyn Smith (MD) and Ilona Holland (DE), members.

States Programs Committee

- Track judicial family programs in states, territories and commonwealths.
- Update list of liaisons from states, territories, and commonwealths; encourage states to select contacts.
- Define role of liaisons and inform them of JFI expects them to do.
- Encourage state liaisons to increase JFI readership, programming and reports on their jurisdiction.
- Nurture connections with state liaisons by sending information on a regular basis.
- Send same updates to Chief Justices because they authorize programs to begin in their states and support established programming for judicial families.
- Work with JFI Chair on organizational chart and timetable for States Program Committee.

Mary Moyer (OH), advisor ; Ruth Newcomer (OH) advisor

Health and Quality of Life

- Increase posting of new articles on health and wellness issues including, substance abuse, eating disorders and judicial stress, on website.
- Participate as members of ABA Committee developing model assistance programs for judges and their families.
- Authorize articles on health and quality of life.

Chair: George Durham, M.D. (UT); Seymour Abrahamson, member

Ethics and Conflicts of Interest

- Insert purpose of JFI into revisions of state judicial codes.
- Increase posting of new articles on website.
- Plan program on ethical concerns for Chief Justices and spouses for the conference of Chief Justices in



Hon. Jean Toal (SC), Past President of the CCJJ and Anthony Lewis

This year our CCJ/JFI conference took place in Anchorage, Alaska. We were fortunate to have two- time Pulitzer Prize winner, Anthony Lewis speak to our group on his fourth and most recent book entitled, 'Freedom For The Thought We Hate: A Biography of the First Amendment.

Mr. Lewis began his presentation by observing that the United States is the most outspoken society in the world. We are, he opines, freer to think what we will and say what we think more than any other people are. Significantly, we are freer today than in the past.

The 14 words in the U.S. Constitution, 'Congress shall make no law...abridging the freedom of speech, or of the press,' do not, he told us, account for this extraordinary freedom. Instead, he pointed out, that in the early days of the Republic, there were instances where Americans were punished for speech that today is protected. Our improved condition, he contends, is due to the crucial role that judges have played in interpreting the meaning of the First Amendment.

Mr. Lewis traced the development of First Amendment jurisprudence from our Nation's beginnings to the present, telling the story of legal and political conflict, hard choices, and the determined and sometimes eccentric Americans who led the legal system to realize the First Amendment was one of America's great founding ideas.

His terrific presentation left attendees with a greater appreciation of the freedom we all enjoy and the fact that this freedom was the product of a long struggle by judges, lawyers, and activists and must never be taken for granted.



From left: Christine Alexander, Chair of JFI Law and Literature Committee and spouse Hon. Gerry Alexander, Chief Justice of Washington State talking to a conference attendee.



From left: Hon. Robert Bell, Chief Justice of Maryland; Roslyn Smith, JFI advisor and Hon. Federico Hernández Denton, Chief Justice of Puerto Rico

Business Meeting Notes



Hon. Fernande R.V. Duffy, Boston Appellate Court Judge



Pat Hannah (AR) JFI Vice Chair

Incoming JFI Chair Isabel Pico Vidal (Puerto Rico) welcomed attendees on

Serving as Parliamentarian was Boston Appellate Court Judge, the Honorable Fernande R.V. Duffy who is also

Santa Fe, New Mexico.

Chair: Isabel Picó-Vidal (PR); Sandra Chavez (NM), member.

Judicial Elections and Political Life

- Review articles on how judges' households approach campaigns for judicial elections.
 - Okays any submitted article on political life to be added to the JFI website.
 - Share information for all judicial households whether appellate or trial on ideas for coping with the realities and stresses of political campaigns on judicial families.
 - Educate judicial family members on ethical rules on family's political activity.
 - Increase publication of articles on the topics on the JFI website.
 - Plan a program for Chief Judicial and spouses on judicial election and stresses of political campaigns on judicial families for the next CCJ Mid Year Conference or annual Conference of Chief Justices.
- Chair: Haskell Ward (GA), Pat Hannah, Esq. (AR) Member

Security Committee

- Increase awareness and number of JFI articles on new security risks on the home front and the internet.
 - Authorizes submitted articles on security to be added to the website.
- Chair: Polly Seto Richardson (HI), Linda Titus (NV), member, Claudia Fernandes (CA), advisor

Law and Literature Committee

- Plans Law and Literature sessions during Conference of Chief Justices in consultation with Executive Committee and National Center for State Courts. activity with Planning Meeting Committee for Annual and Mid-year Conferences of Chief Justices.
 - Review proposal to invite attorney and best-selling author John Grisham to CCJ Mid-Year meeting (2010) to be held in the U.S. Virgin Islands.
- Chair: Christine Alexander (WA).

behalf of past Chair Jan Aikman Dickson who for reasons of health was unable to attend the meeting for the first time in many years. Present were voting members Pat Hannah (AR), George Durham (UT), Barbara George (CA), Haskell Ward (GA), Linda Titus (Nevada) Christine Alexander (WA), Mary Moyer (Ohio), Sandra Chavez (NM), and Isabel Picó (PR).

president of the National Association of Women Judges. Reports from Secretary Pat Hannah, Treasurer Lucille Taylor, and former Chair Jan Aikman Dickson, for 2008, are posted on the JFI website for members only. Also posted are the Ethics Committee Report and the JFI Website Statistics.

Judicial Elections on Upcoming Education Program

Haskell Ward, new chair of the Judicial Elections and Political Life Committee, led a lively discussion on coping with the realities and stresses of political campaigns on judicial families. Mr. Ward should know about the subject. He managed two political campaigns (1998 and 2004) for his wife, Leah Sears, the Chief Justice of Georgia.

Judges in many states have to engage in the electoral process, a situation discussed by the CCJ's Past Presidents Committee in Anchorage. Georgia's Supreme Court Justices, for example, serve six-year terms and are required to run for election in statewide non-partisan contests. Also providing vivid examples of election campaign difficulties in fund-raising were Bill Cobb, whose wife is the Chief Justice of Alabama, and Pat Hannah, as mother of a judicial candidate in Arkansas. The Judicial Family Institute is developing an educational program on the impact of electoral campaigns on judicial families and handling the strain involved in campaigning. A preliminary program is on the boards for possible presentation at the next meeting of the Conference of Chief Justices.



Haskell Ward, new chair of the Judicial Elections and Political Life Committee and Leah Sears, Chief Justice of Georgia.

Revised ABA Model Code of Judicial Conduct is up to States

The American Bar Association adopted the Model Code of Judicial Conduct in February 2007.

It is now up to the various states to determine how to deal with the substance of the proposed revisions by the ABA.

At the 2007 Annual Meeting held in Michigan the Conference of Chief Justices adopted Resolution number 4 "In Support of Adopting the Format and Numbering Systems of the 2007 ABA Model Code of Judicial Conduct". So far, Indiana and Hawaii have approved revised judicial codes. Thirty three (33) jurisdictions have committees reviewing their Judicial Codes,

but only two have completed the process of adoption and/or approval by the Supreme Court.

As of September 11, 2008, eight (8) U.S. jurisdictions (DE, CT, KS, AR, MN, MT, NH, OH and OK) have issued proposed revisions of their Judicial Codes and circulated them for comments.

State adoption of this Code is not an automatic process. It is within the jurisdiction of each state, territory or commonwealth to adopt or revise their local codes following the 2007 ABA Model Code.

Excerpts : Ethics Committee Report 2008

Family Matters in the 2009 Indiana Code Of Judicial Conduct

By Jan Aikman Dickson

Indiana was the second state to adopt new judicial ethics rules based on the new national model. Like existing ethics guidelines for judges in other states, territories, and commonwealths, the Indiana Code of Judicial Conduct effective January 1, 2009 continues to call for judges to “recuse” or “disqualify” themselves from cases intersecting their household and extended family activities and interests. It also includes some unique family matters:

• “Judges, as parents, may assist their children in their fund-raising activities if the procedures employed are not coercive and the sums nominal”. See Rule 3.7 Comment (6)

• A judge as family member may “accompany a member of the judge’s family at events related directly and solely to that person’s candidacy for public office”. See Rule 4.1, Comment (5)

• “A judge’s assistance to a family member in legal matters may not include signing pleadings or appearing before a tribunal for a family member”. See Rule 3.10 and Comment (2)

• A judge may appear before governmental bodies and consult with governmental officials in matters involving the judge’s legal or economic interests and “of members of the judge’s household”. See Rule 3.2 ©

• A judge may not directly solicit funds for educational, religious, charitable, fraternal, or civic organizations and activities; but may engage in activities such as “volunteering services or goods at fund-raising events”. See Rule 3.7 (a) (1)

For the context of these distinct provisions and other references to judges families, see the complete Indiana Code of Judicial Conduct at <http://www.in.gov/judiciary/rules/judconduc09.pdf>. In adopting the unique provisions listed above, the Indiana Supreme Court added to or modified an American Bar Association (ABA) Committee's 2007 Model Code of Judicial Conduct.

JFI Website “Hit” Parade

The JFI website registered more than 65,000 “hits” last year. That achievement was due, in part, to the timeless information and new resources JFI provides for judicial households, extended family, and judicial educators.

We plan to update the website with photographs to tell the story of judicial family and friend’s support for judges all over the country. Photos celebrating special moments like investitures will feature a variety of geographical areas, ethnic and racial representatives, and family structures. Ideas will be featured for educational programs on judicial family topics such as avoiding conflicts of interests, home and travel security, and other issues. We hope to make JFI topics and information about states, territories, and commonwealths easily accessible to viewers.

Our website is hosted by the National Center for State Courts. Past JFI Chair Jan Aikman Dickson (IN) is the new JFI Website Committee Chair.

Be sure to check us out at <http://jfi.ncsconline.org> in the weeks and months ahead. You’ll be pleasantly surprised.

[Photo Gallery \(click here \)](#)



"We set aside personal differences in politics, geography and positions on controversial issues to attend to what we have in common as families."