



2014 Annual Conference
Council of Chief Judges of State Courts of Appeal
NOVEMBER 18-22, 2014
WINDSOR COURT HOTEL - NEW ORLEANS, LOUISIANA

Topic: Leadership and the Court
Course Name: “A Life of Leadership”
Day/Date/Time: Wednesday, November 19, 2014 at 9:00 a.m. – 10:00 a.m.
Responsible Judges: President John Martin/Melanie G. May
Staff Attorney: N/A
Learning Objective: <i>As a result of this course, participants should be better able to:</i> 1. Discuss leadership of the Court
Faculty: Major General William K. Suter, Clerk of The Supreme Court of the United States, Retired
Sub-Topics: Traditions of the Supreme Court of the United States, Judicial Leadership
Delivery Methods/Learning Activities: Lecture, Q & A
Draft Program Description: As Chief Judge you wear the hat of court leader. Explore the leadership of the Supreme Court of the United States, the Justices, and their working relationships, from a person with a lifetime of leadership experience in the military and at the Court.



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Topic: The future of Fourth Amendment analysis in a technological world.
Course Name: “The Fourth Amendment’s Role in Acquiring Digital Evidence”
Day/Date/Time: Wednesday, November 19, 2014, 10:15-11:45 AM
Responsible Judge: Gary W. Lynch
Staff Attorney: N/A
Learning Objectives: <i>As a result of this course, participants should be better able to:</i> <ol style="list-style-type: none">1. Identify the two different ways that appellate courts categorize searches for digital evidence (as containers or as “special approach” to Fourth Amendment);2. Summarize and analyze the U.S. Supreme Court treatment of cell phone and other digital search and seizure cases; and3. Differentiate between Fourth Amendment applicability and satisfaction doctrines as applied to digital searches and seizures.
Faculty: <p>Professor Thomas K. Clancy, Research Professor of Law and Director, National Center for Justice and the Rule of Law, University of Mississippi School of Law</p>
Sub-Topics:
Delivery Methods/Learning Activities: <p>Lecture with PowerPoint presentation. Questions and answers as time permits.</p>
Draft Program Description: <p>Digital evidence is ubiquitous and increasingly important in every criminal case. Digital devices include cell phones, computers, and even refrigerators. This session offers an objective overview of the Fourth Amendment considerations of law enforcement's obtaining digital evidence, including Supreme Court treatment and the fundamental split in the lower courts.</p>



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Topic: Effective Leadership of a Collegial Court
Course Name: “Challenges of the Chief Judge: Consensus is an Individual Idea”
Day/Date/Time: Wednesday, November 19, 2014 at 1:30 p.m. – 4:15 p.m.
Responsible Judges: Margret G. Robb and Rick T. Haselton
Staff Attorney: N/A
Learning Objectives: <i>As a result of this course, participants should be better able to:</i> <ol style="list-style-type: none">1. Identify and employ effective approaches for delegating authority and promoting and sharing leadership within a collegial court;2. Understand and respond to challenges to collegiality, including those arising from dysfunctional interpersonal dynamics or associated with technological “enhancements;” and3. Foster an inspiring, productive, and mutually support court culture.
Faculty: <ol style="list-style-type: none">1. Hon. Christopher Armstrong, Chief Justice (ret.), Massachusetts Appeals Court2. Hon. Rick T. Haselton, Chief Judge, Oregon Court of Appeals3. Hon. Sherry Radack, Chief Justice, Texas First Court of Appeals4. Hon. Arthur G. Scotland, Presiding Justice (ret.), California Court of Appeal, Third Appellate District5. Professor Frankie J. Weinberg, Assistant Professor of Management, Loyola University, Louisiana
Sub-Topics: <p>Collegiality, interpersonal dynamics, productive court culture</p>
Delivery Methods/Learning Activities: <p>Panel discussion, small group discussions, Q&A</p>
Draft Program Description: <p>The panel will discuss various issues that make the life of a chief difficult and what can be done to effectively meet these obstacles to a smoothly running collegial court.</p>



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Topic: Electronic Filing and Case Management
Course Name: “Latest Trends in Court Case Management Systems and E-Filing”
Day/Date/Time: Thursday, November 20, 2014 at 8:40 a.m. – 9:00 a.m.
Responsible Judge: Melanie G. May
Staff Attorney: N/A
Learning Objectives: <i>As a result of this course, participants should be better able to:</i> <ol style="list-style-type: none">1. Describe the latest features in a modern electronic filing system;2. Describe the latest innovations in court case management systems; and3. Decide whether your current electronic filing and case management systems should be updated.
Faculty: Manoj Jain, Thomson Reuters
Sub-Topics: Electronic Filing Systems, Case Management Systems
Delivery Methods/Learning Activities: Lecture, PowerPoint, Q & A
Draft Program Description: Learn the latest innovations in legal research, case management, and e-filing. Improve your knowledge, skill, and efficiency using the most up-to-date resources available.



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Topic: Judicial Courage
Course Name: “Judicial Courage Under Fire – <i>Bush v. New Orleans Parish School Board</i> ”
Day/Date/Time: Thursday, November 20, 2014 at 9:00 a.m. – 10:30 a.m.
Responsible Judges: Edwin A. Lombard and Vanessa G. Whipple
Staff Attorney: N/A
Learning Objectives: <i>As a result of this course, participants should be better able to:</i> <ol style="list-style-type: none">1. Discuss the legal ramifications of <i>Bush v. New Orleans Parish School Board</i>;2. Identify key decisions affecting desegregation in the South; and3. Explain judicial courage in rendering unpopular decisions.
Faculty: <ol style="list-style-type: none">1. The Honorable Roland L. Belsome, Louisiana Court of Appeal, Fourth Circuit2. James E. Wright, III, Partner, Jones Walker LLP, New Orleans, Louisiana
Sub-Topics: <p>Judicial Courage, the judicial works of Judge J. Skelly Wright, desegregation of public facilities</p>
Delivery Methods/Learning Activities: <p>Lecture, Q & A</p>
Draft Program Description: <p>The session will highlight the important role that Judge J. Skelly Wright played in promoting desegregation in the 60’s and his courage and landmark efforts across the deep South to integrate public schools, universities, buses, parks, sporting events, and voting lists.</p>



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Topic: Diversity, Bias, and Perception in Judicial Decision-making
Course Name: “Learning to Think Like a Non-Lawyer”
Day/Date/Time: Thursday, November 20, 2014 at 10:45 a.m. – 12:15 p.m.
Responsible Judge: Melanie G. May
Staff Attorney: N/A
Learning Objectives: <i>As a result of this course, participants should be better able to:</i> <ol style="list-style-type: none">1. Write their opinions more effectively;2. Explain their decisions orally and/or in writing;3. Predict how their decisions will be received by the litigants, counsel, and the public; and4. Describe how diverse backgrounds affect perception.
Faculty: Professor Dan Kahan, Elizabeth K. Dollard Professor of Law and Professor Psychology, Yale Law School
Sub-Topics: Diversity and bias in perceptions Difference in lawyer v. non-lawyer approach to facts and decisions
Delivery Methods/Learning Activities: Lecture, PowerPoint, Q & A
Draft Program Description: Anticipating how members of the public will think is one of the many forms of expertise essential to the craft of judging. Predicting how people of diverse backgrounds and experiences will understand evidence is critical to ruling on motions for summary judgment, overseeing jury selection, and making decisions on evidentiary objections, among other tasks. But it is also critical when judges publicly explain their decisions--either in written opinion or in open court. Professor Kahan will review empirical research findings that can help judges to anticipate "who will see what and why"--and to make rulings that enhance both the accuracy of jury factfinding and the confidence of the public that judicial outcomes are accurate and fair.



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Topic: Ethical dilemmas in science and technology and how legal principles are a factor.
Course Name: “‘She is the Father’ and Other Legal and Ethical Developments in New Forms of Reproduction”
Day/Date/Time: Friday, November 21, 2014 at 8:30 a.m. – 10:00 a.m.
Responsible Judge: John C. Martin
Staff Attorney: N/A
Learning Objectives: <i>As a result of this course, participants should be better able to:</i> <ol style="list-style-type: none">1. Identify and analyze ethical dilemmas which may arise with the application of traditional legal principles to scientific, medical and technological advances; and2. Discuss alternative solutions and differentiate between those based in law, those based in science, and those requiring the application of both disciplines.
Faculty: <p>Rev. John J. Paris, S.J., Michael P. Walsh Professor of Bioethics, Theology Department, Boston College, Massachusetts</p>
Sub-Topics: <p>Ethical and legal issues in reproduction</p>
Delivery Methods/Learning Activities: <p>Lecture, Q & A</p>
Draft Program Description: <p>A thought-provoking and entertaining consideration of ethical dilemmas which may arise when science and technology outrun established legal principles.</p>



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Topic: Speech Writing
Course Name: “The Chief’s Speech: The Art of Public Speaking”
Day/Date/Time: Friday, November 21, 2014 at 10:45 a.m. – 11:15 p.m.
Responsible Judge: Lisa Worswick
Staff Attorney: N/A
Learning Objectives: <i>As a result of this course, participants should be better able to:</i> <ol style="list-style-type: none">1. Analyze their audiences so that they can deliver relevant speeches;2. Adapt their message, language and delivery style to the occasion;3. Write effective introductions and conclusions; and4. Deliver an effective audience-centered speech.
Faculty: Professor Ross Louis, Department of Communications, Xavier University, Louisiana
Sub-Topics:
Delivery Methods/Learning Activities: Lecture, PowerPoint, Q & A
Draft Program Description: As Chief Judge, you are often asked to speak on behalf of your court. Are your speeches informative, inspiring, persuasive, or memorable? Or are your speeches giving the audience an excuse to take a nap? In this session, Professor Ross Louis will suggest an audience-centered approach to public speaking that adapts your message, language and delivery style to the specific occasion you encounter. Emphasis will be placed on analyzing the audience, creating effective introductions and conclusions, and relating to listeners throughout the speech.



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Topic: Stress Management
Course Name: "'To Stress or Not to Stress', 'Sitting is the New Smoking', and the 'Obesity Paradox'-A Fitness and Health Story"
Day/Date/Time: Friday, November 21, 2014 at 11:20 a.m. – 12:20 p.m.
Responsible Judge: Melanie G. May
Staff Attorney: N/A
Learning Objectives: <i>As a result of this course, participants should be better able to:</i> <ol style="list-style-type: none">1. Assess the adverse impact of the sedentary nature of our jobs;2. Design a plan to improve physical wellness; and3. Modify your daily/weekly routine to improve both physical and mental capabilities.
Faculty: <p style="text-align: center;">Dr. Carl “Chip” Lavie, Jr., M.D., FACC, FACP, FCCP, John Ochsner Heart and Vascular Institute Ochsner Clinical School –The University of Queensland School of Medicine</p>
Sub-Topics: <p style="text-align: center;">Health and wellness, stress management</p>
Delivery Methods/Learning Activities: <p style="text-align: center;">Lecture, PowerPoint, Q & A</p>
Draft Program Description: <p style="text-align: center;">Our jobs are not designed for physical fitness and/or healthy living. Explore the ways emotional and psychological stress affects us physically and learn things we can do to reduce, eliminate, or cope with it better.</p>



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Topic: Employment Law
Course Name: “You Did What? Resolving Employment Issues as Chief”
Day/Date/Time: Friday, November 21, 2014 at 2:30 p.m. to 4:30 p.m.
Responsible Judge: Brad Hill
Staff Attorney: N/A
Learning Objectives: <i>As a result of this course, participants should be better able to:</i> <ol style="list-style-type: none">1. Develop standardized and effective personnel procedures to utilize at your court;2. Deal effectively with court personnel issues in the context of the ever-changing employment law landscape; and3. Be proactive by anticipating potential personnel issues and thus be better able to navigate the various employment law minefields.
Faculty: <p style="text-align: center;">Nancy Abell, Esq., Partner, Paul Hastings LLP, Los Angeles, California</p>
Delivery Methods/Learning Activities: <p style="text-align: center;">Lecture, PowerPoint slides, Question and Answer period</p>
Sub-Topics: <p style="text-align: center;">Employment applications, at-will employment, EEOC enforcement guidance, use of the internet/social media, investigation protocols/documentation, use of interns/volunteers, timekeeping</p>
Draft Program Description: <p style="text-align: center;">This session will feature an employment law update and practical tips for managing the workplace. Nancy Abell will return and guide us through an interactive discussion on the new hurdles courts must face as employers.</p>