

THE COUNCIL Newsletter

A Publication of the JUDICIAL COUNCIL of the National Bar Association

Winter 2010
Hon. M. Lynn Sherrod, *Editor*

Superior Court Judge Retires Her Gavel

Judge Renee Jones Weeks, speaking from her South Orange home, said she wanted to be an attorney ever since she was a 16-year-old student at the Academy of Notre Dame, a Catholic school near Capitol Hill in Washington, D.C. Her interest was sparked by the U.S. Supreme Court's 1954 decision in *Brown vs. Board of Education of Topeka, Kansas*, which struck down "separate but equal" accommodations for blacks and whites as the law of the land. In the thick of the civil rights movement, Weeks adopted three role models: Constance Baker Motley, Patricia Roberts Harris and Eleanor Holmes Norton.

Following in the footsteps of her mother, Grace Lomax Jones and aunt, Melvina Lomax Squires, she graduated from Ursuline College in Ohio in 1970. She graduated from Rutgers University Law School in 1973. "At the time, very few law firms would interview, let alone hire, a minority woman", Weeks said. She landed a job with the state Attorney General's office, where she worked for two years, before becoming the first African American woman assistant general counsel at Prudential Insurance. She was nominated to the bench in 1989 by Gov. Thomas Kean and has affected society from nearly every possible position on the bench during her 20 year career. Weeks has presided over civil and criminal cases. As a family court judge, she has settled intimate complexities surrounding cases involving the care of children and other domestic issues.

As the state's first African American woman to preside in New Jersey's general equity and probate court - as well as Essex County's first African American appointed to that court - she has deciphered the wishes of the deceased, protected the interests of the incapacitated, and worked through the mounting number of foreclosures in Essex County. Diagnoses with end-stage kidney disease, her focus in this new chapter of her life will be on her health. Judge Weeks hopes to eventually provide free mediation to people facing foreclosure or other disputes. She's also like to volunteer teach at a clinical program at a law school.



Weeks

"She is a supreme judge. She has the perfect demeanor for the courtroom, outstanding organizational skills and a superior intellect."

- Patricia K. Costello

Message from the Chair

Greetings, Colleagues and Friends!

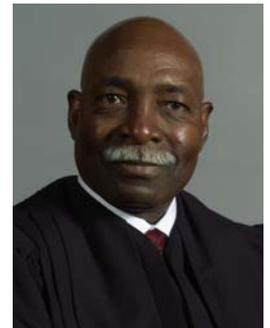
First, I am honored to serve as Chair of the Judicial Council of the National Bar Association. I take seriously the responsibility of this office and pledge to continue the legacy of dedicated service exhibited by the many chairs preceding me.

This bar year is well under way. And we are moving forward to advance an aggressive agenda. A major item was the convening of a successful, memorable, and exciting Mid-Winter Meeting. Often referred to as the "Paradise of the Pacific" tropical Honolulu, Hawaii, served as a perfect venue for our first meeting of this new decade.

From our excellent program of educational seminars, to our youth outreach initiative that included interaction with middle and high schools students throughout the Island at the William S. Richardson Law School, to our convocation service at the Trinity Missionary Baptist Church, to the Chair's reception at the historic Bernice P. Bishop museum, to our first ever Judicial Golf Tournament ... this meeting met the promises to stimulate the intellect, invigorate the spirit, and reinforce commitment to justice for all.

I extend sincere appreciation to the co-chairs of our Mid-Winter committee, Judge Beverly Hayes-Sipes and Judge Denise Langford-Morris, for their tireless efforts in assuring a successful conference. In their words, this conference was "the best Mid-Winter meeting ever!" I also extend expressions of gratitude to our local hosts—Judge Sandra Simms (retired) and the African American Lawyers Association of Hawaii for their hard work, graciousness, and hospitality.

As we enter this new year, let us be ever mindful of why we organize. Our founders expressed it most eloquently, declaring in part: "The improvement of the public's confidence in our courts and in the determination of the judiciary to listen, to understand and to fashion effective remedies for the legitimate grievances of the deprived, the depressed and the dehumanized in our society." May we rededicate ourselves to their vision.



Rucker



Best Regards,

Robert D. Rucker
Justice Robert D. Rucker, *Chair*
NBA Judicial Council

NC Governor Appoints Superior Court Judge

Gov. Bev Perdue recently appointed District Court Judge Patrice Hinnant to the Superior Court District 18A for Guilford County (N.C.). Hinnant will finish the unexpired term of Judge Henry Frye Jr., who retired July 31, 2009.

“Judge Hinnant’s years of experience on the District Court bench have prepared her well for the Superior Court and will not only benefit the court, but also the citizens of Guilford County,” said Perdue.

Judge Hinnant was elected to the District Court Bench in 1996 and was unopposed in her most recent re-election. Prior to that, she was a private attorney

and an assistant public defender in Greensboro. She started her legal career as a paralegal with the firm of Chambers, Stein, Ferguson & Becton, and P.A. in Charlotte.

Hinnant is active in her community, serving on numerous boards and civic groups in Guilford County and serving as past president of the Greensboro Bar Association.

Hinnant attended undergraduate school at Spelman College in Georgia and received her law degree from N.C. Central University School of Law.

Indiana Judge Makes History

Judge Tanya Walton Pratt, who was elected judge in November 2006, is the presiding judge of the Marion Superior Court, Probate Division. She was previously presiding judge of Superior Court, Criminal Division 1.



Pratt

Pratt also has worked as an attorney in

private practice and as a deputy public defender in Marion Superior Court.

Pratt graduated from Spelman College in 1981 and earned her law degree from Howard University School of Law in 1984. She is the first African-

American to serve as a federal judge in Indiana.

Award Named for Women’s Advocate Presented

The Honorable Shelia R. Johnson, Chief Judge Pro Tem of the 46th District Court, Southfield, Mich., and a current Board Member of the Judicial Council, received the Mattie Belle Davis Award from the National Association of Women Judges (NAWJ) at its Annual Conference held in Memphis, Tenn., from October 15-18, 2009.

Judge Mattie Belle Davis was the first woman judge of the Metropolitan Court of Dade County, Florida, where she served as the only woman with county wide jurisdiction from 1959-65. She was committed to furthering the causes of women in the legal profession, and she was instrumental in founding the Florida Association of Women Lawyers. Judge Mattie Belle Davis was the first woman from Florida elected as a Fellow to the American Bar Foundation and the second woman nationally to be so elected.

The Mattie Belle Davis Award is bestowed upon an NAWJ member who has gone above and beyond her role as

a member and volunteer to help make a difference in the organization and furthered its mission, as the Hon. Mattie Belle Davis did.



Johnson

The awardee is an individual dedicated to furthering and supporting women in the legal profession. Judge Johnson is the first African American Judge to serve in the 46th District Court and the first African American female District Court Judge in Oakland County, Mich. She is a fellow of the State Bar of Michigan. Judge Johnson is actively involved in numerous civic and legal organizations and is the recipient of numerous awards. She is the Immediate Past President of the Association of Black Judges of Michigan, an affiliate of the Judicial Council of the National Bar Association. She has been a member and Board member of NAWJ for the past five years.

Florida Judges and Lawyers Must “Unfriend” on Facebook

by Tamara Lush
Associated Press

Published December 2009

St. Petersburg, Fla. (AP) – Florida’s judges and lawyers should no longer “friend” each other on Facebook, the popular social networking site, according to a ruling from the state’s Judicial Ethics Advisory Committee. The committee ruled November 17, 2009 that online “friendships” could create the impression that lawyers are in a special position to influence their judge friends.

The committee did conclude that a judge can post comments on another judge’s site and that during judicial elections, a judge’s campaign can have “fans” that include lawyers.

Although Facebook has been used as an example in this opinion, the holding of the opinion would apply to any social networking site which requires the member of the site to approve the listing of a “friend” or contact on the member’s site, the opinion said.

Popularized by *Ruling Against Scouts*

California Judge Dies at 69

From Union-Tribune Staff Reports

Funeral services were held recently for San Diego federal court judge Napoleon A. Jones, Jr., who, by many accounts, was “a judge’s judge.”

He had a cool temperament many viewed as an asset on the bench, a sharp intellect and a strong sense of fairness, said friends and colleagues.

One of Jones’ most noteworthy decisions came in 2003, when he ruled that San Diego’s lease with the Boy Scouts for land in Balboa Park was an unconstitutional violation of the separation of church and state.

But as one of the few black judges in San Diego County, he may best be remembered for helping pave the way for other minorities.

Jones made it part of his mission to advise and mentor others. Some classmates in law school, even those just a bit older, saw him as the “older brother” — the one whose sage advice would point them to the right path.

Jones was appointed to the U.S. District Court in 1994 by then-President Bill Clinton. He was the second black judge appointed to serve on the federal bench in San Diego.

The first was Earl B. Gilliam, who died in January 2001. Just as Gilliam was his mentor, Jones often gave his time and attention to younger generations with burgeoning careers in law.

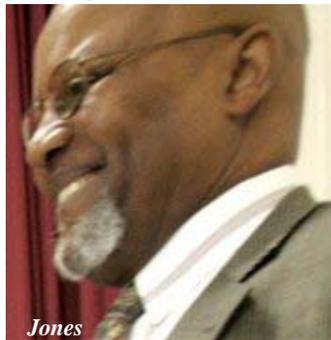
One of his former clerks, Sanjay Bhandari, said in an e-mail that Jones treated the people he worked with in his chambers like family.

“Judge Jones was a warm and generous mentor,

inspiration, and second father,” Bhandari wrote. “Our time with him pulls us toward generosity of spirit and public service, and it always will.”

U.S. District Court Judge John Houston and Superior Court Judge Randa Trapp said Jones played a pivotal role in their careers in San Diego.

He was a social worker in San Diego and Santa Clara counties before becoming a lawyer in 1972. He earned his law degree from the University of San Diego and worked in private practice and with



Jones

Defenders Inc., which represented poor criminal defendants.

He was appointed as a Municipal Court judge in 1977 and to the Superior Court in 1982, where he presided for many years in Juvenile Court. At the federal level, Jones’ Boy Scouts ruling stands out over the many cases he handled. In July 2003, the judge concluded in federal court that the Boy Scouts, which bars openly gay leaders and requires members to take an oath to God, is a religious organization. Jones struck down two leases that the city of San Diego had with the Scouts for 16 acres in Balboa Park and on Fiesta Island. The case is under review by an appellate court.



From left: Cynthia N. Reed, SULC director of CLE and alumni affairs, Judge Salvant, and SULC Chancellor Freddie Pitcher, Jr.

Salvant Among SULC Inductees

Judge Wayne Salvant of Fort Worth, Tex., was among five alumni inducted recently into the Southern University Law Center (SULC) 2009 Hall of Fame at a banquet in the Riverview B Ballroom of the Hilton Capital Center in Baton Rouge, La.

Judge Salvant joined S.P. Davis of Shreveport, La.; Isaac Henderson of Houston, Tex.; Baton Rouge attorney Gail McKay; and Judge Zorraine “Zoey” Waguespack of Amite, La., in this Law Center honor, as part of the two-day annual SULC Alumni Round-Up.

Governor George W. Bush appointed Judge Salvant to the bench in Tarrant County’s Criminal District Court No. 2 in 1995. He was elected in 1996 and re-elected in 2000, 2004 and 2008. In addition to his elected duties, Judge Salvant is the presiding volunteer judge of the Drug Rehabilitation Court (DIRECT). This 13-month program offers non-violent drug offenders a treatment regimen as an alternative to imprisonment.

Judge Salvant, a member of the SULC class of 1974, is active in local, civic and professional organizations. He is a member of the Texas and Louisiana Bar Associations. In addition, he contributes to the legal community through his membership in the College of the State Bar of Texas, and the Eldon B. Mahon Chapter of American Inns of

Court in Fort Worth where he serves as a Master. His Bar affiliations include the Tarrant County Bar Association and the NBA Judicial Council. He is a life member of the National Association for the Advancement of Colored People (NAACP) and a member of Kappa Alpha Psi Fraternity.

He was previously recognized for “Excellent Leadership and Exemplary Vision” by the Southern University Law Center in August of 1999 and as a SULC Distinguished Alumnus of the Year in 2004.

Other alumni were recognized for their career distinctions at the April 2 opening night welcome reception for the 2009 Alumni Round-Up held at the River Terrace of the Shaw Center for the Arts. They were Monica Azare, a senior vice president, State Public Policy and Government Affairs, Verizon, New York, New York; Claire Babineaux-Fontenot, senior vice president and chief tax officer at Wal-Mart Stores, Inc., Bentonville, Arkansas; Timothy W. Hardy, a partner and chairman of the New Orleans headquartered law firm of Lemle & Kelleher, L.L.P.; and District Attorney Joseph L. Waitz, Jr., of Terrebonne Parish, Louisiana.

For more information about the event, call: Cynthia N. Reed, director of CLE and Alumni Affairs, (225) 771-2155.

Judicial Highlights

Chief Judge from Chicago Receives Rehnquist Honor

Timothy C. Evans, Chief Judge of the Circuit Court of Cook County, received the 2009 William H. Rehnquist

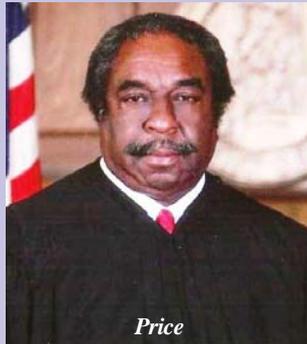


Evans (l) receives award from Chief Justice Roberts

Award for Judicial Excellence at a ceremony at the United States Supreme Court on Thursday, Nov. 19.

More than 200 court and business leaders attended the ceremony. Chief Judge Evans was introduced by U.S. Sen. Dick Durbin, and received the award from Chief Justice of the United States John G. Roberts. NCSC President Mary C. McQueen said Chief Judge Evans was chosen for "his innovative leadership in spearheading advancements in the administration of justice in Illinois."

Judge Honored in Alabama



The Montgomery County, Alabama, Courthouse was renamed to honor Judge Charles Price, Presiding Judge, 15th Judicial Circuit.

Judge Price is nationally known as the 1997 recipient of the Profile in Courage Award from the John F. Kennedy Presidential Library Foundation for the devotion to the American Constitution that compelled him to rule a fellow circuit judge's display of the Ten Commandments for religious purposes was a violation of the First Amendment.

Highlights from My Year as Chair

My year as Chair, 1977 -1978, began with trips to the major affiliates to encourage judges to attend the mid-winter meeting. The January 1978 Mid-Winter Meeting of the Judicial Council and the Board of Governors of the National Bar Association was held in St. Thomas, U.S. Virgin Islands. This first meeting outside the continental United States was a success. A panel discussion entitled "Alternative Means of Dispute Resolution: A Black Perspective" featured Hon. Wade McCree, Solicitor General of the United States; Judge Spottswood Robinson, U.S. Court of Appeals for the District of Columbia; Judge Cecil Poole, U.S. District Court for the Northern District of California; Hon. John Risher, Corporation Council (now called Attorney General) for the District of Columbia; and, featured Professor Gilbert Ware, as moderator.



Newman

The annual meeting was held at the Diplomat Hotel in Hollywood, Florida, and began with the National Bar suing the hotel (on site) to force the hotel to honor the convention registration and contract. This successful litigation was followed by the hotel catching on fire. In spite of the law suit and the fire, the Judicial Council presented a seminar entitled "Impact Decisions of the US Supreme Court" accompanied by a written digest of those decisions. The presenters were Judge Ken Wilson of the Illinois Appellate Court and yours truly, who prepared the written digest of the decisions.

As I look back over my year as Chair of the Judicial Council, I recall it as one of the most enjoyable years of my judicial career. I will not forget the grand and glorious time in Chicago when invited by the Cook County Bar Association to be the speaker at their annual awards banquet with Judge G. Russell DeBow, Circuit Judge, presiding as only Russ DeBow could. *My heartfelt thanks to you, my colleagues, for helping to make my year a success!*

Judge Theodore R. Newman, Jr.
Senior Judge, District of Columbia Court of Appeals
Washington, D.C.

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