

The 2003 Legal Ethics Conference – Judging Judges’ Ethics – Schedule

Sunday, September 14, 2003

8 a.m.-4 p.m.

CONFERENCE REGISTRATION

Hofstra Cultural Center Foyer
Sondra and David S. Mack Student Center, North

Campus

9-10:45 a.m.

BRUNCH

11-11:15 a.m.

WELCOMING REMARKS

Stuart Rabinowitz

President
Andrew M. Boas and Mark L. Cluster
Distinguished Professor of Law
Hofstra University

David N. Yellen

Dean and
Max Schmertz Distinguished Professor of Law
Hofstra University School of Law

Roy D. Simon

Professor of Law
Director of the Institute for the Study of Legal
Ethics
Hofstra University School of Law
Conference Co-Director

Monroe H. Freedman

Howard Lichtenstein Distinguished
Professor of Legal Ethics
Hofstra University School of Law
Conference Co-Director

11:15-11:45 a.m.

KEYNOTE ADDRESS

The Honorable Roger J. Miner

U.S. Court of Appeals for the Second Circuit

*“Judicial Ethics in the Twenty-First Century –
Tracing the Trends”*

11:45 a.m.-12:05 p.m.

Questions and Comments

12:05-12:25 p.m.	THE MORAL FOUNDATIONS OF JUDGING Professor Charles Fried Harvard Law School <i>“The Office of Judge: Why It Is Special and the Concomitant Ethics”</i>
12:25-12:45 p.m.	Questions and Comments
12:45-3 p.m.	THE FUTURE OF JUDICIAL SPEECH
12:45-1:05 p.m.	Professor Geoffrey C. Hazard, Jr. University of Pennsylvania Law School <i>“Announcement’ by Federal Judicial Nominees”</i>
1:05-1:25 p.m.	Gerald Stern, Esquire Senior Counsel, New York State Commission on Judicial Conduct
1:25-1:45 p.m.	The Honorable Nancy Gertner U.S. District Court, District of Massachusetts
1:45-2:05 p.m.	The Honorable Thomas Penfield Jackson U.S. District Court, District of Columbia
2:05-2:25 p.m.	The Honorable Thomas J. Spargo New York Supreme Court, Third Judicial District
2:25-2:30 p.m.	Gerald Stern, Esquire Senior Counsel, New York State Commission on Judicial Conduct
2:30-3 p.m.	Questions and Comments
3-4:30 p.m.	PUBLIC PERCEPTIONS OF JUDGES’ ETHICS
3-3:12 p.m. Editorial Page)	Moderator: Adam Cohen (<i>The New York Times</i>)
3:12-3:24 p.m.	Nancie Katz (<i>New York Daily News</i>)
3:24-3:36 p.m.	Tony Kovalski (KMGH-TV, Denver)

- 3:36-3:48 p.m. Adam Liptak (*The New York Times*)
- 3:48-4 p.m. Tony Mauro (*Legal Times*)
- 4-4:12 p.m. Professor Jeffrey Rosen (*The New Republic*)
- 4:12-4:30 p.m. **Questions and Comments**
- 6:30 p.m. **BANQUET**
The New Huntington Townhouse
- 6:30 p.m. **BOOKSIGNING**
Professor Alan M. Dershowitz
Harvard Law School
- 6:30-7:30 p.m. **COCKTAILS**
- 7:30 p.m. **DINNER**
BANQUET ADDRESS:
Professor Alan M. Dershowitz
Felix Frankfurter Professor of Law
Harvard Law School
- “Why Are Lawyers’ Ethics So Widely Considered to Be Oxymoronic?”*

Monday, September 15, 2003

- 8 a.m.-3 p.m. **CONFERENCE REGISTRATION**
Hofstra Cultural Center Foyer
Sondra and David S. Mack Student Center, North
Campus
- 8-9 a.m. **BREAKFAST**
- 9:10-9:30 a.m. **Professor Leslie W. Abramson**
University of Louisville Law School
- “Judicial Disqualification Due to Relatives’ Association With a Law Firm of Record”*
- 9:30-9:50 a.m. **Questions and Comments**
- 9:50-10:10 a.m. **Dean David N. Yellen**
Dean and
Max Schmertz Distinguished Professor of Law

Hofstra University School of Law

“Judges’ Ethics and Sentencing Guidelines”

10:10-10:30 a.m.

Questions and Comments

10:30-10:50 a.m.

Professor Judith A. McMorrow
Boston College Law School

“Judicial Attitudes Towards Confronting Attorney Misconduct”

10:50-11:10 a.m.

Questions and Comments

11:10-11:30 a.m.

Professor Paul Butler
George Washington University Law School

“Judicial Nullification: Judicial Ethics and Judges’ Morality”

11:30-11:50 a.m.

Questions and Comments

12-1:20 p.m.

LUNCHEON
Joan and Donald E. Axinn Library, 10th floor

12:40-1:20 p.m.

LUNCHEON ADDRESS
Dean Burnele Veneble Powell
Dean and Professor of Law
University of Missouri--Kansas City School of Law

1:30-1:50 p.m.

Lawrence Fox, Esquire
Drinker Biddle & Reath

“Those Unpublished Opinions: An Appropriate Expedience or an Abdication of Responsibility?”

1:50-2:10 p.m.

Questions and Comments

2:10-2:30 p.m.

The Honorable Alex Kozinski
U.S. Court of Appeals for the Ninth Circuit

“The Real Issues of Judicial Ethics”

2:30-2:50 p.m.

Questions and Comments

2:50-3:05 p.m.

COFFEE BREAK

3:10-3:30 p.m.

Professor Abbe Smith
Georgetown University Law Center

“Defense-Oriented Judges”

3:30-3:50 p.m.

Questions and Comments

3:50-4:10 p.m.

Professor Richard Zitrin
University of San Francisco School of Law

*“The Judicial Function: Justice Between Parties,
or a Broader Public Interest?”*

4:10-4:30 p.m.

Questions and Comments

Tuesday, September 16, 2003

8 a.m.-3 p.m.

CONFERENCE REGISTRATION
Barbara and Maurice A. Deane Law Library Foyer
Hofstra University School of Law

8-9 a.m.

BREAKFAST

9:10-9:30 a.m.

Professor Andrew Kaufman
Harvard Law School

*“Judicial Correctness Meets Constitutional
Correctness: Canon 2C of the Code of Judicial
Conduct”*

9:30-9:50 a.m.

Questions and Comments

9:50-10:10 a.m.

The Honorable Shira A. Scheindlin
U.S. District Court, Southern District of New York

“Judicial Responsibility in a Time of Crisis”

10:10-10:30 a.m.

Questions and Comments

10:30-10:45 a.m.

COFFEE BREAK

10:45-11:05 a.m.

The Honorable John T. Noonan, Jr.
U.S. Court of Appeals for the Ninth Circuit

“Making the Case One’s Own”

11:05-11:25 a.m.

Questions and Comments

11:30 a.m.-2:30 p.m.

**JUDICIAL ERROR OR UNETHICAL
CONDUCT?**

11:30-11:50 a.m.

Cynthia Gray, Esquire

Director, Center for Judicial Ethics,
American Judicature Society

*“The Line Between Legal Error and Judicial
Misconduct: Balancing Judicial Independence
and Accountability”*

(Questions and Comments after Mr. Stern)

12-1:20 p.m.

LUNCHEON

1:30-1:50 p.m.

Professor Richard Klein

Touro College Jacob D. Fuchsberg Law Center

*“Due Process and the Ethical Responsibilities of
the Judiciary in Criminal Cases”*

(Questions and Comments after Mr. Stern)

1:50-2:05 p.m.

Gerald Stern, Esquire

Senior Counsel, New York State Commission
on Judicial Conduct

*“Disciplining Judges for Failure to Ensure Due
Process to Litigants”*

2:05-2:30 p.m.

**Questions and Comments for Ms. Gray,
Professor Klein, and Mr. Stern**

2:30-2:45 p.m.

COFFEE BREAK

2:50-3:10 p.m.

The Honorable Jack Weinstein

U.S. District Court, Eastern District of New York

*“Hamlet in the District Court: Facing Personal
Ethical Dilemmas”*

3:10-3:30 p.m.

Questions and Comments

Commentators-at-Large:

Professor Samuel Dash, Georgetown University Law Center

Professor Linda Galler, Hofstra University School of Law

Professor Bruce A.Green, Fordham University Law School

Professor Eric Lane, Hofstra University School of Law

The Honorable Ellen F. Rosenblum, Oregon Circuit Court, Fourth Judicial District

Professor Ronald Rotunda, George Mason University School of Law