

CONFERENCE PROGRAM

AJS NATIONAL CONFERENCE Judicial Independence in an Age of Political Polarization

November 21-24, 2021
Sheraton Waikiki Hotel
Honolulu, Hawai'i



AMERICAN JUDICATURE SOCIETY

Advocating for a fair system of justice

PLEASE NOTE:

- This is a preliminary program and subject to change.
- Times listed are Hawaii Standard Times (HST).
- Continuing legal education (CLE) credits are available for the conference. For more information, see conference registration.
- Register for the conference for in-person or virtual attendance.
- Conference registration includes the AJS Annual Meeting and Awards Luncheon, OR register only for the AJS Annual Meeting and Awards Luncheon.

SUNDAY, NOVEMBER 21

1:00 PM – 4:30 PM

Pre-Registration

4:30 PM – 6:30 PM

Opening Session: The Royal Garden, Royal Hawaiian Shopping Center

- Cultural protocol
- Welcome and Introductions
- Presenter: Hon. M. Margaret McKeown, U.S. Circuit Court Judge, Ninth Circuit Court of Appeals

MONDAY, NOVEMBER 22

7:00 AM - 8:00 AM

Registration

8:00 AM - 9:30 AM

Opening Program: Sheraton Ballroom

- Hawaiian Oli Aloha Chant
- Welcome and Introductions
- Presenter: Charles Geyh, Distinguished Professor and John F. Kimberling Professor of Law, Indiana University Mauer School of Law

9:30 AM - 9:45 AM

BREAK

9:45 AM - 11:00 AM

General Session I: Assault on the Courts—the 2020 Election and Beyond

State and federal court judges and justices have been publicly disparaged and vilified for their decisions. We will learn how the 2020 election and recent developments have showcased the continuing impact of polarizing politics on the courts and judicial independence.

- Presenter: Dean Erwin Chemerinsky, Dean of the University of California, Berkeley, School of Law
- Moderator: Dean Avi Soifer (ret.), William S. Richardson School of Law, University of Hawai'i at Mānoa

11:00 AM - 11:15 AM

BREAK

11:15 AM – 12:30 PM

General Session 2: Politics, Judicial Selection and the Administration of Justice

Political pressure on the courts is abundantly evident, from elections of state court judges and campaign contributions to cutbacks in court budgets. We will hear about various judicial selection and retention models, issues and trends in campaign finance and ethics, current budgetary issues, and the implications for judicial independence.

- Presenter: Alicia Bannon, Managing Director of the Democracy Project at the Brennan Center for Justice, New York, and leader of the Center's Fair Courts Project

12:30 PM – 2:00 PM

AJS Annual Meeting and Awards Luncheon

- Keynote address: Hon. Mark Recktenwald, Chief Justice of the Supreme Court of Hawai'i
- Recognition of Awardees
 - Hon. Ronald Moon, former Chief Justice of the Hawai'i Supreme Court
Herbert Harley Award
 - Colin Miwa, Esq., Cades Schutte LLP
Special Merit Citation

2:00 PM – 5:30 PM

AJS Tours and Activities: sign up at registration

- Dinner on Own

TUESDAY, NOVEMBER 23

8:30 AM - 8:45 AM

Announcements

8:45 AM – 10:00 AM

General Session 3: Confidence in the Courts, Judicial Ethics and Accountability

Amidst the prevailing political winds, how can confidence in a fair and impartial judicial system and judicial independence continue or be restored?

- Presenter: Cynthia Gray, Director of the Center for Judicial Ethics at the National Center for State Courts, Williamsburg, Virginia
- Panelist: James Alfini, Professor of Law and Dean Emeritus, South Texas College of Law Houston
- Moderator: Marla Greenstein, Executive Director, Alaska Commission on Judicial Conduct

10:00 AM – 10:15 AM

BREAK

10:15 AM – 11:30 AM

General Session 4: Understanding the Courts, Civics, and Judicial Independence

We will learn how many in the legal community view civics education as key to public understanding and confidence in a fair and independent judicial system. We will also learn the extent to which interested individuals and community groups have been organizing to promote civics education.

- Presenter: Dr. Anthony Simones, Director of Civic Education at the Missouri Bar
- Moderator: Hon. Lisa Ginoza, Chief Judge of the Intermediate Court of Appeals of Hawai'i

11:30-AM – 11:45 AM

BREAK

11:45 AM – 1:00 PM

Breakout discussion groups (with bento lunch)

- Planning for Civics Education
- Planning for the Future of AJS and the Formation of State Chapters
- Planning for AJS Affiliations with Law Schools and Institutes

1:00 PM – 4:00 PM

AJS Tours and Activities: sign-up at registration

6:00 PM – 9:00 PM

**Reception and dinner for AJS conference attendees and guests:
Royal Hawaiian Hotel, Monarch Room**

WEDNESDAY, NOVEMBER 24

8:30 AM – 8:45 AM

Announcements

8:45 AM – 10:30 AM

General Session 5: Judicial Diversity in the Courts

Where does the judicial system stand in terms of achieving diversity and why? Have political factors impacted judicial diversity and the perception of a fair, impartial, and independent judiciary?

- Presenter: Hon. Goodwin Liu, Associate Justice of the Supreme Court of California
- Panelists:
 - Hon. Susan Oki Mollway, Senior U.S. District Court Judge, District of Hawai'i
 - Hon. Richard Robinson, Chief Justice, Connecticut Supreme Court
 - Hon. Steven Gonzalez, Chief Justice, Washington Supreme Court
- Moderator: Hon. Sabrina McKenna, Associate Justice of the Supreme Court of Hawai'i

10:30 AM – 11:30 AM

Closing Program

- Presenter: Hon. M. Margaret McKeown, U.S. Circuit Court Judge, Ninth Circuit Court of Appeals
- Wrap-up and acknowledgements