



Minnesota Chapter: (left to right) Nia Chung Srodoski, Judge Edward Devitt Award recipient, University of Minnesota Law School; Hon. Ann D. Montgomery; Cha Xiong, Judge Jacob Dim Award recipient, Mitchell Hamline School of Law; Hon. Donovan W. Frank; Caitlin Drogemuller, Judge Earl Larson Award recipient, University of St. Thomas School of Law; Hon. Patrick J. Schiltz, U.S. district judge for the District of Minnesota; Kelly Fermoye, Harry Sieben Award recipient, Mitchell Hamline School of Law; Hon. John R. Tunheim, chief judge of the District of Minnesota.

EIGHTH CIRCUIT

Minnesota Chapter

2016 Law Student Awards

Article by Tasha Francis

On Wednesday, April 20, the Minnesota Chapter held its Law School Student Awards Ceremony. Every year, students are selected to receive awards from the Minnesota Chapter for excellence in the study of federal law and practice. Each award is named in honor of a person who has contributed significantly to the federal legal system in Minnesota. The students are selected with the help of a faculty committee at each law school. Award recipients receive \$2,000 and an engraved wooden plaque.

This year the Judge Earl R. Larson Award was presented by Hon. Patrick J. Schiltz to Caitlin Drogemuller from the University of St. Thomas School of Law. Hon. Donovan W. Frank presented the Judge Jacob Dim Award to Cha Xiong from Mitchell Hamline School of Law. Kelly Fermoye, also from Mitchell Hamline School of Law, received the Harry A. Sieben Award, which was presented by Hon. John R. Tunheim. And Hon. Ann D.

Montgomery presented the Judge Edward J. Devitt Award to Nia Chung Srodoski from the University of Minnesota Law School.

The Minnesota Chapter has recognized outstanding achievement by law students from the local law schools for over 30 years. The student awards program furthers our mission of encouraging and maintaining high standards of learning and competence in the legal profession. ☉

NINTH CIRCUIT

Phoenix Chapter

'Miranda at 50' Community Outreach Project

The Phoenix Chapter is proud to participate in FBA's national Community Outreach Project. Our three-month project dealt with the commemoration of the 50th anniversary of the seminal case, *Miranda v. Arizona*, which arose out of a criminal investigation in Phoenix in 1966. The Phoenix Chapter partnered with the U.S. district court in Phoenix, which co-sponsored essay and video contests for high school students with the Ninth

Circuit Court of Appeals. Our project kicked off in March with a luncheon at the federal courthouse, continued in April when our chapter presented our check to support the civics contests and events and when contest submissions were due, and concluded in May with an event to announce the winners.

The March kickoff event was entitled "Miranda at 50—The Inside Story of the Landmark Case." High school students from around Phoenix attended a lunchtime presentation at the federal courthouse. The program was hosted by the Phoenix Chapter and emceed by board member and U.S. Magistrate Judge Bridget S. Bade, while Ninth Circuit Judge Barry Silverman and former Phoenix Police Department Capt. Carroll Cooley were the speakers. The sold-out crowd of 162 people included over 60 high school students and their teachers, as well as federal judges, court staff, and attorneys. Capt. Cooley was the detective who interviewed and arrested Ernesto Miranda. He provided unique insight into the history of the case and exactly how the investigation unfolded, including the "voluntariness" of



Top Left: Phoenix Chapter: (left to right) Capt. Cooley, Judge Bade, and Judge Silverman. Top right: Northern District of California Chapter: Attendees at the celebratory reception sponsored by the Northern District of California Chapter.

the interview. Judge Silverman is an expert on the *Miranda* case and interviewed Mr. Miranda numerous times. Given their numerous interactions with *Miranda*, both speakers provided fascinating, “inside” information on the case. Materials were circulated, including Miranda’s written confession. Everyone in the packed room enjoyed the talk, and the students left inspired to participate in the civics writing contest.

In April, submissions for the essay and video contests were due, and the chapter presented its check in a meeting with the judges of the district court. The funds went to hold an event to recognize the teachers and students who participated in the contests. The winners of the district court contests were announced on May 13. The Ninth Circuit Court of Appeals contest winners were flown to the Ninth Circuit Judicial Conference in July. Ninth Circuit leaders, including Phoenix Chapter leaders, will be present at the conference.

The Phoenix Chapter is proud to partner with the district and circuit courts on this important project, which will hopefully spark interest and enthusiasm in civics (and local Phoenix history!) in our community. The court expressed its thanks to the chapter and the FBA for their support of this initiative. The chapter, in turn, expresses its sincere appreciation to the Foundation of the Federal Bar Association for its leadership and support in this effort. We hope to do a similar project next year, on a timely topic for 2017. We enjoyed participating in, and supporting, the court and circuit’s civics efforts and plan to do so again in the future. This year, we had about 25 FBA volunteers help put this project on, and we hope to increase that number next year. Finally, we

hope to have another large crowd for the project next year—perhaps we will even have to move to a larger venue! ☺

Northern District of California Chapter *2016 Ninth Circuit Civics Contest: ‘50 Years After the Miranda Decision—How Federal Courts Define the Rights of the Accused’*

The Northern District of California Chapter co-sponsored the district court’s competition to identify three students to move on to the 2016 Ninth Circuit Civics Contest, “50 Years After the Miranda Decision—How Federal Courts Define the Rights of the Accused.” The Ninth Circuit contest, which is sponsored by the federal courts, is an essay and video competition for high school students in the Western United States. The purpose of the contest is to help inform young people about the Constitution and why it matters. The officers of the Northern District of California Chapter met with the participating judges and court staff during the initial planning stages for the local contest to help with the structure of the contest and outreach to prospective contestants. The officers also helped judge the 31 video entries, which was by far the most video entries from any district in the circuit. In addition, the Chapter provided the cash prizes for the finalists and sponsored the celebratory reception which took place at the San Francisco federal courthouse. ☺

ELEVENTH CIRCUIT

North Central Florida Chapter
Is Justice Blind? Recognizing Bias in the Legal Profession and Beyond: A Leadership Roundtable
Article by Kate Arman

Lawyers, individually and as a profession, make an impact in the lives of people across all racial and socioeconomic lines. Within the profession, law student populations have become increasingly diverse—but the makeup of practicing lawyers and judges continues to be remarkably homogenous. To account for this discrepancy, experts have recently turned their focus to implicit bias.

Implicit bias: two words that shape our understanding of the world around us without us even knowing it. In layman’s terms, implicit bias is what drives our gut feelings: it helps us make quick decisions under pressure, creating assumptions about people in situations where we have incomplete facts and need to move quickly. But it also plays a role in everyday interactions with other people, affecting every aspect of our professional and personal lives. On March 11, judges, lawyers, law professors, and law students came together to learn about implicit bias, how to recognize it, and to discuss ways to overcome it in the legal profession.

Following on the heels of the 2014 Leadership Roundtable “Women, the Law, and Leaning Into Leadership” and the 2015 Leadership Roundtable “Redefining Success in the Legal Profession,” the focus of the 2016 Leadership Roundtable turned inward to implicit bias and how it affects everyday decisions by lawyers and judges. Stephanie Marchman, chair of the Roundtable Planning Committee, worked closely with the University of Florida Levin College of Law, the University of Florida Bob Graham Center for Public Service, and a number of local bar associations—including the Clara Gehan Association for Women Lawyers, Eighth Judicial Circuit Bar Association, Joshua T. Walls Bar Association, and the North



Top left: North Central Florida Chapter: Paulette Brown, president, American Bar Association. Top right: North Central Florida Chapter: Federal practitioner Emily Snider the reporting discussion of her small group of judges, lawyers, students, and Levin College of Law administrators.

Central Florida FBA Chapter—to organize and host this event. The program would not have been possible without the efforts and resources of these organizational sponsors and the FBA Chapter Activity Grant and the Florida Bar Voluntary Bar Association Diversity Leadership Grant. In addition, a number of local law firms generously contributed to the program this year, including Avera and Smith; Dean Mead; Fine, Farkash and Parlapiano; The Miller Elder Law Firm; and Salter Feiber. These contributions allowed nearly 40 law students to attend the luncheon and program at no cost.

To set the stage for the 2016 roundtable, American Bar Association President Paulette Brown, who is also partner and co-chair of the firmwide Diversity & Inclusion Committee at Locke Lord LLP, spoke at the Eighth Judicial Circuit Bar Association Luncheon on implicit bias in the legal profession. As part of her presentation, Brown showed participants a short video featuring several federal and state judges recognizing and coming to terms with their own implicit biases, and the simple tools they implemented to address their biases. As the video illustrated, implicit bias is like an emotional reaction—instead, be humble, slow down your decision-making process, and be internally motivated to be fair and square. Lawyers love their gut instincts, but the evidence proves that their guts aren't nearly as good as they think.

Following Brown's presentation, the 2016 roundtable began with an implicit bias introduction and workshop under the direction of professor Jason Nance, associate professor of law and associate director for education law and policy at the Center on Children and Families at the University of Florida Levin College of Law. Nance defined implicit bias as the “unconscious association or prefer-

ence that is so established as to operate without conscious thought.” Beginning with the premise that all humans are implicitly biased, but that implicit bias can be recognized and corrected, Nance conducted an abbreviated version of the Harvard University implicit association test with all of the roundtable participants to demonstrate the strength of individuals' automatic association between objects and people. People classify other humans automatically along any number of categories, including race, gender, age, disability, and nationality. This unconscious categorization triggers attitudes and stereotypes about those people that affects all interactions with them, although implicit bias manifests itself the most when people are at their most vulnerable, such as when they are hungry, tired, or under stress.

Professor Sarah Redfield, tenured professor at the University of New Hampshire School of Law and published author, spoke on how implicit bias directly affects lawyers. The legal profession is one of the least diverse professions (topped only by veterinarians), largely due to our natural preference for our self-identified groups. This manifestation of implicit bias explains the lack of diversity in the legal profession for people of color and women: even while law schools are turning out more diverse graduates, lawyers who are established in their profession have an innate preference for people they identify as similar to themselves. Thus, the diversification of lawyers in positions of power (e.g., equity partners, law school administrators, judges) is much slower than for entry-level positions. To fight implicit bias, Redfield advised participants to be intentional in their decision-making, to not make assumptions, to engage in meaningful contact with others that do not fall within their self-identified

group, and finally, to intervene when others are acting on implicit bias. She also encouraged everyone to take the implicit association test.

Following the implicit bias workshop, groups of experienced lawyers, new lawyers, judges, law students and other legal professionals broke out to discuss their personal experiences with implicit bias and suggestions for de-biasing their decision-making. At the end of the discussion, table moderators reported back to the larger group on their small group's discussion.

Several major themes emerged as a result of the small group discussions. Although many attorneys and lawyers had been unfamiliar with the term “implicit bias” prior to the workshop, Roundtable Moderator Ray Brady pointed out that every person present had experienced the assumptions that others make about members of the legal profession, but posited the theory that individuals who are frequently the victims of much more aggressive implicit bias—such as people of color or individuals with physical disabilities—are the most likely to have already started recognizing implicit bias and addressing it in their own interactions with others.

To remedy implicit bias, most small groups agreed that it is important to slow down and make conscious, deliberate decisions. Roundtable Moderator Julie Waldman suggested that if decisions made while angry, tired, or feeling threatened are the most susceptible to implicit bias, then the most elegant solution is to simply slow down and make mindful, intentional decisions. While slowing down may not be always possible—especially for members of the judiciary with steadily growing dockets—a conscious effort to recognize those stressors can go a long way in de-biasing decisions.



Top left: North Central Florida Chapter: Reception attendees mingle and enjoy the complimentary beverages and hors d'oeuvres. Top right: North Central Florida Chapter: Peg O'Connor is presented with a plaque by Robert Griscti, president of the North Central Florida Chapter, in recognition of her distinguished service as chapter president from 2014 to 2015.



Left: Northern District of Ohio Chapter: Chief Judge Solomon Oliver, Judge Dan Polster, their staffs, the Younger Lawyers and Law Clerks Committees, and chapter members of the Northern District of Ohio Chapter volunteering at the Greater Cleveland Food Bank.

Other table discussions focused on ways to address implicit bias as a group. Roundtable Moderator Julie Naim urged lawyers and judges to educate others about implicit bias at two critical times: (1) active intervention when lawyers see others acting on their implicit biases and (2) through formal education in law schools and CLEs. By educating others about implicit bias, lawyers and judges can impose accountability standards for the profession and actively engage in positive messaging.

Implicit bias is a universal human condition—it affects our decisions about others, as well as how others interact with us. It is a condition that cannot be cured, but it can be treated. The 2016 Leadership Roundtable demonstrated that the very first step is to recognize implicit bias when it occurs both in our own personal interactions and in others. With vigilance toward implicit bias and its effects on our decision-making, our choices can be made on sound reasoning and ensure justice for all. ☉

**Photos taken by Kate Artman.*

North Central Florida Chapter *Spring Judicial Reception*

On April 7, the North Central Florida Chapter hosted a Spring Judicial Reception for

the federal bench of the Northern District of Florida, Gainesville Division, and the Middle District of Florida, Ocala Division. The Northern District of Florida, Gainesville Division, bench was represented by U.S. District Judge Mark E. Walker, U.S. Magistrate Judge Gary R. Jones, and U.S. Chief Bankruptcy Judge Karen K. Specie. The Middle District of Florida, Ocala Division, bench was represented by U.S. Senior District Judge William Terrell Hodges and U.S. Magistrate Judge Philip R. Lammens. The event was held at The Woolly conference center in downtown Gainesville, with more than 100 attendees, including FBA Chapter members and University of Florida Levin College of Law Dean Laura Ann Rosenbury, faculty, and students.

Peg O'Connor was presented with a plaque by Robert Griscti, president of the North Central Florida Chapter, in recognition of her distinguished service as chapter president from 2014 to 2015. O'Connor currently serves as the chapter's treasurer. Attendees applauded O'Connor for her historic and ongoing service to the chapter.

This judicial reception is the latest in a series of similar events hosted by the chapter since its formation in 1999. A pri-

mary purpose of the chapter is to facilitate communication between the federal bench and bar. That goal was again accomplished in this informal reception. We look forward to similar functions in the future.

The chapter thanks the law firms of Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A.; Dell Graham, P.A.; Salter Feiber, P.A.; Scruggs & Carmichael, P.A.; Gray Robinson, P.A.; The Law Offices of Gilbert A. Schaffnit; and Turner O'Connor & Kozlowski, P.L., for helping sponsor this event. ☉

**Photos taken by Elliott Welker.*

6TH CIRCUIT

Northern District of Ohio Chapter *Volunteer Night at the Greater Cleveland Foodbank*

The Northern District of Ohio Chapter held a volunteer night on May 2 at the Greater Cleveland Foodbank. The well-attended event was organized by the Younger Lawyers Committee and supported by the Law Clerks Committee. Chief Judge Solomon Oliver, Judge Dan Polster, and their staffs attended the event, along with members of the Northern District of Ohio Chapter. Volunteers helped organize food stock received from donors by sorting food, checking it for quality, and storing it in the warehouse. By all accounts those in attendance had a very good time helping the Foodbank serve needy citizens in Greater Cleveland. ☉