



## **CONFERENCE OVERVIEW**

The general conference runs from Wednesday, April 29, 2020 at 6 p.m. through Saturday, May 2, 2020 at noon. The conference program includes a combination of engaging, thought-provoking, and informative plenary sessions, national best practices workshops, and general breakout sessions along with several optional interactive/experiential learning experiences. The conference program features presentations by Barry Scheck, Esq., co-founder of The Innocence Project, and Kevin Richardson of The Exonerated Five. In addition, there will be an opt-in, limited seating pre-conference on implicit bias from noon to 5 p.m. on Wednesday, April 29, 2020 open to registered conference attendees (advance registration for the pre-conference is required).

## **PROGRAMMING HIGHLIGHTS**

### **KEYNOTE ADDRESS**

*The Integrity of Our Convictions:  
Holding Stakeholders Accountable in an Era of Criminal Justice Reform*

### **PLENARY #1**

*Criminal Justice Reform: Ensuring Equal Protection and Due Process and Advancing Public Safety*

In New Jersey prior to 2017, thousands of people facing low-level non-violent criminal charges were spending extended periods of time in county jails because they could not pay seemingly low bails. Some later were acquitted of the charges; some ended up spending more time in jail pre-trial than they would have if they had been convicted of the charges. The consequences were very real: While they were in jail pre-trial unable to make nominal bails, many of these people lost jobs, incomes, housing, and even their families.

New Jersey’s longstanding bail system was broken: The state constitution technically guaranteed a right to bail, which was intended as a strong protection for individuals. Yet in reality, the bail system protected those with financial means regardless of whether they posed a risk to society and/or to the prosecution of their cases and punished those without the means to make bail.

Recognizing the continuing fundamental unfairness of this system, New Jersey Chief Justice Stuart Rabner convened an interbranch *Joint Committee on Criminal Justice*, bringing together all stakeholders. The work of this committee, including its numerous recommendations for constitutional, legislative, and structural changes, resulted in systemic changes in New Jersey’s pretrial system that took effect on January 1, 2017.

This plenary session will feature the voices of key leaders in the criminal justice system reform process: (1) highlighting key aspects of the reforms and the collaborative processes undertaken to realize them; (2) identifying key priorities of system stakeholders and how seemingly conflicting priorities were balanced and resolved; (3) presenting select data illustrating the successes of the systemic reforms; and (4) discussing the anticipated and unanticipated challenges of sustaining the reforms long-term.

## **PLENARY #2**

### *Fundamental Fairness and the Challenges of Fines, Fees, and Legal Financial Obligations*

“State courts occupy a unique place in a democracy. Public trust in them is essential, as is the need for their independence, accountability, and a service-oriented approach in all they do. Important questions have arisen over the last several years concerning the manner in which courts handle the imposition and enforcement of court-ordered-fines, fees, and surcharges (“Legal Financial Obligations”) ... Local, state, and national studies and reports have generated reliably, thorough, and newsworthy examples of the unfairness, inefficiency, and individual harm that can result from unconstitutional practices relating to Legal Financial Obligations...” (National Task Force on Fines, Fees, and Bail Practices Principles on Fines, Fees, and Bail Practices). For courts of general jurisdiction, these challenges are multidimensional since these courts are often the general public’s first introduction to or only interaction with the local justice system.

This plenary session includes (1) a general discussion of these issues including the general principles to which the Conference of Chief Justices and Conference of State Court Administrators have committed courts across the country and (2) offers examples of reforms and initiatives that seek to address these issues in meaningful ways for litigants while preserving the court’s obligations to deliver justice.

### **PLENARY #3**

*Changing Paradigms for Improved Outcomes:  
How Innovations in Sentencing and Court-Ordered Supervision Create Real Second Chances*

The conversation on criminal justice reform is incomplete without considering equity and fairness in sentencing and the ways in which correctional and supervision systems serve as the bridge between defendants' punishment for their crimes and their second chances at successfully embracing new directions in their lives in a community setting.

This session will include discussion of (1) sentencing reforms; (2) the restorative justice framework that underlies efforts in community courts that engages a holistic model to empower defendants to be engaged actively in making the community whole and re-setting their own life compasses, (3) changing supervision paradigms and transitional services in Probation Services and Parole, and (4) the national context for considering re-entry and second chances as a means to reduce recidivism.

### **PLENARY #4**

*Achieving Racial Equity for Children, Youth and Families:  
Models for Systemic Improvements to Racial/Ethnic Disparities in Family Courts*

Racial equity for children, youth and families of color in family courts remains an issue of national concern and interest. Systemic disparities in outcomes continue to exist nationally for children of color in the child welfare and juvenile delinquency dockets. This panel, highlighting several models for systemic change, will (1) discuss successes through the Juvenile Detention Alternatives Initiatives (JDAI) and ongoing juvenile justice systems improvements in New Jersey; (2) reforms addressing racial disparities in child welfare cases; (3) youth and family access to justice issues in the state courts including challenges related to the Indian Child Welfare Act (ICWA); and (4) emerging national efforts by National Council of Juvenile and Family Court Judges (NCJFCJ) to establish partnerships among stakeholder organizations to address these issues in a comprehensive and holistic manner.

### **PLENARY #5**

*From Promise to Practice:  
Developing Partnerships to Adopt "Elimination of Bias" CLE Requirements  
as a Tool for Ensuring Equal Protection and Due Process*

Recognizing the impact of implicit bias in all dimensions of the justice system and the practice of law is critical in promoting court systems that are truly bias free and accessible to all who seek justice through court processes. This plenary focuses on the experience of the Missouri Courts in adopting an elimination of bias continuing legal education (CLE) requirement. The session includes discussion of the path from a proposal by the Missouri Commission on Racial and Ethnic Fairness (MCREF) to implementation. The presentation will include examination of the pushback from the Bar and how leaders from the bench, bar, and community united and overcame resistance

to the proposal through creative and compelling programming. This session also includes a telecast presentation of “The Milly Project,” which is performed by a company of Missouri high school students to tell the story of the case of Milly Sawyers as a means to address in contemporary terms the issue of implicit bias in the practice of law and administration of justice.

### **PLENARY #6**

#### *Gender and Civil Rights: Ensuring Equal Protection and Due Process at the Intersections of Identity*

Intersectional aspects of identity and experience play a role in further distancing communities of color and other historically and culturally socially marginalized groups from accessing the justice system without obstacles. This plenary session looks through the lens of gender and gender identity to explore the reality of civil rights through discussions of issues including (1) the criminalization of pregnancy, (2) continuing workplace equity and non-discrimination challenges, (3) LGBTQ+ concerns in communities of color, (4) violence against transwomen of color, and (5) the impact of women’s incarceration on their ability to parent.

### **CLOSING PLENARY AND COMMUNITY ENGAGEMENT PROGRAM**

#### *When the Justice System Fails: A Facilitated Community Conversation on Equal Protection and Due Process*

The closing plenary, which features a variety of speakers, will consider what mechanisms are in place to protect against wrongful convictions and what recourse exists when questions arise about the integrity of convictions.

### **BREAKOUT SESSION A: BEST PRACTICES/MODEL PRACTICES**

#### *Ensuring Access to the Courts through Comprehensive Language Service Standards*

#### *Servicing the Needs of Self-Represented Litigants: The New Jersey Judiciary’s Model Ombudsman Program*

#### *Signature Counter Experience: Managing Implicit Bias in the Delivery of Customer Service*

#### *Tools for Eliminating Barriers to Justice for LGBTQ+ Court Users*

#### *Foreclosure Mediation: A Model for Improving Access to Justice and Caseflow Management*

#### *Pathways to Public Engagement: Models for Courts Engaging Communities*

#### *Stakeholder Engagement: A Model for Justice Systems Reforms*

**BREAKOUT SESSION B: GENERAL BREAKOUT SESSIONS**

*Implicit and Explicit Bias, Racism, and Other –Isms in Local Context:  
A Critical Examination of Public Displays of Bias and an Exploration of the Role of  
Eyewitnesses to Hate in a Socially Mediated World*

*Examining the Challenges Native American and Indigenous Peoples Face  
Accessing Justice in Tribal Courts and in State Courts*

*Ensuring Access to Justice for Self-Represented Litigants Beyond Trial Courts*

*Essential Partnerships for Bridging the Access to Representation Gap:  
Model Fellowship, Clinic, and Pro Bono Programs*

*Housing (In)Stability: Innovative Tools for Addressing Landlord-Tenant Matters*

*Ensuring Fairness through Jury Trials: Why Does Jury Diversity Matter?*

*Promoting Workforce Development within Diverse Court Systems:  
A Conversation about Unearned Advantage and Tools for Sustaining Equal Opportunity*

## CONFERENCE SCHEDULE

### Wednesday, April 29, 2020

11 a.m. – Noon	Check-in and Lunch for Implicit Bias Pre-Conference
Noon – 4 p.m.	Implicit Bias Pre-Conference (pre-registration required)
Noon – 3 p.m.	National Consortium Pre-Conference Board Meeting
3 p.m. – 7 p.m.	General Conference Check-In Opens
6 p.m. – 7 p.m.	Opening Program
7 p.m. – 10 p.m.	Opening Reception

### Thursday, April 30, 2020

7 a.m. – 8:30 a.m.	Breakfast
9 a.m. – 11 a.m.	Morning Program and Plenary #1 (Criminal Justice Reform)
11:15 a.m. – 12:55 p.m.	Plenary #2 (Fines, Fees, and Legal Financial Obligations)
1 p.m. – 3 p.m.	Lunch and Keynote Address
3:15 p.m. – 4:55 p.m.	Plenary #3 (Sentencing and Dispositions)
7 p.m. – 10 p.m.	Conference Dinner with Featured Speaker

### Friday, May 1, 2020

6:30 a.m. – 8 a.m.	Breakfast
7:30 a.m. – 9 a.m.	State of the States Reports and Open Board Meeting
9:15 a.m. – 10:30 a.m.	Breakout Sessions A (best practices/model practices)
10:45 a.m. – 12:15 p.m.	Plenary #4 (Youth, Families, and Racial Disparities)
12:15 p.m. – 1:30 p.m.	Lunch /Optional “Hunger Lunch” Experience with Speaker on Food Instability
1:45 p.m. – 3 p.m.	Breakout Sessions B (general breakout sessions)
3:15 p.m. – 4:30 p.m.	Plenary #5 (Elimination of Bias CLE Requirements)
4:45 p.m. – 6:15 p.m.	Plenary #6 (Gender and Civil Rights) Dinner on Own (Or Optional Dine Arounds)

### Saturday, May 2, 2020

7 a.m. – 8:30 a.m.	Breakfast
9 a.m. – 11:30 a.m.	Community Engagement Program/Plenary #7
11:30 a.m. – 11:45 a.m.	Final Thoughts, Acknowledgements, and Closing
Noon	Close of Conference

(02/14/2020 VERSION – subject to updating)