

# THIRD JUDICIAL CIRCUIT COURTS AND COMMUNITY COMMITTEE 2019 ACTIVITY REPORT



March 24, 2020

## **Third Judicial Circuit Courts and Community Committee 2019 Activity Report**

The governing body of the federal courts, the Judicial Conference of the United States, recently “affirmed that civics education is a core component of judicial service; endorsed regularly-held conferences to share and promote best practices of civics education; and encouraged circuits to coordinate and promote education programs.” The Courts and Community Committee for the Third Judicial Circuit is proud to be part of the judiciary’s national initiative to present and promote civics education programs. The Third Circuit Committee had another busy year in 2019. This Activity Report highlights some of the initiatives that our judges and court staff participated in throughout the year as part of the Committee’s ongoing effort to connect our courts to our communities and improve understanding of the role of the judicial system in our democracy.

### **ADULT CIVICS EDUCATION PROGRAM**

At the behest of Third Circuit Court of Appeals Chief Judge D. Brooks Smith, and after many months of planning, the Committee sponsored a ten-week adult civics education course that was launched in September 2019 at the Community College of Philadelphia. Courts and Community Committee Co-Chairs Midge Rendell and Cynthia Rufe created a ten-class curriculum and recruited federal and state judges, as well as attorneys, to lead and present topics of interest for each fifty-minute session on Monday nights during the fall. Dean Dave Thomas, along with strong administrative support, registered over sixty students for the minimal fee certificate course. The subjects included: the framework of government and the constitution (rule of law and separation of powers); an introduction to state and federal courts (Judge Cheryl Ann Krause and Pennsylvania Superior Court President Judge Emeritus Susan Gantman); case studies in employment discrimination cases (Judge Gene Pratter and Laura Mattiacci, Esq.); criminal cases, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Amendments (Judge Theodore McKee and Philadelphia Common Pleas Judge Teresa Sarmina); due process and equal protection; and discrete subjects including several amendments in the bill of rights, immigration (Judge Felipe Restrepo, Jimmy Frazier, Esq. and Peter Gonzales), voting rights, gerrymandering and the Electoral College (Chief Judge D. Brooks Smith and Judge Michael Baylson), Magistrate Judge Court (Magistrate Judges Carol Sandra Moore Wells and Richard Lloret), First Amendment, Free Speech and Civil Discourse (Judge Larry Stengel, retired and Judge Cynthia Rufe); and Civil Rights Law (Judge Gerry McHugh).

Introductory and closing sessions were led by Judges Rendell and Rufe. In addition to Certificates of Completion, graduating students were invited to the Eastern District of Pennsylvania’s Bill of Rights Day Naturalization Ceremony at the Byrne Courthouse in December. Thanks to the support of our Courts and our colleagues, all agree that this course was a tremendous success and can be replicated by judges and the

Bar in the counties and other venues. The Community College administrators were very pleased with the class and have urged us to repeat this offering in the fall semester of 2020. The judges enjoyed the classes as much as the students!

## **JUSTICE AND JOURNALISM PROGRAM**

For a second year in Philadelphia the Circuit held the Justice and Journalism Conference, hosted by Third Circuit Chief Judge D. Brooks Smith, Chief Judge Rodney Sippel, Chair, Judicial Branch Committee, and Gene Policinski, President and COO of the Freedom Forum Institute. Through the day-long series of panel discussions among noted journalists, Judges (Scirica, McKee, Ambro, Rendell, Restrepo, Hornak, Kugler, Rufe, Chan and Silverstein), the Freedom Forum Institute staff and judicial administrators, the group addressed topics of mutual concern, such as news literacy, modern workings of news media, fake news and deliberate misinformation. The group also considered how journalists and the courts might combat public mistrust of institutions, and the expectations and relationships of reporters and the courts, touching on restrictions of sealed records, PACER access, and chambers conferences, how to achieve greater accuracy in reporting, how each institution could facilitate the other's needs to more accurately report legal and judicial news and to be able to more timely access court case information with clarity.

## **NATIONAL CONSTITUTION CENTER (NCC) PROGRAMS**

### **Judge Chats**

Volunteer judges from the Circuit, District, Magistrate and Bankruptcy Courts continue their strong participation in the NCC's "Judge Chats" program, its regularly scheduled monthly event where judges, in thirty-minute sessions, meet with a class of students, ranging from elementary through high school and college, for Questions and Answers. Many chats were conducted in conjunction with Civic Holidays such as Law Day and Constitution Day. In 2019, twenty-six Judge Chats were held at the NCC.

### **First Amendment Town Meetings**

In December 2019, the NCC launched an additional program called "Constitutional Ambassadors," a four-hour intellectual, social, and skills-based educational experience on the First Amendment and basic principles of the U.S. Constitution. Volunteer judges host a "Student Town Hall" segment. Similar to Judge Chats, emphasis is placed on constitutional issues with the volunteer judge leading a forty-minute discussion. An NCC educator acts as moderator and facilitates a discussion between the judge and the students surrounding Constitutional questions. The first two Town Meetings were held in December at the NCC with our judge volunteers. An

additional twenty-five are scheduled in the coming months for 2020. This program, in its initial stage, focuses primarily on high school students.

### **Civil Discourse Activities**

Additional NCC lectures and presentations included our judges. The FSA fellowship summer program, led by Judge Cynthia M. Rufe (EDPA), addressed the topic of the First Amendment in schools. Judge Rufe also partnered with the NCC in piloting the first Civil Discourse program, which matched school classes from across the country to discuss and debate First Amendment issues from their respective classrooms in twenty-minute formats utilizing Zoom technology with federal judges and volunteer attorneys as facilitators. This program and Judge Chats were scheduled monthly and continue to be supervised by our Judges.

### **NATURALIZATION CEREMONIES**

The Eastern District of Pennsylvania continues to conduct Naturalization Ceremonies monthly in the Byrne Courthouse and routinely hosts school students to observe. In 2019, ceremonies were also scheduled in the Reading and Allentown Courthouses, and in special venues, including Pennsbury Manor, the Pearl Buck House, the NCC (for Constitution and Citizenship Day), and for the first time in 2019, at the Museum of the American Revolution, presided over by Judge Rufe. Another exciting new venue for a Naturalization Ceremony in 2019 was Citizens Bank Park, where Chief Judge Juan Sánchez presided over a ceremony before the start of a Phillies home game for Citizenship Day. The EDPA continues its practice of inviting school students to observe the ceremonies, such as on Bill of Rights Day, which is an opportunity to conduct a mini-civics education session with the classes before and after the ceremony.

The District of Delaware held Naturalization Ceremonies throughout 2019. On June 6, 2019, and December 5, 2019, the ceremonies for large numbers of new citizens were held at the University of Delaware and presided over by Judge Maryellen Noreika and Magistrate Judge Jen Hall, respectively. To coincide with Constitution Day, the September Naturalization ceremony in 2019 was held proximate to the occasion and presided over by Chief Magistrate Judge Mary Pat Thyng.

The District of New Jersey conducted ten Naturalization Ceremonies in 2019 in Camden and Trenton.

In March 2019, the Middle District of Pennsylvania held its Naturalization Ceremony in Scranton with community guests from the Daughters of the American Revolution, and in May, held its Naturalization Ceremony in the Scranton Federal Building with student guests from the Newton/Ransom Elementary School. Judges spoke to students before and after the ceremony. Naturalization Ceremonies were held

throughout 2019 with community members from the VFW, community guests, including a U.S. Congressman as a speaker in Williamsport, and with guests from the Rotary Club of the Abingtons in Scranton.

In 2019, the Bankruptcy Judges for the Western District of Pennsylvania continued to preside over Naturalization Ceremonies, open their chambers up for internship opportunities, and participate in the Bankruptcy Symposium, which was held on December 6, 2019.

The Community Outreach Committee for the Western District of Pennsylvania expanded its reach and interaction with the global community it serves, by adding the monthly Naturalization Ceremonies to its purview. The committee has now taken steps to invite new and diverse organizations to sponsor and/or participate in Naturalization Ceremonies and is looking to conduct ceremonies outside of the courthouse, bringing the court into the communities to celebrate our new American citizens.

A total of 583 people became new citizens of the United States through Naturalization Ceremonies held at the District Court of the Virgin Islands during the year. The St. Thomas/St. John Division held nine ceremonies and administered 329 oaths, while the St. Croix Division held seven ceremonies and administered 254 oaths.

## **HIGH SCHOOL FELLOWSHIP PROGRAM**

The District Court of Delaware's High School Fellowship Program is a six-week program, beginning in June and ending in August of each year. High School students selected to participate in the program work in chambers with judges of the District Court, Bankruptcy Court and/or with other federal employees who work in agencies connected to the court, such as the Federal Public Defenders. These Fellows also have the opportunity to observe federal court proceedings and meet leaders in the Delaware legal system. The Fellows are paid a stipend of \$350 per week, or \$2,100 for the six-week program.

Those eligible for the program are rising sophomores, juniors, and seniors who attend high schools in Kent and New Castle Counties, in Delaware. All of those who are interested must submit an application, along with their high school transcript, a letter of recommendation from either a teacher or other counselor at their school and proof of their citizenship status (a copy of their U.S. Passport, Social Security card, birth certificate, or green card).

Finalists interview with a panel of judges and other Delaware legal professionals. Fellows selected typically have strong leadership skills, have performed well academically and have demonstrated a commitment to community service. Students with

an interest in a future legal career may particularly benefit from the Fellowship, but having such an interest is not a prerequisite to application.

The Program was offered for the first time in 2016. We have continued in each successive year to offer the Program to three talented High School students each year. The Fellows in the 2019 class successfully completed the Program. In addition to working with federal judges and attorneys, participants observed a number of court events in both civil and criminal cases. They also received presentations from the judges of the Third Circuit Court of Appeals, District Court Judges, Bankruptcy Court Judges, a Delaware Supreme Court Justice, Delaware Chancery Court Judges, Delaware Superior Court Judges, the United States Attorney for the District of Delaware and members of the U.S. Attorney's office, the Federal Public Defender and members of the Federal Public Defender's Office, members of the office of the Clerk of the District Court, the Chief United States Probation Officer and members of the U.S. Probation Office, and members of the District of Delaware's chapter of the Federal Bar Association. Additionally, the Fellows tour the Howard R. Young Correctional Institution, the offices of a large local law firm and the campus of Wilmington University. The Program ended on August 2, 2019, with a graduation and reception attended by the Fellows, their family members and friends, and other members of the District Court family.

## **HIGH SCHOOL INTERNSHIP**

The District Court of the Virgin Islands is committed to expanding the minds and professional experiences of young Virgin Islanders. The most impactful manner of demonstrating that commitment has been to extend internship opportunities to high school and college students.

Since 2015, Glenda L. Lake, Esq., the Clerk of Court, has partnered with the Ivanna Eudora Kean High School's Jobs for America's Graduates (JAG) on-the-job training program to introduce students to the federal court system and to allow them to build on their valuable classroom skills by learning practical office skills. The Clerk of Court also values the opportunity to encourage the students to consider career opportunities in the federal government as they configure their educational and career pathways. Through the Clerk's initiative, other agencies have grown to encourage and support the internships.

With the continued support of the Court, the Clerk increased the number of JAG participants to three students in the Division of St. Thomas last February, adding a student from the Charlotte Amalie High School. Subsequently, the St. Croix Central High School also accepted the Court's request to participate in a student internship experience and facilitated the participation of two high school seniors in the Division of St. Croix.

The 2019 student intern experience thus included a combined total of five high school students assigned to the Clerk's Office. In preparation for the interns, the Clerk's Office coordinated with other agencies in the courthouses including the U.S. Probation Office, Library Services, and U.S. Marshal Service to ask for their support in providing an orientation about their units and the career options currently available at their respective agencies. Likewise, Clerk's Office staff and Chambers supported the students, orienting them to various aspects of court operations, court reporting, jury services, information technology, and financial services. The students commented on their positive experience at the District Court of the Virgin Islands. Many stated that it was the first time that they spoke with judges and attorneys, interacted with law enforcement officers, and learned the mechanics of the Clerk's Office. The ultimate benefit of the internship experiences will be evident in the years ahead as they make their life decisions and forge their own paths.

## **COLLEGE VISITS**

Judge Malachy Mannion of the Middle District of Pennsylvania spoke with students at Pace University Law School Honors Class, as well as at Gavel Gala recognizing Pace Law School's Trial Advocacy Programs. Judge Mannion also participated in Penn State Law School's Career Day in 2019, attended the Thurgood Marshall Moot Court Competition in Washington, DC and participated in the Penn State Mock Mediation class. In addition, judges of the Middle District of Pennsylvania: participated in Lycoming College's summer intern orientation program; spoke at Lycoming College on Re-Entry Courts; spoke with Penn State's Trial Advocacy class; participated in Penn State's Collegiate Mock Trial; gave a keynote address at Widener Law Orientation; and participated in Administration Professional Oath at the Widener Law School and Widener University's Federal Court day in Harrisburg. In October 2019, judges in the Middle District participated in the Dickinson Law Moot Court finals.

For the second year, Chief Judge Wilma A. Lewis spoke to students enrolled in the Summer Boost 2019 Program at the University of the Virgin Islands, St. Croix Campus on June 20, 2019. The program targets students who faced challenges in one or more courses during their first sixty credits and seeks to enable them to strengthen their performance and overcome their challenges. Chief Judge Lewis led the discussion and listened as the students expressed both their goals and obstacles. She encouraged the students to establish goals and suggested practical ways they can overcome their challenges such as seeking and accepting feedback from professors and working with a tutor. Chief Judge Lewis challenged the students to find their talents and discover where their passions truly lie. She also encouraged them to believe in themselves and to be willing to work hard and make sacrifices to achieve their goals. Finally, Chief Judge Lewis also advised them to seek out and take advantage of available opportunities in their areas of interest.

## **INTERNSHIPS**

For years, the Western District of Pennsylvania Bankruptcy Court has actively coordinated with local law schools to promote the availability of internships with judges year-round. In addition, the Hispanic Attorneys Committee of the Allegheny County Bar Association, in coordination with Chief Judge Carlota M. Böhm, awards an internship position to a Hispanic or Latino law student who successfully meets the application requirements and completes an interview process. The Court believes that internships provide a unique opportunity for law students to gain valuable observational, as well as hands-on experience which will benefit them as future members of the legal community.

The Court also participated in the Virgin Islands Department of Labor's six-week summer experience program, Labor Investing for Tomorrow (LIFT). Two students participated in the initiative in each division where they gained well-rounded court experience by assisting with the court's ongoing records management project. In addition, the college interns attended court hearings, internal training sessions, and interacted with chambers and other court-related entities including the U.S. Office of Probation and Pretrial Services, the U.S. Marshal Service, and the Third Circuit Library. At the end of their tenure, the college students expressed appreciation for their exposure to the federal system and demonstrated pride in accomplishing their assigned tasks.

## **ART DISPLAYS**

The centerpiece of the Court's community engagement in the Western District of Pennsylvania is the one that has for years greeted visitors upon their arrival to the Pittsburgh courthouse – the District's rotating art display. In 2019, four art displays graced the south lobby of the Joseph F. Weis Jr. U.S. Courthouse, which is the main entrance for attorneys, litigants, and the public to the courthouse.

The year began with a group of three art students from Edinboro University, which is in the Court's Erie division. Brandon Corner, Gabe Merriman and Olivia Rowe shared their paintings with members of the public during this time. These students became aware of the art program through Olivia's mother, Deborah Rowe, a court reporter with the Court.

Following this display, members of the local Pittsburgh legal community displayed their works. This display arose out of an initiative to promote mental wellness and behavioral health among judges, practitioners and legal staff. These professionals were able to express themselves artistically, while attempting to relieve some of the stress and burnout they experienced. Over a dozen local attorneys, judges, legal assistants and support staff exhibited their creations and provided a brief written description of their background, artwork and the therapeutic benefits derived from their art. This display coincided with a program at the courthouse on July 11, 2019, that highlighted wellness



issues impacting the legal profession, how to recognize potential issues, and resources to assist when encountering these issues.

Next, the Court welcomed the art of Maria DeSimone Prascak, an artist known locally for her vivid hand-painted murals, from the end of September to the beginning of December. Ms. DeSimone Prascak, who has her own business, Maria's Ideas, is also married to Johno Prascak, who also is an artist and who displayed his work at the courthouse in 2019.

The final artist to install their work in the courthouse last year was Kathy Mazur, whose paintings have graced the sets of television shows on Netflix, CBS and CBS All Access.

## **COMMUNITY OUTREACH ADVISORY GROUP**

During calendar year 2019, the Court's Community Outreach Committee broadened its mission and expanded its membership to include several members of the community and other federal agencies on a newly formed Advisory Committee. Throughout the year, the Community Outreach Committee has solicited input from this Advisory Committee to magnify the Court's public outreach efforts. By administrative Order of Court, nine Western Pennsylvanians from varied backgrounds, including lawyers, non-profit leaders, museum personnel and educators, were selected for membership on the Advisory Committee, and their contribution and willingness to serve are greatly appreciated by the Court and the community it serves. As an initial matter, this group offered their thoughts on the content and navigation of the Court's public website and has opined on issues ranging from the Court's school outreach to its Naturalization Ceremonies.

## **HISTORICAL PROGRAMS**

### **Black History**

The District of New Jersey hosted Black History Programs celebrating the 2019 theme of Black Migration in all three vicinages. In Camden, the program was spearheaded by Judge Karen Williams. A Reading Circle was formed between members of the courthouse and Atlantic City High School's African-American History class to discuss *The Underground Railroad* by Colson Whitehead. On February 21, 2019, Professor Lester Owens of Camden County College gave a Keynote on The Underground Railroad in Southern New Jersey. Students from Atlantic City High School gave a special presentation on Mr. Whitehead's book. Trenton created a video which relayed stories of migration as told by members of the court family. Newark's Black History Month Celebration focused on "The Arts Through Young Adults" with a program featuring North Star Academy.

## **Hispanic Heritage**

Hispanic Heritage Programs were also held in all three vicinages in New Jersey. Camden celebrated “Hispanic Americans: A History of Serving Our Nation.” Speakers included Isabel C. Balboa, Chapter 13 Standing Trustee, and Judge Luis Felipe Restrepo. The program was highlighted by students from The Leap Academy University School Puerto Rican Arts Center performing several musical selections. This celebration included a special recognition of the beloved late Judge Jerome B. Simandle and his many contributions to the Multi-Cultural Committee that spearheads these community outreach programs.

## **Asian-Pacific American Heritage Month**

The District of New Jersey celebrated Asian-Pacific American Heritage Month on May 13, 2019 in the Camden Vicinage. Chief Judge Jose Linares, Judge Katheryn Ferguson, Judge Jerome Simandle, Sr., Chief Judge Freda Wolfson, and Judge Stella Tsai of the Philadelphia Court of Common Pleas participated in the Program. This year’s event included a performance by Wayne Wen, a 13 year old 7th grade student at the Thomas E. Harrington Middle School in Mount Laurel, New Jersey. He immigrated to the U.S. with this family from Wuhan, China in August 2017. Mr. Wen is talented at playing the *Chinese Zither* (*zheng* 箏 or *guzheng* 古筝), a Chinese plucked string instrument with 21 strings and is tuned in a major pentatonic scale. Mr. Wen performed *Chinese Folk Music using this musical instrument*. He has been playing the *Chinese Zither* from a very young age and has publicly played at the Cherry Hill Library, the Cherry Hill Chinese Community Center and School, and the 2019 Asian Gala hosted by the University of Pennsylvania during the Chinese New Year.

This year’s Program also included the Penn Lions Dance Troupe. Penn Lions Dance Troupe is the University of Pennsylvania’s traditional Chinese Lion dance troupe. Founded in 2007, their mission is to learn, teach, and perform the traditional art of lion dance in and around the Greater Philadelphia area. Lion dance brings good luck and fortune to audiences and is often seen during celebrations, weddings, and the Lunar New Year. The culmination of many lion dance performances is the *cai qing* (菜青), where the lion spreads the lettuce. *Cai qing* is a homonym for spreading good fortune (财青). Dancers for today’s performance are: *Kenneth Shinn, Sara Zhou, Siddharth Challani, Lynn Capulong and Derek Nong*. The Penn Lions Dance Troupe wishes everyone good fortune!

## **Judicial History**

On April 23, 2019, Bankruptcy Judge Jeffery Deller presented a session on the history of the Western District's Bankruptcy Court and its predecessors, as well as on the cases that affected and reflected the financial conditions in the WDPa which gave rise to the significance of the Bankruptcy Court.

On November 7, 2019, the WDPa presented a program on Western Pennsylvania's Whiskey Rebellion Trials of 1795. This historical reenactment of the trials, in which two individuals were tried for treason, convicted and sentence to death, only to be pardoned by President George Washington, starred members of the Court and the legal community, and was followed by a panel discussion on current issues of grand jury and treason.

## **BANKRUPTCY COURT INITIATIVES**

### **Bankruptcy Court Financial Literacy Program**

The Bankruptcy Court for the Western District of Pennsylvania once again hosted its fifth annual financial literacy program, "Credit & the Bankruptcy Court: Avoiding the Pitfalls of Student Finances" on October 10, 2019. This three-hour program is designed to provide students with the necessary skills and knowledge to build credit and maintain good financial health as they head into adulthood, as well as impart a basic understanding of the Federal Court system. The program includes a panel discussion, a mock trial, and a trivia session.

### **Judith K. Fitzgerald Inns of Court/Bankruptcy Commercial Law Section Outreach**

As anticipated, members of the Court continued to travel to local high schools in the fall of 2019 to participate in the financial literacy program developed by The Judith K. Fitzgerald Western Pennsylvania Bankruptcy American Inn of Court and the Bankruptcy and Commercial Law Section of the Allegheny County Bar Association. The Judith K. Fitzgerald Western Pennsylvania Bankruptcy American Inn of Court, in conjunction with the Bankruptcy and Commercial Law Section of the Allegheny County Bar Association, developed a financial literacy program for high school juniors and seniors to learn about the benefits, burdens and consequences of obtaining credit and taking on debt. The program is presented by experienced attorneys and bankruptcy judges who travel to local high schools and spend a class period discussing: (i) an overview of the meaning of "debt" and "credit;" (ii) an interactive activity centered on the completion of a budget for a recent college graduate; and (iii) a guided small-group discussion on financing college, the purchase of a vehicle and the use of credit cards.

## Miscellaneous Activities

The Western District of Pennsylvania Bankruptcy Court conducts an annual program for “Take Your Child to Work Day,” where employees are encouraged to bring their children to the Court for the day. This year, the children started their day in the Joseph F. Weis, Jr. U.S. Courthouse and then made their way over to Bankruptcy Courtroom B in the U.S. Steel Tower, where Chief Judge Carlota M. Böhm answered questions about the bankruptcy court and her role as a judge. The program also included a tour of the Bankruptcy Court and a mock trial put on by the Eckert Seamans law firm in which Tarzan was tried for kidnapping Jane and imprisoning her against her will.

In addition to the aforementioned activities, the judges of the WDPA Bankruptcy Court continued to participate in other educational programming throughout the year including a CLE on Social Media Ethics, a judges’ round-table for the local chapter of the Turnaround Management Association on November 21, 2019. Judge Bohm also guest-taught a mediation class at a local university on November 19, 2019. Judge Gregory Taddonio assisted in planning a Congressional Reception hosted by the federal judges of the WDPA on August 26, 2019, at the Joseph F. Weis, Jr. United States Courthouse. The reception was intended to bolster the relationship between the local members of the legislative and judicial branches in pursuit of the common goal of public service.

## LAW DAY

The Eastern District of Pennsylvania Law Day program continues to be the court’s largest civics education activity, with public, private, charter and parochial schools sending classes of high school students to federal courthouses in Philadelphia, Berks and Lehigh Counties where student attorneys were given the opportunity to work with volunteer lawyers to prepare and deliver mock appellate arguments before volunteer and student judges. The teen scenario based on *Tinker v. Des Moines* involved the First Amendment and Student Speech: dress codes and school walkouts. These programs not only instruct on federal law and procedure, but also focus on civility and decision-making, the federal courts’ national initiative that brings high school and college students into federal courthouses for mock legal proceedings involving scenarios in which law-abiding youth can find themselves. As usual, students from fifteen schools before fifteen judges working with seventy-five U.S. Attorneys, Defenders, CJA counsel, city solicitors and private practitioners all enjoyed the legal and civics exercise, followed by lunches provided by the Berks County Bar Association, the Lehigh County Bar Association and in Philadelphia by the Court non-appropriated fund. As a special event, retired Judge Ed Cahn, Chief Judge Emeritus, volunteered to participate this year in the Courthouse that bears his name. Comments from teachers and administrators, students and volunteers alike evaluated this program as the best so far. EDPA Judges included volunteers from the district, magistrate and bankruptcy courts.

Law Day is celebrated nationally on May 1 of each year. This year, the Western District of Pennsylvania implemented a new Law Day Program featuring an interactive video which was sent out to over 260 educators and teachers throughout the district. The Court adopted the 2018 theme and materials developed by Rebecca Fanning and the Administrative Office of the U.S. Courts. The 2018 theme, “Separation of Powers”, centered around the U.S. Supreme Court case *United States v. Alvarez*, 567 U.S. 709 (2012). In the Alvarez case, the Supreme Court held that the Stolen Valor Act of 2005 was unconstitutional because it violated the defendant’s first amendment rights. The video program was filmed by Bankruptcy Court staff and featured segments which allowed students to step into various government roles. In the first segment, Chief Judge Carlota M. Bohm explained the importance of the separation of powers within our government, and the students were introduced to the problem of “stolen valor.” The students were then asked to draft a bill to solve the problem of civilians impersonating decorated veterans. The video also featured a summary of the fact pattern in *Alvarez* and a mock oral argument of the Supreme Court case, during which students discussed how they would rule if they were one of the Supreme Court Justices.

Judges and employees in the Middle District of Pennsylvania participated in the annual Lackawanna County Bar Association’s Harold Miller Support Staff Luncheon, named in honor of Judge William Nealon’s former courtroom deputy. The judges also participated in the annual Law Day Ceremony honoring the High School Mock Trial teams. Judges gave presentations at Law Day Shabbat in Wilkes-Barre, at the annual Joseph F. Saporito Lifetime of Service Award, and hosted Scranton High School students in the Courthouse.

## **CONSTITUTION DAY**

On October 30, 2019, the District of New Jersey in Camden hosted its Eighth Annual Constitution Day Program. The theme of this year’s program was the First Amendment. The Court hosted approximately fifty students from two area high schools: Brimm, a magnet school that is part of Camden City Public Schools and Pleasantville. The students presented a scripted Mock Trial -- “Social Media and Student Rights: Student Rights, Wrongs and Responsibilities.” The Program, which is largely implemented by court law clerks, began with welcoming remarks by Judge Poslusny. The video presentation, “Students Reflect on Promises of the Preamble,” was followed by Judge Rodriguez engaging the students by providing his own remarks about the significance of the Preamble. Judges Hillman and Bumb presided over the trials. The program ended with lunch and student summaries of their Mock Trial experiences. Closing Remarks were given by Judge Rodriguez.

At this year’s Constitution Day Program, held on September 17, 2019 at the National Constitution Center in Philadelphia, Eastern District of Pennsylvania judges participated in six Judge Chats with students ranging in age from 6<sup>th</sup> grade to high school.

## **COURTHOUSE TOURS AND EDUCATION PROGRAMS**

The Western District of Pennsylvania hosted visitors – young and old – for tours and educational programs throughout the year. For example, 8<sup>th</sup> grade students from St. Benedict the Moor School of Pittsburgh visited the Court on March 11, toured the courthouse, and met with a District Judge and an Assistant United States Attorney. On May 7, the Court hosted a visit from a group of faculty and graduate students at the University of Pittsburgh to view the historical murals located in the Pittsburgh courthouse as part of a workshop on art and labor. The Court also hosted a group of students from the University’s law school on October 18, where they met District Judges and other court personnel to discuss possible career paths.

The Court also engaged with non-profit groups DOORS OPEN Pittsburgh and the Office of Public Art, to offer two separate tours of the Pittsburgh courthouse on July 19 and August 16. These tours showcased the courthouse’s contemporary artwork and murals from the 1930s, as well as a historical overview of the history and development of the building, its architectural features and the design of the courtrooms. Beyond those visits, the Court hosted adult learners from the Osher Lifelong Learning Institutes of Carnegie Mellon University of August 14 and the University of Pittsburgh on November 19. These programs seek to provide their adult participants, age fifty and older, with learning and social enrichment opportunities that increase their knowledge, enhance skills and interactions with peers, and increase cultural and social awareness. During these visits, students engaged with a panel consisting of a judge, a probation officer, an Assistant U.S. Attorney and an Assistant Federal Public Defender to build on their university course work on understanding the federal court system.

On November 7, 2019, the Newark, New Jersey, Vicinage hosted BSA Troop 280 Scouts. The troop met with Third Circuit Judge Schwartz, District Court Judge Arleo, and Magistrate Judge Mannion. In addition to touring the courthouse and speaking directly with these judges, they were able to observe Judge Arleo’s sentencing of a foreign national. According to their “thank you note” the troop was appreciative of “hearing so many inspiring words from women such as the prosecutor and defense attorney in the courtroom.” Judge Williams hosted the incoming class of Rutgers Law School’s Minority Student Program. This event included a guided tour of the Courthouse and a brief overview of the federal courts. In addition, representatives of the Clerk’s Office and U.S. Marshal’s Service provided insight into their respective responsibilities.

In June, judges in the Middle District of Pennsylvania participated in a Mediation Program Luncheon in the Williamsport Courthouse, and in July, hosted a Prison Tour arranged for the MDPA Summer Interns. Judges also participated in round table discussion at the University of Scranton, and in new attorney admission ceremonies in Wilkes-Barre and Scranton.

In the District of the Virgin Islands, Clerk of Court Glenda L. Lake was again invited to address the students at the Ivanna Eudora Kean High School's Freshman Week activities on March 4, 2019 on St. Thomas. The Clerk addressed the group of young females and answered questions regarding sexting, date rape, and cyberbullying. She listened carefully as the students expressed themselves via hypothetical scenarios and reminded them that the challenges of young adulthood may be complex and painful, but they need not be lasting if they seek mentors and chart their course of success. She referenced her personal obstacles and how she maintained her focus to achieve her personal and professional goals. She challenged the young ladies to be gracious and willing to assist others.

### **PARTNERING WITH THE LEGAL COMMUNITY**

The District of New Jersey demonstrated its continued support of its Pro Bono attorneys and also hosted Brown Bag Lunches in all three Vicinages. The Brown Bag Lunch Series is coordinated by the Association of the Federal Bar, hosted in each courthouse and discusses topics of interest presented by the Bar.

At least twice each year, the Bankruptcy Court for the Western District of Pennsylvania reaches out to the local bar and their staff to participate in Brown Bag Lunches with the bankruptcy judges. These events provide an informal forum for attorneys and their staff to meet with the judges to share ideas, suggestions, questions, issues and concerns on case management, court procedures and general practice matters.

Judges for the Middle District of Pennsylvania in Scranton participated in "Meet the Judges" sponsored by the Lackawanna Bar Association's Young Lawyer Division. Judge Mannion spoke to Lycoming County Bar Association on the role of U.S. Magistrate Judges and in December the judges also attended the Lackawanna Bar Association Past President's Dinner.

The District of the Virgin Islands' Annual District Conference is the Territory's single largest legal seminar. The event is hosted free of charge to registrants and provides Continuing Legal Education credits to members of the Bar. Each year, topics and speakers are carefully selected to appeal to issues of interest to the attendees. Despite the venue and hotel limitations caused by the effects of Hurricane Irma and Hurricane Maria in 2017, the Court relaunched its educational series at the Ninth Annual District Conference on January 22-23, 2019. Because of venue limitations, the Court abbreviated the conference to two half-day sessions (one in each division). The Conference was scheduled on consecutive days with identical agendas and presenters. In total, 188 attendees participated in the conference on both islands.

The District of the Virgin Islands held its Pro Bono to Empower and Represent Act of 2018 (POWER Act) event on September 4, 2019. The POWER Act event was held in the Jury Assembly Room in the Division of St. Croix. The event was also video-conferenced to the Jury Assembly Room in the St. Thomas/St. John Division. Members of the legal community and general public were invited to attend. Chief Judge Wilma A. Lewis delivered the welcome remarks at the event and introduced the panel members to the audience of forty-three attorneys. During her welcoming remarks, Judge Lewis provided a brief history of the POWER Act, the decision to offer a panel discussion, and the pertinent experience of each panel member. Panel members consisted of Attorney Shelby King Gaddy, Executive Director of Legal Services the Virgin Islands, Attorney Eszart Wynter, Legal Services of the Virgin Islands pro bono honoree, Clema S. Lewis, Executive Director of the Women’s Coalition of St. Croix, and the Honorable Jessica Gallivan, Judge of the Superior Court of the Virgin Islands.

Following the panel presentations, the panel members answered questions from the audience in both divisions. In her concluding remarks, Judge Lewis recalled her own fond experiences providing pro bono services as an attorney in Washington, D.C. “We have to admit that others have helped us get where we are today. In the same way we were helped, we should want to help others,” she remarked. In the words of Fredrick Douglass, she quoted, “our community belongs to us and whether it is mean or majestic, whether arrayed in glory or covered in shame, we cannot but share its character and destiny.” Judge Lewis then challenged those in solo practice and larger firms alike as she concluded, “it is up to each and every one of us to do our part, and if we do, the burden will not fall disproportionately on any one of us.” After the luncheon, audience members and panelists remained in the room exchanging contact information and ideas. Attorney Shelby King Gaddy stated that four attorneys volunteered their services to assist her organization with pro bono services. Many others expressed appreciation for the information that was shared during the event.

Consistent with the POWER Act, and the requirement that each judicial district conduct public events to promote pro bono legal services for survivors of domestic violence, dating violence, sexual assault and stalking, the Western District of Pennsylvania Court conducted a program on August 16, 2019, that explored the issues surrounding domestic violence, the various forms of violence among domestic and intimate partners, appropriate batterer interventions, evidence based interventions, use of the violence assessment, victim services and volunteer opportunities for attorneys in our community to help victims.

In the District of the Virgin islands, Magistrate Judge George W. Cannon, Jr. addressed audiences at two events sponsored by the Rotary Club of St. Croix West. At the International Service Dinner in February of 2019, Judge Cannon spoke to a multi-generational audience on the merits of service. In August 2019, he engaged the youths on the virtues of inner peace.



Eric Larson of the U.S. State Department coordinated a visit of a delegation of judges and lawyers from Montenegro to the Virgin Islands. With about half-hour notice on November 12, 2019, the delegation called the St. Croix Division of the District Court to express an interest in visiting the Court. After welcoming the visiting delegation to the Court, Chief Judge Lewis spoke to the group and answered questions about the Court's operations and the American legal system. She then led the group in an exchange of information about the similarities and differences between the legal systems in the United States and Montenegro.

## **SCHOOL VISITS AND MOCK TRIALS**

Sixteen judges participated in the Rendell Center's mock trial efforts. Twenty-one classes came to the courthouse and performed the culminating activity – the trial, and fourteen judges travelled to judge the trials in area schools. In addition, 510 students from eight schools held appellate arguments before judges at the courthouse in Philadelphia. As part of the Rendell Center's summer teacher Institute at the National Constitution Center, Judges McKee, Jordan and Rendell discussed the "First Amendment; A Judge's Perspective."

Many Eastern District of Pennsylvania judges volunteered to work with students, or act as judges, in connection with the literature-based mock trial program of the Rendell Center for Civics and Civic Engagement. In 2019, this program reached over 1700 students in fifty-six classrooms, over half of which came to the courthouse in Philadelphia to hold their final mock trial with a judge presiding.

EDPA Judges frequently offered their time and courtrooms for a variety of mock trial proceedings, permitting their law clerks to participate as jurors in some trials. The Philadelphia Bar Association's Bradway Competition, in conjunction with Temple LEAP, held their semi-finals in the Byrne Courthouse. The same state-wide mock trial competition was hosted in the Pennsylvania counties, sponsored by local Bar Associations. EDPA judges also volunteered to preside over those trials. In addition, many of our judges volunteer to preside over college and law school mock trials throughout the year.

The District Court of Delaware throughout 2019 hosted several small groups of undergraduate students from regional colleges to meet with judges and observe civil or criminal proceedings scheduled on the date of their visit.

During the week of April 9, 2019, several Camden judges participated in the Howard R. Yokum Elementary School's Distinguished Readers Week Program by reading their "favorite" books to students. Yokum is located in Maple Shade, New Jersey.

Judges in the Middle District of Pennsylvania participated in the District Mock Trial competition in the Scranton Federal Building, and in the District Mock Trial Semi-Final and Final Competition in the Scranton Federal Building. In addition, judges participated in the National Environmental Law Moot Court competition, the Penn State Collegiate Mock Trial, the High School Mock Trial Finals in Harrisburg, and the High School Mock Trial Competition in the Scranton and Williamsport Courthouses. Judge Mannion also hosted a University of Scranton class at the Federal Building and Big Spring High School Honors Class participated in a session on Grand Jury in the Harrisburg Courthouse.

Twenty-five at risk students of the Elena L. Christian Junior High School toured the St. Croix Courthouse on April 3, 2019. The group of thirteen and fourteen year-old male students began the tour in Magistrate Judge George W. Cannon, Jr.'s courtroom, where he addressed the group sharing valuable personal and professional experiences. He encouraged the group to consider the career opportunities available in the Court. Students were led on a tour of the U. S. Marshals Service's cell block and fitness room where they eagerly inquired about the qualifications of various careers. The students were encouraged to remain inquisitive, increase their physical activities, and improve their grades. Finally, Chief Judge Wilma A. Lewis addressed the students and their chaperones impressing upon them that this was a unique effort of all the adult participants to channel the students' energy and curiosity towards an amazing and fulfilling future.

A teacher at the Lew Muckle Elementary School on St. Croix contacted the District Court in the St. Croix Division in October 2019 requesting to arrange a tour for fifty-five third grade students. She explained that the students had just read the *Trial of Cardigan Jones* and were full of questions about trials and court procedures. When the request was presented to Chief Judge Wilma A. Lewis, she decided to surprise the students with a mock trial. Thereafter, her Courtroom Deputy researched the story and wrote a script that included most of the employees in the Clerk's Office, Chambers and the U.S. Probation Office. When the students arrived at the courthouse on Tuesday, November 19, they saw the story come alive in a real-life courtroom as they attended *USA and The People of the Virgin Islands v. Cardigan Jones*.

The Courtroom Deputy welcomed the students and teachers to the Court and oriented them to the courtroom and the various roles of the officers of the court. When Magistrate Judge Cannon addressed the audience, he informed the students that a person must be an attorney before they can become a judge and that although he is currently a judge, he served as an attorney in the community for many years. Judge Cannon then told them he would be utilizing his experience to serve as Cardigan Jones' "defense attorney" during the "trial." Thereafter, the students whispered their excitement when they saw the "defendant" enter the courtroom in the custody of the U.S. Marshal Service. As they responded to the call of "all rise," their young faces beamed with anticipation as

Chief Judge Lewis took the bench. Following voir dire and the selection of twelve third-graders as jurors, the students were perched at the edge of their seats as they watched opening arguments, saw witnesses testify, heard the banging of a real-life gavel, heard closing arguments, and waited as their fellow classmates deliberated to determine the verdict. After the “jury” returned a not-guilty verdict and Cardigan Jones was exonerated, the Courtroom Deputy welcomed the students in the well where they took turns sitting in the jury box and greeting the Chief Judge on the bench. The “trial” was a memorable and stimulating event for the students and court staff alike.

## **APPELLATE MOOT COURT COMPETITION**

The first round of the 25<sup>th</sup> Annual Virgin Islands High School Appellate Moot Court Competition, sponsored by the Virgin Islands Bar Association, was held at the District Court of the Virgin Islands on St. Croix on May 21, 2019. Twelve participating teams of high school students from throughout the Virgin Islands were presented with a challenging and timely hypothetical case involving a Syrian immigrant seeking asylum and withholding of removal based on a fear of persecution in Syria. Magistrate Judge George W. Cannon, Jr. opened the competition with welcoming remarks. Members of the Clerk’s Office coordinated the logistics of multiple teams and their coaches during the first day of competition. The final round of the competition was held at the Superior Court of the Virgin Islands on St. Thomas. Magistrate Judge Ruth Miller joined two local judges who presided over the final day of the competition. The Virgin Islands Bar Association presented eight scholarship awards to the top competitors. The team from Ivanna Eudora Kean High School on St. Thomas was victorious for the second consecutive year.

## **MISCELLANEOUS ACTIVITIES**

### **Brown Bag Luncheons**

Each year the District of the Virgin Islands hosts quarterly luncheons known as the Brown Bag Luncheons. The Brown Bag Luncheons are informal opportunities for participating members of the District Court bar to meet with judges and fellow attorneys regarding legal issues pertinent to our district. The one-hour luncheons are facilitated by the Judges and the Clerk of Court and include agenda items and presentations from local attorneys and judges. The four luncheons are alternated between the two divisions thereby giving all attorneys in the District an equal opportunity to attend, participate, and earn Continuing Legal Education credits. The St. Thomas Division hosted luncheons on June 6, 2019 and December 5, 2019, while the St. Croix Division hosted a luncheon on March 7, 2019, with its previously scheduled September 4, 2019 luncheon replaced by the POWER Act event described below.

In October, judges in the Middle District of Pennsylvania participated in the Annual Red Mass at the Cathedral in Scranton. Other 2019 events included the Annual Steamtown Marathon that ends at the Federal Building in Scranton, where the Lobby is used for Triage and Medical Care. The Court also hosted multiple programs for the Scranton Federal Building's Summer Interns including annual community service projects. The Middle District Court Clerk's Office hosted "Bring Your Child to Work Day" with presentations by Judges and Federal Agencies. The Middle District of Pennsylvania continued its tradition of its Annual Toy Collection for disadvantaged and disabled children in the Scranton Courthouse.

## **INTERNATIONAL VISITORS**

Foreign judges and lawyers visited the Eastern District of Pennsylvania throughout the year. Two such visits were sponsored by the American Inns of Court: Pegasus Scholars, two practicing attorneys from the UK visited the EDPA to observe federal court proceedings as part of their study which included sessions in Philadelphia Court of Common Pleas; and the Judicial Assistants of the Supreme Court of the United Kingdom. Hosted by Judge Rufe, the participants spent time with Chief Judge Smith who reviewed with them the tenets of the Rule of Law which guide the federal courts and of the federal judiciary's efforts to address ethical and work place concerns. The Judicial Assistants report that their Philadelphia stop is the highlight of their week in the United States, since in their one day here, they meet and converse with state and federal judges, observing court proceedings in state and federal trial courts, and top it off with a guided tour of Independence Hall.

Large groups of European judges and lawyers also visited the Eastern District of Pennsylvania as a Study Group focused on the state and federal courts and law firms. Judges John Padova and Cynthia Rufe, joined by the Chancellor of the Philadelphia Bar Association presented several hours of lectures on the separation of powers, the rule of law, the electronic courtroom, and the history of the court. Observation of court proceedings, when time permits, is also offered.

## **EDPA SUBURBAN COUNTIES OUTREACH PROGRAM**

Judges in the Eastern District of Pennsylvania are traditionally involved with their home county bar association events. In 2002, Judge Ed Ludwig created the Bucks County Bar Association Annual Federal Court Reception to not only host federal judges but also to introduce new judges to the Bucks County bar. That first gracious event grew into a multifaceted program which includes an attorney admission ceremony, a CLE on various accredited topics (in 2019 presented by Chief Judge Sanchez), a Meet the New Judges Program, as well as the reception. This easy-to-replicate program has also been conducted in Berks, Chester, Lehigh, and now Delaware County where Judge Chad Kenney premiered this event. Legal education programs in the counties are also

presented on other occasions by our judges at Bench-Bar Conferences (Berks, Bucks, Lehigh, Northampton and Philadelphia Bar Associations).

Submitted by:

Third Circuit Judicial Council Courts and Community Committee

Judge Marjorie O. Rendell, Co-Chair

Judge Cynthia M. Rufe, Co-Chair

Chief Bankruptcy Judge Carlotta M. Bohm

Judge Michael A. Chagares

Magistrate Judge Sherry R. Fallon

Judge Nora Barry Fischer

Judge Thomas M. Hardiman

Judge Chery Ann Krause

Judge Kent A. Jordan

Chief Judge Wilma A. Lewis

Judge Malachy E. Mannion

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