



THE Council Newsletter

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Judge Martha Lynn Sherrod
Huntsville, Alabama
Editor

Cancer Is Just a Word; Not a Sentence

by Judge Jon R. Gray (Ret.)

My experience as a black man with prostate health issues began 20 years ago when my father was diagnosed at age 75 with prostate cancer. He had three brothers--two older and one younger, who by that time had died from prostate cancer.

I came to the startling realization that a family history of prostate cancer had become one of my risk factors. My annual physical examination ritual would include a separate trip to the urologist for the dreaded digital rectal examination, and an additional blood test to determine my PSA level. The Prostate Specific Antigen (PSA) is a protein produced by the cells of the prostate gland. The higher the PSA, the more likely the cancer is present. In my case, a routine PSA test last August suggested a significant increase in my PSA since my last test six months earlier.

Because of my risk factors, my doctor felt that a PSA blood test every six months was a reasonable monitoring interval. The elevated level was confirmed by another PSA blood test that led to a needle biopsy, an unpleasant but tolerable test. Of the 12 tissue samples taken from my prostate gland, four were found to be positive for prostate cancer. The next decision is what treatment modality to pursue. The decision depends on a number of factors relative to age, general state of health and quality of life. I chose the surgery, which is called a radical prostatectomy.

My surgery took place on November 24, 2008. Although the surgery went smoothly, my post-operative course was somewhat bumpy. After a six-week recovery period, I was able to resume most of my normal activities. I will not require any further treatment of any kind. When diagnosed at an early stage, prostate cancer has a 98% cure rate. For the sake of our families, and ourselves, we must be diligent about all facets of our health, including prostate health.

By the way, my dad is now 95 years old and has benefited from the advances in treatment for prostate cancer. He may live to be 100!

Message from the Chair

Dear Colleagues:

The 2008-2009 Judicial Council year has been one of enthusiasm and productivity. Our committees hit the ground running and were busy carrying out the many activities that keep our organization viable throughout these difficult times.

The campaign of President Barack Obama and his theme of "change" has resonated with many Americans, and it has caused some of us to reflect on how we can make positive changes in our own lives and in the lives of others in our communities. Two of the "others" in our communities that we in the Judicial Council are especially concerned about are our children in foster care and people, whether adults or children, who are the victims of human trafficking. Therefore, the Program Committee, under the able leadership of Judge Patricia Banks, included in the seminar offerings at the Mid-Winter meeting in Montego Bay, Jamaica, in January 2009, topics concerning aging out of foster care and human trafficking.

Both of these ground breaking seminars were well received by all in attendance. The enthusiasm continued to our last seminar of this conference on the Federal Judicial Selection Process and the Vetting Process during this administration.

The Judicial Council has been, is, and will continue to be a vital and viable part of the National Bar Association and the legal landscape in this country. However, we must also make some changes. First, we need to increase our numbers. The Membership Committee, chaired by Judge Benjamin Logan, has been exploring ways to make this a reality. One simple way is for "each one to bring one." That is, each of us should *personally* recruit at least one new member. With the use of the new Membership Manual, compiled and published by Judge Michael Bagneris and the Long Range Planning Committee, this can be easily accomplished. The manual can be used to determine what judges in your jurisdiction are members of the NBA and the Judicial Council. Armed with this information, you can approach others who may not realize the benefits they could derive from joining our ranks.

The second area that we need to change is the way we do business financially. With only 200 plus members, we find it very difficult each year to fully fund the programming that our members want and deserve. Thus, the financial issue is directly related to the membership issue. Just as I am, as chief justice of the Florida court system, looking for ways to have a stable funding source for our court system, we need to stabilize the funding of the Judicial Council. Therefore, at the mid-year business meeting come prepared to discuss this issue and brainstorm on methods to achieve this goal.

The inauguration of Barack Obama as President of the United States on January 20, 2009, ushered in some much-needed change in America. Let us take this opportunity and this bar year to begin some changes for the Judicial Council.



Peggy A. Quince
Chair, Judicial Council
National Bar Association

National Bar Association 84th Annual Convention

Hilton Bayfront Hotel
San Diego, California

August 1 - 8, 2009

"Unleashing the Power of Our Legacy: The Time is Now"

Restricting Children's Access to Violent Video Games: Can Parents Win the Game?



by Judge Ramona D. Taylor
Virginia Beach Juvenile and Domestic Relations

During a recent shopping trip, I started perusing video games. I was amazed at the violence depicted on the covers. I was also amazed at the selections available. I could not believe that a child could buy a video game entitled, "Assassin". As I thought about the growing numbers of juveniles coming into my courtroom charged with violent crimes, I wondered how many of them play violent video games and what parents can do to restrict their children's access to such games.

According to statistics from the Virginia Beach Police Department, 90% of children ages eight to 16 play video games. Of all games classified by the industry's ratings group as appropriate for ages 10 and older, greater than 90% contain violence. More than 75% of teenage gamers under 17 reported playing mature-rated video games (the most graphically violent type), despite industry-wide restrictions. In addition, a "secret shopper" study revealed that 80% of attempts by underage children to purchase a mature-rated video games from rental stores were successful.

Some studies suggest that virtual violence in video games may cause children to be more aggressive in real life. In a 2002 FBI study, playing violent video games was identified as one of several characteristics of minors who had become school shooters.

The following incidents of horrific crimes committed by video gamers support these studies. In February 1997, a 16-year-old player of "Doom", "Die Hard Trilogy," and "Resident Evil"

took a shotgun to his school in Alaska and killed the principal and a student and injured two others.

In December 1997, a 14-year-old player of "Doom," "Quake," and "Redneck Rampage" killed three students and wounded five others at a high school in Kentucky. In March 1998, two 11 and 13 year old players fired at their Jonesboro, Ark., middle school from nearby woods, killing four students and a teacher and wounding 10 others. We've all heard about Columbine.

In April 1999, two 17- and 18-year-old players of "Doom" killed 12 students and a teacher and wounded 12 others before killing themselves. It was reported that the 18-year-old had modified the game so that the player was invincible and possessed unlimited weaponry and ammunition and so that the player simply mowed down all of the other characters.

In March 2005, a 16-year-old video gamer in Minnesota shot and killed his grandfather, his grandfather's companion, a school guard, a teacher, and five of his classmates.

What can you as a parent do to ensure that your children do not get caught up in this web of violent crime influenced by exposure to violent video games? The primary way to prevent an inappropriate game from being played on either Xbox 360 or Playstation 3 is to utilize each game system's parental controls. Both systems

offer password protections that limit the types of games playable on the console as well as what can be downloaded from the Internet. To learn more about parental controls, check out the web site getgamesmart.com.

Parents should educate themselves about the Entertainment Software Ratings Board (ESRB) system, which allows parents to see exactly the content of each game. The rating is listed on each video game. Parents should also be aware that, in addition to store purchases, children can access violent video games in other ways.

Xbox 360 allows downloadable content via its Internet connection. Your child does not have to subscribe to the monthly fee for Xbox Live in order to download free playable content. The library for downloadable game demos is huge, as it provides advertising for the game developers. Users of Playstation 3 also have access to downloadable content similar to the Xbox 360. The difference is that there is no monthly charge for online game play.

Parents, use of the parental controls is critical in this age of online gaming. Most of the newer game systems, including Xbox 360, Play Station portable, Playstation 3, Nintendo DS, and Wii, can access the Internet and allow your child to access multiplayer online games (also called massively multiplayer online games or MMO).

Currently, the most popular online game is "World of Warcraft," with over 12 million monthly subscribers. Xbox 360, for a monthly fee, allows users to play online games with others. Voice communication is allowed between players, and players can have buddy lists where they send messages to each other while they play different games.

Playstation 3 has a similar system, with no monthly cost. It also contains its own web browser, allowing the child to access inappropriate Internet content. Parents, this means that your child can play online and have contact with anyone—including sexual predators. According to the Virginia Beach Police Department, multiplayer games have been found on the computers of child predators in Virginia Beach.

As a parent, you can win the game by educating yourself about your children's game systems, utilizing the parental controls, and always being aware of what video games your children are playing on game systems and on the Internet.

Special thanks to Detective David Tankersley of the Special Investigations Division of the Virginia Beach Police Department for his contributions to this article. Reprint from Hampton Roads Gazeti.

NBA Mourns Loss of Spouse of Former VP/NBI Chair

The National Bar Association (NBA) extended its heartfelt condolences to the Honorable Ernestine Sapp and her family during the recent death of her husband, Dr. Walter J. Sapp, who passed away on Saturday, February 28, 2009.

Dr. Sapp was a constant supporter of the NBA and the National Bar Institute (NBI). He frequently attended the NBA Annual Convention & Exhibits in support of his wife, who is the former Vice President of the NBA, former Chair of the NBI and recipient of the Wiley Branton Award.

Dr. Sapp created a legacy that profoundly illuminated his commitment to service and community. He began his career at Tuskegee University in 1966 and held several positions, including serving as



the Associate Director for the Center for Bioethics in Research and Health Care. Dr. Sapp was honored

with numerous awards, among them the Alumni Award from Wiley College, the Service Award from Alpha Phi Omega Service Fraternity, and he was inducted into the Wiley College Science Hall of Fame. Dr. Sapp contributed significantly to the NBA and upheld its mission of service and advocacy.

Chapter in History Comes to Close

Joyce London Alexander, the longest-serving magistrate judge in the history of the US District Court in Massachusetts and one of only two blacks on the District Court bench, retired recently.



"I plan to spend more time with my husband. I'm a newlywed," said Alexander, who wed Johnny Ford, former mayor of Tuskegee, Ala., in 2006. Alexander was appointed in 1979, becoming the country's first African-American woman magistrate judge. From 1996 to 1999, she said, she served as chief magistrate judge for the district, becoming the first African-American woman to lead any court unit in Massachusetts.

"My colleagues and I are grateful for Magistrate Judge Alexander's nearly 30 years of devoted service to the administration of justice," US District Court Chief Judge Mark L. Wolf said in a statement.

Alexander is particularly well known for a program she created for the federal courts in Massachusetts in 1989 called "Kids, Courts & Citizenship." About 700 fifth-grade pupils from Boston schools are brought to her courtroom each year to learn about the court system. Children also learn about alternatives to violence, guns, and drugs. Prior to her appointment to the bench with support from President Carter, Alexander was assistant vice chancellor and general counsel for the Massachusetts Board of Higher Education.

- Boston Globe

Judges Visit High School In Seattle



The Community Outreach Committee arranged for judges to visit local high schools during the Wiley Branton Issues Symposium in October 2008. Judges

Jon Gray (ret.), Anne-Marie Clarke, Arthur Burnett, Sr. (ret.) and Harrison Gregg visited a catholic boys school.

New York Governor Appoints Judge Hall to Appellate Post

New York Governor David Patterson has appointed Judge Priscilla Hall to the New York State Appellate Division.

Justice Hall is an elected Justice of the Supreme Court of Kings County, a position she had maintained since 1994. She is also currently the Administrative Judge of the Criminal Division of the Kings County Supreme Court (since February 2008).



Justice Hall

Justice Hall has served as Judge of the New York State Court of Claims from July 1990-January 1994; Acting Justice of the Supreme Court of Kings County, from March 1990-July 1990; a Judge of the Criminal Court of New York City from February 1986-March 1990; and as Inspector General of the New York City Human Resources Administration

(November 1982-February 1986).

She served as Assistant Attorney General of the New York State Department of Employment (October 1979-March 1982).

Justice Hall was an Assistant District Attorney in New York County, February 1974-June 1979; and a corporate attorney for General Electric from August 1973-February 1974.

Justice Hall received her Bachelor of Arts degree from Howard University in 1964, graduating magna cum laude. She graduated cum laude in 1969 from the Columbia University School of Journalism. Justice Hall earned the Juris Doctor from the Columbia University School of Law in 1973.

Judicial Tidbits

Judicial Discipline in 2008

The JUDICIAL CONDUCT REPORTER, a publication of the American Judicature Society Center for Judicial Ethics, reported nine judges were removed and one judge was permanently disbarred in 2008. About 357 state judges were removed from office between 1980 and the end of 2007. In addition to these judges, eleven judges resigned (or retired) to avoid discipline pursuant to agreements with judicial conduct commissions.

Other judges received suspensions with out pay and 115 judges received public sanctions in 2008. The JUDICIAL CONDUCT REPORTER also reported the public reprimand of two federal judges. One federal judge was disciplined for misleading statements in a judicial conduct investigation, and another for signing a false statement under oath in a personal proceeding. *Judicial Conduct Reporter*, Winter 2009, Volume 30, No. 4.

The 30th Judicial District General Sessions Criminal Court **Judge C. Anthony "Tony" Johnson** passed away on January 2, 2009, at the age of 61. Judge Johnson was first appointed to the Memphis Municipal Court in 1976. He moved to general sessions court in 1982. Judge Johnson was a graduate of Father Bertrand High School, Fisk University in Nashville and the University of Tennessee at Knoxville College of Law.



The 30th Judicial District Circuit Court **Judge Rita Stotts** passed away on January 2, 2009, at the age of 55. A graduate of Christian Brothers University and Vanderbilt University Law School, Judge Stotts served as assistant divorce referee, assistant county attorney and as an assistant professor of law at Memphis State University during her legal career before being appointed to the Circuit Court in the 30th Judicial District on May 23, 2000.



Scenes from Montego Bay!

The photographs below were taken in Montego Bay, Jamaica, in January 2009 at the Mid-Winter Meeting of the Judicial Council.



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