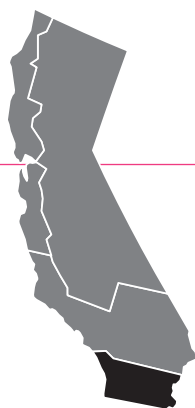


SOUTHERN DISTRICT OF CALIFORNIA





SOUTHERN DISTRICT OF CALIFORNIA 2017-2018 Annual District Report

SOUTHERN DISTRICT OF CALIFORNIA JUDICIAL CONFERENCE (APRIL 3-4, 2018)

The Southern District of California’s Judicial Conference was held on April 3-4, 2018. This year’s Conference, titled “Navigating New Legal Topics” was held at the Carter-Keep Courthouse. The conference began with dinner at Seasons 52, located at The Headquarters of Seaport Village. Our dinner guest speaker, Linda Deutsch, former Associated Press Trial Reporter, shared many stories relating to her days with the Associated Press. Ms. Deutsch discussed the role of the media in high profile cases, as well as ethical issues that may arise. Following a truly insightful and engaging dinner presentation on April 3rd, we held a full-day conference on April 4th. This year’s conference focused on relevant changes facing the legal profession, and the Southern District of California directly. Our conference was well attended, and highly informative. Speakers presented on topics varying from implicit bias, to the impacts of California’s legalization of recreational marijuana’s impact on the federal courts. Following the conference, attendees gathered to share their views and thoughts, and to continue engaging in discussions stemming from the presentations.



Implicit Bias and Jurors

Professor Jack Glaser of UC Berkley’s Goldman School of Public Policy, took us on a journey exploring the concept of implicit bias and how this issue impacts perceptions of jurors, witnesses and decision makers. During his fascinating

segment, Professor Glaser explained and explored the difficulty of recognizing our biases, modifying our approach to them, and the tremendous impact biases have in the legal profession. He shared results of recent studies, and provided statistical data confirming the reality that implicit biases are “real” and how they can be dealt with. Professor Glaser also touched upon the need to be mindful of individual’s biases when engaging in jury selection.

Carpool or Jury Pool? Accommodations for Lawyers, Jurors and Court Staff

Lawyer Representatives Shireen Becker and Steven Geise, both partners at Jones Day, San Diego, highlighted a significant topic that often times can be ignored - that is, who needs special accommodations, and what is being done about it. Accommodations ranging from the need for insulin, to nursing mothers, were discussed. Ms. Becker and Mr. Geise explained the practical obstacles many individuals with these specialized needs face, including how to bring syringes into the courthouse, to what a judge may think if additional breaks are requested. Suggestions for facilitating these individual needs included requests made in pretrial motions, requesting sidebar with the judges, and raising any special needs during in limine hearings. As far as accommodations for nursing mothers, the Southern District of California has two nursing rooms, one in the Schwartz Courthouse and one in the Carter-Keep Courthouse. Lastly, it was a running theme during this fantastic presentation, that accommodations should be made available not only to practitioners, but to court personnel, jurors and witnesses.

Legal Issues Regarding Cryptocurrencies

While a lot to tackle in an hour and a half segment, we were fortunate to have a spectacular panel of highly knowledgeable professionals in this fast-growing field. Andrew Beal, Strategy Consultant, Blockchain and Distributed Infrastructure with Ernst & Young in San Francisco, provided a “tutorial” where he explained the cryptocurrency and blockchain phenomenon, how it began, what it means, and how it works. James Cooper, a Professor of Law and Director of International Legal Studies at California Western School of Law, and Barbara Jones, a member of Greenberg Traurig’s Global Securities practice group, tackled with the impacts of

cryptocurrencies and blockchain both from a civil law perspective as well as potential criminal exposure. This highly relevant segment contained sufficient information, and addressed a field specialized enough to fill a full-day presentation!

Updates from the Clerk's Office for the District and Bankruptcy Courts, U.S. Probation, U.S. Pretrial Services, U.S. Attorney's Office, and Federal Defenders

Keeping in custom with the Southern District of California's practice, we heard from the directors of each of the organizations that make up our federal court system. Updates were provided during our lunch session, while attendees enjoyed lunch catered by Phil's Barbeque, a San Diego favorite! The updates provided statistical data covering the number of cases filed, as well as each organizations observations of the prior year, and plans for the upcoming year.

Journey of a Material Witness

The Southern District of California sees a large number of cases charging people with bringing illegal aliens into the United States. This segment explored what happens when minors are in the group. Carmen Chavez, Executive Director of Casa Cornelia Law Center, a non-profit law firm, and Jesse Imbriano, their Supervising Attorney, explained the process afforded to minors. The duo reviewed the differences between the process for these "witnesses" when they are minors versus adults. They discussed important concerns such as the housing and medical attention available for the minors. As explained by Ms. Chavez and Mr. Imbriano, the track for minors is quite different than that for adults, often times creating practical difficulties.

Issues Relating to State Legalization of Marijuana

Esteemed panelists, including the Honorable Peter Bowie (Ret.), Richard Kipperman, President of Corporate Management, Inc., and Samuel Maizel, a partner in Dentons' Restructuring, Insolvency and Bankruptcy group, discussed many potential issues facing federal courts in light of California's legalization of marijuana. Issues such as bankruptcy relief, the roles of trustees, and banking

regulations were among the topics of discussion. During this presentation it became apparent that the tension between California state law, and federal regulations, will inevitably be on the rise as courts attempt to resolve issues likely to be raised in a number of cases where federal protection and relief is sought by proprietors, shareholders and trustees of marijuana dispensaries and similar-type businesses.

Bench-Bar Luncheon Program

The Southern District has continued its trend started in 2014, with the Lawyer Representative Committee holding two bench-bar luncheons at the Carter-Keep Courthouse this year. During the first luncheon, we discussed the growing need for younger lawyers to have oral advocacy opportunities, and discussed ways in which the bench can assist. In response, Chief Judge Barry Ted Moskowitz modified his Chambers Rules to allow oral advocacy opportunities for younger lawyers under certain circumstances. Our second luncheon served as an opportunity to bring together the directors of 22 legal organizations, and our bench. We shared with the organizations representatives changes in our district, and opportunity for pro bono work as well as community involvement. Each organization shared their mission, as well as a significant event or program they have been involved in during the past year.

Our bench-bar program is truly special. We brainstorm timely and relevant matters to share with the bench in an informative, yet somewhat casual format, giving us opportunities to have deep discussions on significant issues to our district.