

ANNUAL MEETING 2018

Committee on Children and the Law

2018 Robert J. Schack Memorial Program

Understanding Family Law Judges:

Wellness, Bias, and Other Perils of the Profession

Friday, January 26, 2018 | New York Hilton Midtown | NYC

3.5 Total Credits: 1.0 Law Practice Management | 1.5 Diversity, Inclusion, and Implicit Bias 1.0 | Professional Practice (Transitional)

Judges face stresses unlike those that they experienced as lawyers: isolation; the often stilted relationship with non-judges; intense constraints on spontaneity in speaking, writing, and even daily living; the inability to respond to criticism; and threats and even violence. Family Law Judges face additional stresses because of the intense nature of the disputes over which they preside and the dangers of erroneous decisions. Judges need to understand these special stresses in order to manage them effectively, and practitioners need to avoid exasperation from the great power granted to judges presiding over their cases.

Judges and lawyers both face challenges based on identity differences and unconscious phenomena such as implicit bias and racial anxiety. This presentation will draw upon research from the mind sciences to demonstrate how these factors can affect our decision-making and interactions, and pose a risk to objectivity and fairness in the justice system. The presenters will share evidence-based strategies to align behavior with values and promote fairness in the courtroom. We will have pointers on helping judges, helping family lawyers understand judges, and helping these lawyers manage similar stresses in their practices, all with the goal of improving the judicial system by working to do justice while assuring the participants of the integrity and effectiveness of the system.

Program

9:00 a.m. – 12:10 p.m. | Beekman Suite, Second Floor

COMMITTEE CHAIR

David J. Lansner, Esq., Lansner & Kubitschek, Brooklyn

PROGRAM CHAIR

George E. Reed, Jr., Esq., White Plains

Program Agenda

9:00 a.m. – 9:05 a.m.

Welcome and Opening Remarks

George E. Reed, Jr., Esq.

9:05 a.m. – 9:55 a.m.

Family Law Judges: Managing and Understanding Stresses of the Position

- The Constraint of Judicial Correctness
- The Pressure of Time
- Anger, Disrespect, Result-Based Complaints and other Hallmarks of Unsuccessful Family Law Litigants
- Isolation and its Effects
- Wellness Resources for Judges and Lawyers

Hon. Gerald Lebovits

(1.0 MCLE Credit; 1.0 Professional Practice)

Understanding Bias

9:55 a.m. – 10:20 a.m.

Bias from the Perspective of the Bench

- Recognizing the Role of Bias from the Bench and the Courtroom
- Guarding Against Bias in Rendering Decisions

Hon. Gayle P. Roberts

10:20 a.m. – 10:30 a.m. **Coffee Break**

10:30 a.m. - 11:20 p.m.

Obstacles to Fairness: Implicit Bias, Racial Anxiety, and Stereotype Threat

- The Role of Implicit Bias, Racial Anxiety and other Unconscious Phenomena in Decision-making, including Reviewing Evidence, Recollecting Testimony, and Sentencing Decisions
- Evidence-Based Strategies to Address these Phenomena to Align Behavior with Values and Promote Fairness in the Courtroom

Jessica MacFarlane, MPH

(1.5 MCLE Credits; 1.5 Diversity, Inclusion and Implicit Bias)

11:20 p.m. – 11:45 a.m.

Different Paths to the Same Goal

- Meaningful Work: Working to Improve the Law and the Administration of Justice
- Improving Communication between Attorneys and Judges
- Streamlining the Judge's Work by Simplifying and Standardizing Procedure and Clerical Functions

George E. Reed, Jr., Esq.

(0.5 MCLE Credit: 0.5 in Areas of Professional Practice)

11:45a.m.–12:10p.m.

Panel Discussion: Understanding Family Law Judges

Hon. Gerald Lebovits

Jessica MacFarlane, MPH

George E. Reed, Jr., Esq.

Hon. Gayle P. Roberts

(0.5 MCLE Credit: 0.5 in Areas of Professional Practice)

12:10 p.m. **Adjournment**

About Robert J. Schack

Robert J. Schack was a founding member of the New York State Bar Association Committee on Children and the Law and, for many years, Chair of the Legislative Subcommittee. A supervising attorney at the New York State Attorney General's Office, Mr. Schack represented the State in several landmark juvenile justice and child welfare cases. He was a tireless advocate for children's rights and interests, and contributed enormously to the Committee's and Bar Association's achievements.

Register Online www.nysba.org/AM2018 | **Get Social: #NYSBA18**   

IMPORTANT INFORMATION

Under New York's MCLE rule, this program has been approved for a total of 3.5 credit hours (1.0 Law Practice Management, 1.5 Diversity, Inclusion, and Implicit Bias, 1.0 Professional Practice). This program is transitional and is suitable for MCLE credit for both newly-admitted attorney and experienced attorneys.

Discounts and Scholarships: New York State Bar Association members and non-members may apply for a discount or scholarship to attend this program, based on financial hardship. This discount applies to the educational portion of the program only. Under this policy, any member of our Association or non-member who has a genuine basis for their hardship, if approved, can receive a discount or scholarship, depending on the circumstances. Request for discounts or scholarships must be received prior to January 12, 2018. For more details, please contact Jessica Patterson in writing at New York State Bar Association, One Elk Street, Albany, New York 12207 or jpatterson@nysba.org.

Special Note for Attorneys Representing Children and Family Court Assigned Counsel Panel Members: Attorneys for Children and Family Court (and Family Court appeals) Assigned Counsel panel members who are members of the New York State Bar Association are eligible to apply for a fee waiver for this program. If you qualify, you cannot register online. You must download the waiver form at <http://www.nysba.org/ChildrenandtheLaw>, attach it to the completed Annual Meeting Registration Form, and fax or mail back the completed forms to the number/address listed. To inquire about these waivers, please contact Jessica Patterson at (518) 487-5596. All waivers must be received by Friday, January 12, 2018. No waivers can be issued after the cutoff date. Please note that if you are not a member of the New York State Bar Association, the \$200 nonmember surcharge cannot be waived.



Accommodations for Persons with Disabilities: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Jessica Patterson at 518-487-5596.



For overnight room accommodations, please call the New York Hilton Midtown at 1-800-445-8667 and identify yourself as a member of the New York State Bar Association or on the web at www.nysba.org/am18accomm. The rate will be based on room selection (single/double occupancy) and arrival/departure dates with additional taxes and hotel fees. The discounted rate for January 21st and January 22nd is \$179 per night. The discounted rate for January 23rd through January 28th is \$229 per night. A rate of \$209 will be offered to those with overlapping dates. Reservations must be made by December 15, 2017.



For questions about this specific program, please contact Jessica Patterson at 518-487-5596. **For registration questions only, please call the Member Resource Center at 800-582-2452. Fax registration form to 518-463-5993.**