



Office of the Administrative Director of the Courts – Staff Attorney Office

THE JUDICIARY • STATE OF HAWAII • 417 SOUTH KING STREET, ROOM 209 • HONOLULU, HAWAII 96813-2943
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Lynn Minagawa Inafuku
STAFF ATTORNEY

May 22, 2023

via email: Schilling@allhookedup.com

Rob Schilling, Executive Director
Energy Policy Advocates

Dear Mr. Schilling,

Attached are certain records that the Judiciary is disclosing without waiving any of our objections to your records requests. We continue to deny the disclosure of other records requested. In addition to the grounds for denying your requests set forth in our 5/8/23 notice, we assert that the records requested are not "government record[s]" under Hawaii Revised Statutes Section 92F-3.

Email addresses have been redacted pursuant to Hawaii Revised Statutes Section 92F-13(1).

Sincerely,

A handwritten signature in cursive script that reads "Lynn Inafuku".

LYNN M. INAFUKU
Staff Attorney

You might be in this 4-minute video and report

The National Judicial College <njc-communications@judges.org>

Fri 8/6/2021 9:38 AM

To: Mark E. Recktenwald

[View this email in your browser.](#)



2020 Year in Review Video & Annual Report to Stakeholders

Have 4 minutes? Click the "Watch Now" button below to watch the NJC's first-ever video year in review. You'll see how the College supported the judiciary through a year of unprecedented challenges in 2020 and ended up posting our best year ever in terms of enrollment as a result.

[Click here](#) to read the 2020 Annual Report to Stakeholders. Look up your name and others you know in the donor honor roll.

Watch now

Consider a gift of any amount to support the NJC.

We are grateful for your generosity and continued support. Please [click here](#) to make a contribution today.



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TODAY: Poll result -- Is the pandemic prompting more judges to quit?

The National Judicial College <njc-communications@judges.org>

Tue 8/10/2021 5:03 AM

To: Mark E. Recktenwald

[View this email in your browser](#)



How many judges have decided to leave the bench because of the pandemic?

Our Question of the Month asked if you plan on leaving the bench within the next year as a result of anything related to the pandemic. Results? Planning, not so much. Thinking about it, definitely.

[Read more](#)

Doing Justice Through Court Interpreting

August 11, 2021 | 9 a.m. Hawaii / 11 a.m. Alaska / 12 p.m. Pacific / 1 p.m. Mountain / 2 p.m. Central / 3 p.m. Eastern | Duration: 90 minutes

This program aims to facilitate collaboration among court interpreters, judges and litigants. After attending this webinar, participants will be able to: describe what it takes to be a court interpreter and the roles and duties of a court interpreter using appropriate terminology; summarize the ethical obligations of the judge, lawyer and interpreter regarding court interpreting; explain court interpreter needs and expectations of the judge and how best to work as justice partners; and discuss the impact of cultural differences on how justice is perceived and dispensed.

This webinar is presented free of charge through generous funding from the State Justice Institute.

Register now

Dam Removal in the Klamath: A Long Overdue Recognition of the Federal Government's Trust and Treaty Responsibilities to the Tribes of the Lower Basin

August 11, 2021 | 7 a.m. Hawaii / 9 a.m. Alaska / 10 a.m. Pacific / 11 a.m. Mountain / 12 p.m. Central / 1 p.m. Eastern | Duration: 120 minutes

In 2002, at least 33,000 salmon died in the Lower Klamath River as they attempted to reach their spawning habitat, access to which had been blocked for decades by four hydropower dams in the Lower Basin.

The fish kill bolstered the efforts of the Native American Tribes of the Lower Basin to remove the dams, which were a major contributor to the derogation of the Klamath's water quality and the historical erosion of the Tribes' culture, health and overall well-being. After years of court and administrative proceedings, settlement negotiations, political maneuvering and more negotiations, on June 17 of this year one of the last remaining hurdles to removal of the dams was eliminated. On that date the Federal Energy Regulatory Commission approved the transfer of the hydroelectric license from the longtime operator of the dams to the Klamath River Renewal Corporation and the states of Oregon and California.

Dividing the Waters and The National Judicial College will host a two-hour panel discussion that will: address the history of the dam-removal efforts in the Lower Klamath; consider what role, if any, institutional and structural racism played in the construction of the hydroelectric dams and in the subsequent efforts to remove the dams; describe in detail the negotiations of the Klamath Hydroelectric Settlement Agreement and the physical process of dam removal; and discuss California's vision for a restored Klamath River Basin

This webinar is presented free of charge.

Register now

Medication for Substance Use Disorder in the Courtroom

August 13, 2021 | 8 a.m. Hawaii / 10 a.m. Alaska / 11 a.m. Pacific / 12 p.m. Mountain / 1 p.m. Central / 2 p.m. Eastern | Duration: 75 minutes

Opioid use disorders (OUDs) are associated with criminal behavior, arrest and incarceration. Effective treatments are needed to reduce the burden of OUDs on public safety and on the public health. Fortunately, there are three medications that are approved for the treatment of opioid dependence. In addition to an overview of the role of medications in treating OUDs, this webinar will focus on the judge's role and responsibilities when working with clients who use substances. This webinar builds on the information from the June 22 webinar *Science of Medication for Substance Use Disorder*, which while helpful, is not required to attend this webinar.

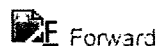
This webinar is being offered free of charge in partnership with Providers Clinical Support System.

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TODAY: Welcome to the Bench – 12 new judges!

The National Judicial College <njc-communications@judges.org>

Mon 8/30/2021 6:23 AM

To: Mark E. Recktenwald

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Welcome to the Bench

Congratulations to the following judges who are either new to the bench or have recently been elected, appointed or hired for a new position.

Know of a new judge (of any kind) we've missed? Let us know with an email to njc-communications@judges.org. Please include an email address for the person so we can verify.

[Read more](#)

Core Skills for Judges Webinar Series: Tough Cases in Courts and Media - The Public, the Media, and Politicians Are Watching: Maintaining Independence and the Perception of Independence in High-Profile Cases

September 1, 2021 | 9 a.m. Hawaii / 11 a.m. Alaska / 12 p.m. Pacific / 1 p.m. Mountain / 2 p.m. Central / 3 p.m. Eastern | Duration: 75 minutes

During the webinar, the presenter will address the multiple challenges presented to judges dealing with the media, especially in high-profile cases. Factors that they may confront include: (1) high-profile defendants; (2) extreme public interest; (3) enormous media interest; (4) involvement of other high-

profile witnesses and observers in the case; and (5) the potential for the revelation of classified information or secret information.

This webinar is presented at no cost to judges. The \$199 fee will be fully funded by an NJC scholarship.

Register now

What Judges Need to Know: Human Trafficking on U.S. Roads and Highways

September 1, 2021 | 6 a.m. Hawaii / 8 a.m. Alaska / 9 a.m. Pacific / 10 a.m. Mountain / 11 a.m. Central / Noon Eastern | Duration: 60 minutes

Human trafficking is occurring in the vast majority of U.S. communities. Evidence suggests that human trafficking, a modern-day term for slavery, is prevalent along interstate and intrastate highways. This webinar is designed to educate participants about the Federal “No Human Trafficking on Our Roads Act,” which was signed into law on January 1, 2018, and other policies such as the Trafficking Victims Protection Act of 2000.

This webinar is presented at no cost to judges.

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TOMORROW: Tough Cases - Courts & Media / Human Trafficking on U.S. Roads

The National Judicial College <njc-communications@judges.org>

Tue 8/31/2021 8:31 AM

To: Mark E. Recktenwald

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Core Skills for Judges Webinar Series: Tough Cases in Courts and Media - The Public, the Media, and Politicians Are Watching: Maintaining Independence and the Perception of Independence in High-Profile Cases

September 1, 2021 | 9 a.m. Hawaii / 11 a.m. Alaska / 12 p.m. Pacific / 1 p.m. Mountain / 2 p.m. Central / 3 p.m. Eastern | Duration: 75 minutes

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Register for our 60th Anniversary Celebration Jan. 19th - Beverly Hilton

The National Judicial College <njc-communications@judges.org>

Thu 1/5/2023 8:22 AM

To: Mark E. Recktenwald

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 [NJC 60th logo](#)

L.A. Celebrates the NJC's 60th

You are invited to join us for the first of our six 60th anniversary celebrations taking place from coast to coast in 2023. This cocktail reception will feature a fireside chat among honored guests on the theme of **"JUSTICE FOR ALL...Celebrating A Diverse Judiciary."**

When: 6 - 9 p.m., Thursday, January 19, 2023

Where: Beverly Hilton - Wilshire Garden
9876 Wilshire Blvd, Beverly Hills, CA

Cost: \$60

RSVP

Honored Guests

Judge Michelle Childs


U.S. Court of Appeals
District of Columbia Circuit

Judge Holly J. Fujie


Superior Court of Los Angeles County

 Judge Serge Georges in robes

Justice Serge Georges, Jr.
Massachusetts Supreme Judicial Court

 a person with short hair and a blue shirt and a bookshelf

Justice Monica M. Márquez
Colorado Supreme Court

 a woman with long brown hair sitting in a chair

Judge Esther Salas
United States District Court

District of New Jersey

CLE Program

“International Human Rights and the Role of the American Legal Expert”

Faculty:

Justice Shireen Avis Fisher
Residual Special Court for Sierra Leone

Stephen J. Rapp
Former U.S. Ambassador for Global
Criminal Justice and Senior Fellow for
Prevention of Genocide for the U.S.
Holocaust Memorial Museum

When: 4 to 5:30 p.m., Thursday, Jan. 19, 2023, prior to reception

Where: Beverly Hilton
9876 Wilshire Blvd, Beverly Hills, CA

Cost: Free



Sponsored by

With additional support from

Named sponsorship opportunities are still available for all events. Contact Advancement Director Susan Robinson at 775-327-8252 or susanrobinson@judges.org.



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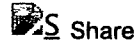
TODAY: Welcome to the Bench - 56 new judges!

The National Judicial College <njc-communications@judges.org>

Mon 1/23/2023 5:59 AM

To: Mark E. Recktenwald

[View this email in your browser](#)



Welcome to the Bench

Congratulations to the following judges (click below) who are either new to the bench or have recently been elected, appointed or hired for a new position.

Know of a new judge (of any kind) we've missed? Let us know with an email to njc-communications@judges.org. Please include an email address for the person so we can verify.

[Read more](#)

Civil Mediation

March 27-31 | Reno, NV | Tuition: \$1,460

Mediation is an important option in every system of justice. Judges with mediation skills can have opportunities open up to them both on and off the bench. This five day, 40-hour course is hands-on, interactive, fast-paced and practical. Simulations, interpersonal skill development and role play enable participants to integrate communication and problem solving techniques for effective mediation management, thus avoiding classic errors. When completed, participants receive a certificate honored by most states with mediator credential requirements. Enrollment is limited.

[Register now](#)

Nominate a judge for our highest honor

The National Judicial College <njc-communications@judges.org>

Tue 2/7/2023 8:06 AM

To: Mark E. Recktenwald

[View this email in your browser](#)

Nominations for the Justice Sandra Day O'Connor Award are due April 30

Nominations are now being taken for the College's highest honor, the Justice Sandra Day O'Connor Award.

Created in 2021, the award honors a judge or former judge who has shown extraordinary service and commitment to justice as embodied in the NJC's core values of justice, excellence, innovation, integrity and leadership.

Click [here](#) to read more about the award, including the selection criteria, watch our video profiling Justice O'Connor and announcing the award, and access the nomination form.

The inaugural honoree in 2021 was Justice O'Connor herself. The first competitively selected honoree, in 2022, was [Judge Bernice B. Donald](#) of the United States Court of Appeals for the 6th Circuit. Watch a [video](#) about Judge Donald.

Please consider making a [donation](#) to The National Judicial College to honor Justice O'Connor and support the awards program.

Nomination Information

Consider a gift of any amount
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the NJC

[View the nomination form](#)

[click here](#)

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A really big RBG Lecture on March 15

The National Judicial College <judicialedge@judges.org>

Wed 2/8/2023 4:45 AM

To: Mark E. Recktenwald

[View this email in your browser](#)

Slate's Supreme Court analyst Dahlia Lithwick among the panelists for this year's Justice Ruth Bader Ginsburg Lecture

Join us online for the third-annual Justice Ruth Bader Ginsburg Lecture, to be held – as always – on the birth anniversary of Justice Ginsburg, March 15.

This year's lecture will be a panel discussion on a subject Justice Ginsburg was well known for: "**Voice Through Dissent.**"

Join us online from noon to 1 p.m. Pacific; 3 to 4 p.m. Eastern, on March 15, 2023. Come early to see a video montage starting at 11:45 Pacific.

[Register](#)

Here's the lineup for the panel:

Dahlia Lithwick, journalist, author, and senior editor at Slate Magazine. She has written Slate's Supreme Court Dispatches and Jurisprudence columns since 1999, and she hosts Amicus, Slate's award-winning podcast about the law and the Supreme Court.

Rachel Bayefsky, associate professor of law, University of Virginia School of Law, former Rhodes Scholar and clerk for Justice Ginsburg.

Anna-Rose Mathieson, partner, Complex Appellate Litigation Group, San Francisco; former clerk for Justice Ginsburg.

Moderator Scott Dodson is the James Edgar Hervey Chair in Litigation, the Geoffrey C. Hazard Distinguished Professor of Law, and the Director of the Center for Litigation and Courts at the University of California College of the Law in San Francisco. He is the author or editor of eight books, including *The Legacy of Ruth Bader Ginsburg*.

About the Justice Ruth Bader Ginsburg Lecture

Held each year on Justice Ginsburg's birth anniversary, March 15, the RBG Lecture

honors her impact on the law and our society, and we learn more about her from people who were close to her.

Justice Ginsburg spent much of her legal career as a champion of gender equality and women's rights. She won many arguments before the Supreme Court and served as an associate justice from 1993 until her death in September 2020.

An anonymous donor provided seed funding for the lecture series and for dedicated scholarships to our Judicial Academy course for lawyers who aspire to become judges.

Please consider making a donation to The National Judicial College to honor Justice Ginsburg's memory and help sustain this lecture series



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TODAY: Poll result on whether judges can spot liars

The National Judicial College <njc-communications@judges.org>

Tue 2/14/2023 9:34 AM

To: Mark E. Recktenwald

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Judges are confident that they can tell when someone is lying

January's question of the month poll asked NJC alumni if they can tell when someone is lying in court.

The overwhelming majority appear to think they can.

[Read more](#)

Evidence in a Courtroom Setting (JS 633)

April 24-27 | Miami, FL | Tuition: \$1,660

This is a highly interactive course in which judges from different jurisdictions and backgrounds can openly and vigorously review, discuss, and apply the rules of evidence against the backdrop of common factual scenarios. Topics include: ethical issues, the exercise of judicial discretion, judicial notice, relevance and special rules of relevance, witnesses, impeachment, lay and expert hearsay and its exceptions, authentication, including the authentication and admissibility of electronic evidence, and constitutional evidentiary issues.

This course is being presented in conjunction with our 60th Anniversary Celebration in Miami, Florida on April 27, 2022.

[Register now](#)

Free Webinars

60th Anniversary Chat with the NJC's First Dean Feb 22 | Noon Pacific
Current Issues in Drugged Driving-the Cannabis Effect Mar 1 | Noon Pacific
3rd Annual Justice Ruth Bader Ginsburg Lecture Mar 15 | Noon Pacific
Search & Seizure in Drug Impaired Driving Adjudication May 3 | 9 a.m. Pacific
Fundamentals of "Masking" and Suspensions for CDL Holders in Traffic and Criminal Courts: 50 State Webinar Series Various dates 2023 - 2024 | Noon local time

*Justice is a gift of the
community to support
the world.*



BREAKING: RBG Lecture now to include Solicitor General Prelogar, Slate's Dahlia Lithwick

The National Judicial College <judicialedge@judges.org>

Tue 3/7/2023 7:12 AM

To: Mark E. Recktenwald

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Solicitor General Elizabeth Barchas Prelogar to be part of this year's Justice Ruth Bader Ginsburg Lecture

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This year's lecture will be a panel discussion on a subject Justice Ginsburg was well known for: **"Voice Through Dissent."**

Join us online from noon to 1 p.m. Pacific; 3 to 4 p.m. Eastern, on March 15, 2023. Come early to see a video montage starting at 11:45 Pacific.

[Register](#)

Introductory remarks by:

Solicitor General Elizabeth Barchas Prelogar; former clerk for Justice Ginsburg and Justice Elena Kagan, as well as Attorney General Merrick Garland

Here's the lineup for the panel:

Rachel Bayefsky, associate professor of law, University of Virginia School of Law, former Rhodes Scholar and clerk for Justice Ginsburg.

Dahlia Lithwick, journalist, author, and senior editor at Slate Magazine. She has written Slate's Supreme Court Dispatches and Jurisprudence columns since

1999, and she hosts Amicus, Slate's award-winning podcast about the law and the Supreme Court.

Anna-Rose Mathieson, partner, Complex Appellate Litigation Group, San Francisco; former clerk for Justice Ginsburg.

Moderator Scott Dodson is the James Edgar Hervey Chair in Litigation, the Geoffrey C. Hazard Distinguished Professor of Law, and the Director of the Center for Litigation and Courts at the University of California College of the Law in San Francisco. He is the author or editor of eight books, including *The Legacy of Ruth Bader Ginsburg*.

About the Justice Ruth Bader Ginsburg Lecture

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You're invited to Miami to celebrate NJC's 60th

The National Judicial College <njc-communications@judges.org>

Tue 3/7/2023 12:08 PM

To: Mark E. Recktenwald

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You are cordially invited to celebrate in Miami

 [NJC 60th logo](#)

You won't want to miss our 60th anniversary celebration in Miami on April 27th. It's the second of six such gatherings taking place from coast to coast in 2023.

When: 6 - 9 p.m., Thursday, April 27, 2023

Where: The Biltmore Hotel
1200 Anastasia Ave, Coral Gables, FL 33134

Cost: \$60

Register by March 15, 2023, and receive 60% off the ticket price. Use code: **earlybird**
Early bird tickets are not refundable.

[Register now](#)

The theme of the event will be "**JUSTICE FOR ALL...Upholding the Rule of Law.**" And the evening's reception will feature a panel discussion with the following:

Judge Rosemary Barkett

Judge Barkett has been a member of the Iran–United States Claims Tribunal located in The Hague, Netherlands, since 2013 and previously served as a judge on the United States Court of Appeals for the 11th Circuit. Prior to her nomination for that post, she was Chief Justice of the Florida Supreme Court.


Judge Thomas B. Griffith

Formerly a member of the U.S. Court of Appeals for the D.C. Circuit, Judge Griffith is special counsel at Hunton Andrews Kurth. He was a member of the Presidential Commission on the Supreme Court of the United States and was a co-author of "Lost, Not Stolen: The Conservative Case that Biden Won and Trump Lost the 2020 Presidential Election."

Senator Doug Jones

A former U.S. senator and U.S. attorney for Alabama, Mr. Jones

is counsel at ArentFox Schiff and a distinguished senior fellow with the Center for American Progress. In the early 2000s, he successfully prosecuted two members of the Ku Klux Klan for their roles in the 1963 white supremacist terrorist bombing of a Birmingham church that left four Black girls dead. In 2022 he guided Justice Ketanji Brown Jackson through the nomination and Senate confirmation process.

 a man wearing glasses and a suit and tie

Solicitor General Neal Katyal

A former acting solicitor general of the United States, Mr. Katyal is a partner at Hogan Lovells in Washington, D.C. By the time of the Miami event, he will have likely argued his 50th case before the Supreme Court of the United States. He is a familiar face on cable news programs and has played himself on Netflix's "House of Cards" and Showtime's "Billions."

The conversation will be moderated by NJC Board of Trustees Chair **Edward R. Blumberg**, founder and partner in the Miami trial law firm of Deutsch Blumberg & Caballero, P.A. He is a past president of the Florida Bar, the country's third-largest bar, and a former member of the Board of Governors of the Florida Bar and the House of Delegates of the American Bar Association.



CLE Program

“Will state constitutions become the primary source of individual rights?”

Recent landmark decisions by the Supreme Court, such as *Dobbs v. Jackson Women's Health Organization* have refocused attention on state constitutions, leading advocates and courts to turn to state constitutions for additional protections. State supreme courts have already responded, as have scholars interested in judicial federalism. In this session, jurists and legal scholars will review these trends and discuss state constitutionalism and its implications in this new era.

When: 4 to 5:30 p.m., Thursday, April 27, 2023, prior to the reception

Where: The Biltmore Hotel

1200 Anastasia Ave, Coral Gables, FL 33134

Cost: Free

For more info and to register

Faculty

Akhil Reed Amar is Sterling Professor of Law and Political Science at Yale University, where he teaches constitutional law at both Yale College and Yale Law School. His work has won awards from the American Bar Association and the Federalist Society, and he has been cited by Supreme Court justices across the spectrum in more than 45 cases. In his most recent book, *The Words that Made Us*, Professor Amar unites history and law in a narrative of the biggest constitutional questions early Americans confronted.

Massachusetts Supreme Judicial Court Justice Scott Kafker has served on the bench since 2017. He has also served as deputy chief legal counsel to Governor William F. Weld and served as Chief Justice of the Massachusetts Appeals Court from July 2015 to August 2017. Justice Kafker taught state constitutional law at Boston College Law School from 2009 to 2015 and continues to teach and present on the topic.

Distinguished Professor of Law Emeritus Robert F. Williams teaches in the Rutgers School of Law and serves as director of the school's Center for Constitutional Studies. His books include: *The Law of American State Constitutions* (2009); *The New Jersey State Constitution* (2d Ed. 2012) and *State Constitutional Law, Cases and Materials* (Fourth Edition, 2006). Professor Williams' newly released *The New Jersey State Constitution* is an overview of New Jersey's constitutional history, providing an in-depth analysis of the entire constitution and detailing the many significant changes that have been made since its initial drafting.

Payant Award


Also during the program, the College will award its highest teaching honor, the V. Robert Payant Award, to two longtime faculty members: former Texas **Judge Michael E. Keasler (Ret.)** and nationally renowned dispute-management expert **Nancy Neal Yeend**.


Judge Michael E. Keasler recently retired from the Texas Court of Criminal Appeals after serving for 22 years. He teaches judicial ethics, constitutional criminal law, standards of appellate

review, and statutory construction to judges nationally. Judge Keasler joined the NJC faculty in 1992 and served on the Faculty Council and as a Justice Jackson Lecturer. In September 2021, Judge Keasler received the State Bar of Texas Judicial Section's Lifetime Achievement Award.

Nancy Neal Yeend is a dispute-management specialist who maintains a national practice that includes mediation, training and dispute-management system design. She mediates cases involving real estate, construction, employment, intellectual property and a variety of contract and business matters. Widely published on mediation and related dispute-resolution topics, Ms. Yeend also authored the first study of state appellate alternative dispute resolution: detailing how to create court-connected dispute-resolution programs. Ms. Yeend joined the NJC faculty in 1994.

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You're invited to Miami to celebrate NJC's 60th

The National Judicial College <njc-communications@judges.org>

Thu 3/9/2023 3:29 PM

To: Mark E. Recktenwald

[View this email in your browser](#)

You are cordially
invited to celebrate
in Miami

When

4 - 9 p.m., Thursday
April 27, 2023

Where

The Biltmore Hotel
1200 Anastasia Ave
Coral Gables, FL

**You won't want to miss our 60th anniversary celebration in
Miami on April 27th. It's the second of six such
gatherings taking place from coast to coast in 2023.**

The celebration will include (click times for more information):

4 - 5:30 p.m. CLE Program

**"Will state constitutions become the primary
source of individual rights?"**

Cost: Free

6 - 9 p.m. Panel Discussion & Cocktail Reception

"JUSTICE FOR ALL...Upholding the Rule of Law"

Cost: \$60

[Register now](#)

Register by March 15, 2023, and receive 60% off the ticket price for the cocktail reception and panel discussion.

Use code: **earlybird**

Early bird tickets are not refundable.

CLE Program

“Will state constitutions become the primary source of individual rights?”

4 - 5:30 p.m. | Cost: Free

Recent landmark decisions by the Supreme Court, such as *Dobbs v. Jackson Women’s Health Organization* have refocused attention on state constitutions, leading advocates and courts to turn to state constitutions for additional protections. State supreme courts have already responded, as have scholars interested in judicial federalism. In this session, jurists and legal scholars will review these trends and discuss state constitutionalism and its implications in this new era.

Akhil Reed Amar is Sterling Professor of Law and Political Science at Yale University, where he teaches constitutional law at both Yale College and Yale Law School. His work has won awards from the American Bar Association and the Federalist Society, and he has been cited by Supreme Court justices across the spectrum in more than 45 cases. In his most recent book, *The Words that Made Us*, Professor Amar unites history and law in a narrative of the biggest constitutional questions early Americans confronted.

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[View more](#)

Panel Discussion & Cocktail Reception

6 - 9 p.m. | Cost: \$60

The theme of the event will be **“JUSTICE FOR ALL...Upholding the Rule of Law.”** And the evening's reception will feature a panel discussion with the following:

Judge Rosemary Barkett

Judge Barkett has been a member of the Iran–United States Claims Tribunal located in The Hague, Netherlands, since 2013 and previously served as a judge on the United States Court of Appeals for the 11th Circuit. Prior to her nomination for that post, she was Chief Justice of the Florida Supreme Court.

Judge DeAndrea Gist Benjamin

In February of this year Judge Benjamin was confirmed to the United States Court of Appeals for the 4th Circuit. She previously served 12 years as a judge of the South Carolina Circuit Court for the 5th Circuit and for seven years before that on the bench of the City of Columbia (South Carolina) Municipal Court.

Judge Thomas B. Griffith

Formerly a member of the U.S. Court of Appeals for the D.C. Circuit, Judge Griffith is special counsel at Hunton Andrews Kurth. He was a member of the Presidential Commission on the Supreme Court of the United States and was a co-author of "Lost, Not Stolen: The Conservative Case that Biden Won and Trump Lost the 2020 Presidential Election."

Senator Doug Jones

A former U.S. senator and U.S. attorney for Alabama, Mr. Jones is counsel at ArentFox Schiff and a distinguished senior fellow with the Center for American Progress. In the early 2000s, he successfully prosecuted two members of the Ku Klux Klan for their roles in the 1963 white supremacist terrorist bombing of a Birmingham church that left four Black girls dead. In 2022 he guided Justice Ketanji Brown Jackson through the nomination and Senate confirmation process.

Solicitor General Neal Katyal

A former acting solicitor general of the United States, Mr. Katyal is a partner at Hogan Lovells in Washington, D.C. By the time of the Miami event, he will have likely argued his 50th case before the Supreme Court of the United States. He is a familiar face on cable news programs and has played himself on Netflix's "House of Cards" and Showtime's "Billions."

The conversation will be moderated by NJC Board of Trustees Chair **Edward R. Blumberg**, founder and partner in the Miami trial law firm of Deutsch Blumberg & Caballero, P.A. He is a past president of the Florida Bar, the country's third-largest bar, and a former member of the Board of Governors of the Florida Bar and the House of Delegates of the American Bar Association.

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TOMORROW: RBG Lecture to include Solicitor General Prelogar, Slate's Dahlia Lithwick,

The National Judicial College <judicialedge@judges.org>

Tue 3/14/2023 10:30 AM

To: Mark E. Recktenwald

[View this email in your browser](#)

Dynamic group of experts to lead panel discussion for Justice Ruth Bader Ginsburg Lecture

Join us online for the third-annual Justice Ruth Bader Ginsburg Lecture, to be held – as always – on the birth anniversary of Justice Ginsburg, March 15.

This year's lecture will be a panel discussion on a subject Justice Ginsburg was well known for: "**Voice Through Dissent.**"

Join us online from noon to 1 p.m. Pacific; 3 to 4 p.m. Eastern, on March 15, 2023. Come early to see a video montage starting at 11:45 Pacific.

[Register](#)

Introductory remarks by:

Solicitor General Elizabeth Barchas Prelogar; former clerk for Justice Ginsburg and Justice Elena Kagan, as well as Attorney General Merrick Garland

Here's the lineup for the panel:

Rachel Bayefsky, associate professor of law, University of Virginia School of Law, former Rhodes Scholar and clerk for Justice Ginsburg.

Dahlia Lithwick, journalist, author, and senior editor at Slate Magazine. She has written Slate's Supreme Court Dispatches and Jurisprudence columns since 1999, and

she hosts Amicus, Slate's award-winning podcast about the law and the Supreme Court.

Anna-Rose Mathieson, partner, Complex Appellate Litigation Group, San Francisco; former clerk for Justice Ginsburg.

Moderator Scott Dodson is the James Edgar Hervey Chair in Litigation, the Geoffrey C. Hazard Distinguished Professor of Law, and the Director of the Center for Litigation and Courts at the University of California College of the Law in San Francisco. He is the author or editor of eight books, including *The Legacy of Ruth Bader Ginsburg*.

About the Justice Ruth Bader Ginsburg Lecture

Held each year on Justice Ginsburg's birth anniversary, March 15, the RBG Lecture honors her impact on the law and our society, and we learn more about her from people who were close to her.

Justice Ginsburg spent much of her legal career as a champion of gender equality and women's rights. She won many arguments before the Supreme Court and served as an associate justice from 1993 until her death in September 2020.

An anonymous donor provided seed funding for the lecture series and for dedicated scholarships to our Judicial Academy course for lawyers who aspire to become judges.

Please consider [making a donation](#) to The National Judicial College to honor Justice Ginsburg's memory and help sustain this lecture series



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Don't miss out - Judicial Renaissance in Greece nearly full

The National Judicial College <njc-communications@judges.org>

Tue 3/21/2023 9:58 AM

To: Mark E. Recktenwald

[View this email in your browser](#)

Don't miss out: Judicial Renaissance III is 90% full
Athens, Greece | Sept. 4–7, 2023

[Register now](#)

Registration is first come, first served. Given the significant interest, we recommend you register early. The newest addition to our schedule is a visit to Nafplio, the first capital of the modern Greek state and now a vibrant seaside town with castles, churches dating back to the 15th century, and museums housing artifacts dating back to the Paleolithic period. Nafplio's history stretches back to when soldiers from Nafplio participated in the Trojan War.

Deadline to register for Judicial Renaissance III is June 1, 2023, but may close earlier if all seats are filled.

[Nafplio, Greece](#)

Registration, \$2,850, covers tuition, a cultural activity and group dinner, and breakfast and lunches. Registration does not include airfare, lodging or other dinners.

If you are interested in securing lodging, check the box during registration, and we'll help you out.

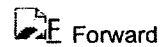
Register now to reserve your spot in the 2023 Judicial Renaissance and rediscover the foundations of justice as embodied within the scope of lasting human achievements.

[Register now](#)

If you are interested in arranging additional personal travel following the course, there is an option to join a 7-day Mediterranean cruise beginning September 7, 2023. It will include islands such as Mykonos. Space is limited so call ASAP if you are interested. Please contact travel agent Penny Karis at 708-218-4656.

This optional cruise is not affiliated with The National Judicial College. All arrangements are made through Penny Karis. Please contact her for additional information.

Mykonos, Greece



TODAY: Lawyers and judges need to be in the "operating room"

The National Judicial College <njc-communications@judges.org>

Tue 3/21/2023 12:49 PM

To: Mark E. Recktenwald

[View this email in your browser](#)



Guest editorial: Why virtual court is a threat to our justice system

By Edward R. Blumberg, Steven K. Deutsch, Cosme Caballero and Robert E. (Beau) Blumberg

The elimination, in various venues, of the in-person courtroom experience is stunting the professional growth of new lawyers and new judges alike. We call for the establishment of hybrid hearings, which provide lawyers the option of virtual/in-person courtroom appearances of all hearings and non-jury trials. Jury trials should be exclusively in person for the lawyers.

[Read more](#)

Free Webinars

[Rising Seas and Litigation: What Judges Need to Know about Warming-Driven Sea-Level Rise](#) **April 4 | Noon Pacific**

[Virtual Hearing Effective Practices for Tribal Courts](#) **April 13 | 10 a.m. Pacific**
[Search and Seizure in Drug-Impaired Driving Adjudication](#) **May 3 | Noon Pacific**

[Fundamentals of "Masking" and Suspensions for CDL Holders in Traffic and Criminal Courts: 50 State Webinar Series](#) **Various dates 2023 - 2024 | Noon local time**

Consider a gift of any amount to support the NJC.

For a gift of any amount, please refer to the attached form.



Word document

Excel spreadsheet

PowerPoint presentation

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John J. ...

John J. ...

John J. ...

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John J. ...

TODAY: Poll result on independent state legislature theory

The National Judicial College <njc-communications@judges.org>

Fri 3/24/2023 8:12 AM

To: Mark E. Recktenwald

[View this email in your browser](#)



Majority of NJC judges reject independent state legislature theory

The latest Question of the Month asked NJC alumni if they believe state courts should be able to rule on the legality of state laws that affect federal elections. That includes judging whether redistricting maps violate the law.

[Read more](#)

Environmental Law Essentials for the Judiciary

May 8 - 11, 2023 | Monterey, CA

Don't underestimate the importance of the role of state court judges in environmental law. State courts are responsible for much of the important environmental litigation and all of the land use and development litigation taking place today. State courts must also resolve environmental issues in many other cases such as insurance or nuisance. This course will teach you what you need to know to handle environmental and land use cases confidently and effectively.

Designed for judges by legal and scientific experts, this course will engage you in what makes environmental law cases unique. The curriculum will be brought to life through a field trip to sites in Monterey, **including a visit to see Elkhorn Slough's sea otters by boat, and the Monterey Bay Aquarium.**

During this course, participants will learn to:

- Describe the unique elements of environmental and land use cases and how they differ materially from other legal controversies; and
- Identify the science as it relates to litigation around water and air pollution, surface water use and groundwater, toxics, hazardous waste, emerging chemical litigation land use litigation and climate science.

This course is designed for judges but available to court staff and attorneys by application.

[Read more](#)

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NJC Time-Sensitive Invitation to nominate a judge to attend Environmental Law Education for the Judiciary

Chrystn Eads <chrystne@judges.org>

Thu 3/30/2023 3:08 PM

To: Mark E. Recktenwald

📎 1 attachments (1 MB)

ENVLAW23.pdf;

You don't often get email from chrystne@judges.org. [Learn why this is important](#)

Dear Chief Justice Recktenwald,

The National Judicial College (NJC) has a special opportunity we would like to extend to you. Because you nominated a judge, Judge Peter Cahill, for our recent *Judicial Leaders in Climate Science* series, we wanted to give you the first chance to help us fill the remaining seats we have available in a related upcoming course.

We are inviting you or your designee to attend the in-person course, *Environmental Law Essentials for the Judiciary*, taking place in Monterey, California, May 8 – 11, 2023. The focus of the course is to equip judges to make competent judicial decisions and evidentiary rulings around environmental law and regulations. The topics covered in this course are extremely timely and you may wish to consider adapting some of the content for your own in-state programming.

Thanks to generous funding from NJC's scholarship sources, we are able to provide funding to cover the tuition and conference fee for you or your designee.

If you wish to participate, please let us know or provide the name of a representative by return email as soon as possible, but no later than Friday, April 7th.

The course flyer is attached and additional information about the funding opportunity is provided below. I'm happy to answer any questions you have.

We are looking forward to your webinar on rising seas and litigation next week. We have more than 50 participants registered.

Truly yours,



Deadline to send us your nominee: Friday, April 7, 2023. Please send the name and email address by return email.

Limited availability: We have limited tuition-free positions available. If you would like to send more than one person, they will need to register and pay the tuition (\$1,660) and conference fee (\$439).

Funding: Scholarships will be provided to cover the cost of tuition (\$1,660), conference fee (\$439). It is a requirement of the funding that the judge attend all sessions of the course, and stay at the conference hotel, the Monterey Plaza Hotel.

Included Costs/Meals: The scholarship assistance funds the conference fee which covers the cost of breakfast and lunch for the four days of the program, as well as the field trip on Wednesday, May 10.

Not Included: Travel costs, including airfare, hotel, ground transportation, non-provided meals, personal expenses.

Travel Information: Travel dates will be Sunday, May 7 – Thursday, May 11, 2023. The hotel for the course is the Monterey Plaza Hotel and the negotiated rate is \$249 plus tax. Additional details will be provided directly to your designee about airports and ground transportation options.



Hon. Benes Z. Aldana (Ret.) *(He/Him)*

President & CEO

aldana@judges.org

775.327.8207 direct | **202.779.7444** mobile

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www.judges.org

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NJC Course

Environmental Law Essentials for the Judiciary

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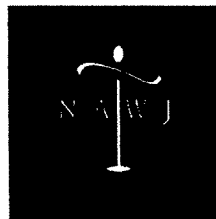
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THE NATIONAL
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NATIONAL ASSOCIATION
of
WOMEN JUDGES

May 8 - 11, 2023

Monterey, CA

Tuition: \$1,660

Conference Fee: \$439

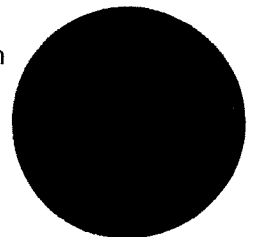
To register:

judges.org/env-law

Participants will stay right on the beach, at the top-rated hotel in Monterey. The course also includes a trip to the Monterey Bay Aquarium and Elkhorn Slough.

CLE/CJE estimates are 21 total credit hours. This course is designed for judges but available to court staff and attorneys by application.

In collaboration with the Environmental Law Institute's ClimateJudiciary Project.



For more information, contact the Registrar's Office at (775) 784-6747 or email registrar@judges.org.

www.judges.org

Fwd: NJC Time-Sensitive Invitation to nominate a judge to attend Environmental Law Education for the Judiciary

Mark E. Recktenwald

Thu 3/30/2023 3:21 PM

To: Jaye M. Atiburcio

Ginger L. Pana

 1 attachments (1 MB)

ENVLAW23.pdf;

Can calendar and share with the chief judges to see if anyone is interested, and/or let jud ed take the lead....

Mahalo, Mark

[Get Outlook for iOS](#)

From: Chrystn Eads <chrystne@judges.org>

Sent: Thursday, March 30, 2023 3:08:36 PM

To: Mark E. Recktenwald

Subject: NJC Time-Sensitive Invitation to nominate a judge to attend Environmental Law Education for the Judiciary

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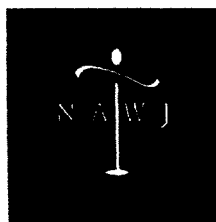
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of
WOMEN JUDGES

May 8 - 11, 2023
Monterey, CA

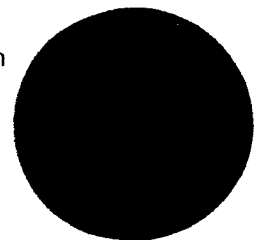
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In collaboration with the Environmental Law Institute's Climate Judiciary Project.



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www.judges.org

Re: NJC Time-Sensitive Invitation to nominate a judge to attend Environmental Law Education for the Judiciary

Kimberly B. Taniyama

Fri 3/31/2023 12:06 PM

To: Robert D. Kim

Jaye M. Atiburcio

Robert M. Browning

;Peter T.

Cahill

Randal G.B. Valenciano

;Jeffrey P. Crabtree

Cc: Dawn M. Nagatani

Mark E. Recktenwald

;Henry T. Nakamoto

Sounds great. thanks

From: Robert D. Kim

Sent: Friday, March 31, 2023 10:16 AM

To: Jaye M. Atiburcio

Robert M. Browning

Peter T. Cahill

Randal G.B.

Valenciano

Jeffrey P. Crabtree

Cc: Dawn M. Nagatani

Mark E. Recktenwald

Henry T. Nakamoto

Kimberly

B. Taniyama

Subject: Re: NJC Time-Sensitive Invitation to nominate a judge to attend Environmental Law Education for the Judiciary

I would like to send Judge Henry Nakamoto, who agreed to attend. Please advise.

Very truly yours,

ROBERT D. S. KIM
CHIEF JUDGE
CIRCUIT COURT OF THE THIRD CIRCUIT
DIVISION 3
Keahuolu Courthouse
74-5451 Kamakaeha Ave
Kailua-Kona, HI 96740

From: Jaye M. Atiburcio

Sent: Thursday, March 30, 2023 3:42 PM

To: Robert M. Browning

Peter T. Cahill

Robert D. Kim

Randal G.B. Valenciano

Jeffrey P. Crabtree

Cc: Dawn M. Nagatani

Mark E. Recktenwald

Subject: NJC Time-Sensitive Invitation to nominate a judge to attend Environmental Law Education for the Judiciary

We just received this notice. If you or any of your judges are interested in attending, please let me know by next Thursday, 4/6. The deadline to register is Friday, 4/7. There is a scholarship available for the

tuition and conference fee.

Mahalo,
Jaye

From: Chrystn Eads <chrystne@judges.org>
Sent: Thursday, March 30, 2023 3:08:36 PM
To: Mark E. Recktenwald
Subject: NJC Time-Sensitive Invitation to nominate a judge to attend Environmental Law Education for the Judiciary

You don't often get email from chrystne@judges.org. [Learn why this is important](#)

Dear Chief Justice Recktenwald,

The National Judicial College (NJC) has a special opportunity we would like to extend to you. Because you nominated a judge, Judge Peter Cahill, for our recent *Judicial Leaders in Climate Science* series, we wanted to give you the first chance to help us fill the remaining seats we have available in a related upcoming course.

We are inviting you or your designee to attend the in-person course, *Environmental Law Essentials for the Judiciary*, taking place in Monterey, California, May 8 – 11, 2023. The focus of the course is to equip judges to make competent judicial decisions and evidentiary rulings around environmental law and regulations. The topics covered in this course are extremely timely and you may wish to consider adapting some of the content for your own in-state programming.

Thanks to generous funding from NJC's scholarship sources, we are able to provide funding to cover the tuition and conference fee for you or your designee.

If you wish to participate, please let us know or provide the name of a representative by return email as soon as possible, but no later than Friday, April 7th.

The course flyer is attached and additional information about the funding opportunity is provided below. I'm happy to answer any questions you have.

We are looking forward to your webinar on rising seas and litigation next week. We have more than 50 participants registered.

Truly yours,



Deadline to send us your nominee: Friday, April 7, 2023. Please send the name and email address by return email.

Limited availability: We have limited tuition-free positions available. If you would like to send more than one person, they will need to register and pay the tuition (\$1,660) and conference fee (\$439).

Funding: Scholarships will be provided to cover the cost of tuition (\$1,660), conference fee (\$439). It is a requirement of the funding that the judge attend all sessions of the course, and stay at the conference hotel, the Monterey Plaza Hotel.

Included Costs/Meals: The scholarship assistance funds the conference fee which covers the cost of breakfast and lunch for the four days of the program, as well as the field trip on Wednesday, May 10.

Not Included: Travel costs, including airfare, hotel, ground transportation, non-provided meals, personal expenses.

Travel Information: Travel dates will be Sunday, May 7 – Thursday, May 11, 2023. The hotel for the course is the Monterey Plaza Hotel and the negotiated rate is \$249 plus tax. Additional details will be provided directly to your designee about airports and ground transportation options.



Hon. Benes Z. Aldana (Ret.) *(He/Him)*

President & CEO

aldana@judges.org

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THE NATIONAL  **JUDICIAL COLLEGE**

Making the world a more just place by educating and inspiring its judiciary

NJC Course

Environmental Law Essentials for the Judiciary

Don't underestimate the importance of the role of state court judges in environmental law. State courts are responsible for much of the important environmental litigation and all of the land use and development litigation taking place today. State courts must also resolve environmental issues in many other cases, such as insurance or nuisance. This course will teach you what you need to know to handle environmental and land use cases confidently and effectively.

Designed for judges by legal and scientific experts, this course will engage you in what makes environmental law cases unique. The curriculum will be brought to life through a field trip to sites in Monterey, including a visit to see Elkhorn Slough's sea otters by boat, and the Monterey Bay Aquarium.

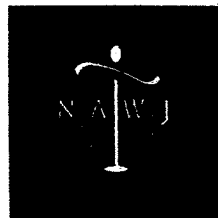
During this course, participants will learn to:

- Describe the unique elements of environmental and land use cases and how they differ materially from other legal controversies; and
- Identify the science as it relates to litigation around water and air pollution, surface water use and groundwater, toxics, hazardous waste, emerging chemical litigation, land use litigation and climate science.

In partnership with:



THE NATIONAL
JUDICIAL COLLEGE



NATIONAL ASSOCIATION
of
WOMEN JUDGES

May 8 - 11, 2023
Monterey, CA

Tuition: \$1,660
Conference Fee: \$439

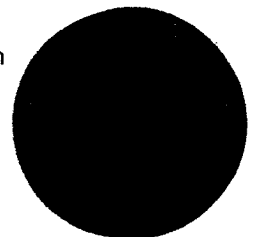
To register:

judges.org/env-law

Participants will stay right on the beach, at the top-rated hotel in Monterey. The course also includes a trip to the Monterey Bay Aquarium and Elkhorn Slough.

CLE/CJE estimates are 21 total credit hours. This course is designed for judges but available to court staff and attorneys by application.

In collaboration with the Environmental Law Institute's ClimateJudiciary Project.



For more information, contact the Registrar's Office at (775) 784-6747 or email registrar@judges.org.

www.judges.org

TODAY: Poll result on hate-crime laws

The National Judicial College <njc-communications@judges.org>

Tue 4/4/2023 11:34 AM

To: Mark E. Recktenwald

[View this email in your browser](#)



Poll suggests most judges aren't well versed in hate-crime laws

The March Question of the Month asked judges how confident they were in their knowledge of hate-crime laws in their jurisdiction.

[Read more](#)

Evidence in a Courtroom Setting (JS 633) *OPEN TO JUDGES & LAWYERS*

April 24 - 27 | Miami, FL | Tuition: \$1,660

This is a highly interactive course in which judges from different jurisdictions and backgrounds can openly and vigorously review, discuss, and apply the rules of evidence against the backdrop of common factual scenarios. And as part of the College's 60th Anniversary Celebration, which will take place on the course's final day, lawyers will have the rare opportunity to study right alongside judges.

Topics will include: ethical issues, the exercise of judicial discretion, judicial notice, relevance and special rules of relevance, witnesses, impeachment, lay and expert hearsay and its exceptions, authentication, including the authentication and admissibility of electronic evidence, and constitutional evidentiary issues.

This course is being presented in conjunction with our 60th Anniversary Celebration in Miami, Florida on April 27, 2023.

[Register now](#)

Environmental Law Essentials for the Judiciary

May 8 - 11, 2023 | Monterey, CA | Tuition: \$1,660

Don't underestimate the importance of the role of state court judges in environmental law. State courts are responsible for much of the important environmental litigation and all of the land-use and development litigation taking place today. State courts must also resolve environmental issues in many other cases such as insurance or nuisance. This course will teach you what you need to know to handle environmental and land use cases confidently and effectively.

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During this course, participants will learn to:

- Describe the unique elements of environmental and land-use cases and how they differ materially from other legal controversies; and
- Identify the science as it relates to litigation around water and air pollution, surface water use and groundwater, toxics, hazardous waste, emerging chemical litigation land-use litigation and climate science.

This course is designed for judges but available to court staff and attorneys by application.

Free Webinars

- **April 13 | 10 a.m. Pacific** Virtual Hearing Effective Practices for Tribal Courts

- **April 20 | Noon Pacific Medicine for Opioid Use Disorder: Considerations for Judges and Justice Stakeholders**
- **May 3 | Noon Pacific Search and Seizure in Drug-Impaired Driving Adjudication**
- **May 10 | Noon Pacific Compassionate Leadership: Judges in their Communities**
- **May 16 | Noon Pacific Plaintiffs, Prosecutors, & Pronouns: Judges Ensuring Equal Access for The LGBTQ+ Community**
- **Various dates 2023 - 2024 | Noon local time Fundamentals of "Masking" and Suspensions for CDL Holders in Traffic and Criminal Courts: 50 State Webinar Series**

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