



the
Williams
INSTITUTE

2008-2009 JUDICIAL TRAININGS

New York Gay Officers' Action League: 2009 Conference of Lesbian, Gay, Bisexual and Transgender Criminal Justice Professionals

June 24-27, 2009

New York, New York

Combating LGBT Discrimination – Participants learned practical information and tools to prevent sexual orientation and gender identity discrimination in the workplace, including how to document and substantiate cases for successful litigation and administrative agency outcomes. In addition, as LGBT law enforcement officers rise through the ranks, they may be the targets of harassment or litigation over sexual orientation policies. The session provided practical tips on how to employ best practices in the area to avoid these conflicts.

Faculty: Tom Ude, Staff Attorney, Lambda Legal, (NY); Rae Koshetz, Esq.; Prof. Todd Brower, Williams Institute, UCLA School of Law

Same-Sex Marriage, Relationship Recognition and the Courts – With the issue of same-sex couples' marriage and relationship recognition in the news, in statehouses and courtrooms, the courts are increasingly on the frontlines in the treatment of these couples. The impact of out of state same-sex marriages and civil unions, dissolution and custody issues, parental rights, benefits disputes and discrimination questions are all present in courtrooms across the US. This panel presented an overview of the national legal cases and trends on same-sex marriage and civil unions as well as how these issues specifically affect courts now and in the future. In addition, the speakers discussed the most recent demographic studies showing the characteristics of lesbian, gay, bisexual and transgender couples and families nationally to identify the potential for LGBT issues to appear in general civil litigation as well as divorce, parenting and custody matters before courts throughout the United States.

Faculty: Prof. Ed Stein, Cardozo School of Law and former Williams Institute scholar; Prof. Joanna Grossman, Hofstra School of Law; Prof. Todd Brower, Williams Institute, UCLA School of Law

National Center for Juvenile and Family Court Judges Program

LGBTQ Youth in the Juvenile Justice System: Accurate Data, Practical Techniques and Best Practices

March 13, 2009

Orlando, Florida

Recent studies indicate that LGBTQ youth are overrepresented in the juvenile justice system and their experiences differ from those of their heterosexual peers. This course trains judicial officers to: (1) Identify who LGBTQ youth are and where they are present in the courts, in foster care, in child welfare settings, and in the juvenile justice system; (2) Evaluate policies and practices in these systems that may lead to inappropriate treatment, bias, or abuse; (3) Create a tool-box of best practices and practical strategies for supporting LGBTQ youth within these systems to allow them to grow and thrive; (4) Put individual LGBTQ youth's behavior and experiences in context, and tailor disposition plans to meet each individual's unique needs; and (5) Develop self-monitoring techniques to eliminate negative stereotyping and preconceptions. Materials Generated: The Williams Institute created a significant amount of resources for training that will be reused and repurposed in other judicial education programs. These included bench guides and self-monitoring guides for judges on LGBTQ issues, a resource CD with articles, Williams Institute and other social science studies, model orders, scenarios, education materials and contact info for future trainings. Approximately 30 CDs were given away for attendees to take back to their courts for colleagues.

Faculty: Prof. Todd Brower, Williams Institute, UCLA School of Law; Gary Gates, Williams Institute, UCLA School of Law; the Hons. Donna Groman, Zeke Zeidler, Los Angeles Superior Court and Jody Marsamer, Staff Attorney, National Center for Lesbian Rights. We also collaborated with the National Gay and Lesbian Judges Association.

Orange County UCLA Alumni Association - Proposition 8 and the Legal Challenge Against It
January 15, 2009
Orange County

The presentation reviewed the In Re Marriage opinion from the California Supreme Court, which extended marriage to same-sex couples; the vote on Proposition 8; the basis for the subsequent legal challenge to Proposition 8 and whether the measure applied retroactively.

Faculty: Doug NeJaime, Law Teaching Fellow, the Williams Institute; Brad Sears, Executive Director, the Williams Institute

National Judicial College Program: Building a Bias-Free Environment in Your Court
October 22 – 23, 2008
Reno, Nevada

The purpose of this course, which is designed for all judges and judicial educators, is to help judges understand and overcome biases to make reasoned, fair and just decisions. As with other skills-based courses, participatory and interactive exercises are used to build skills and practice techniques. An important part of the course is the use of video to give each participant an objective confidential record of the participant's capabilities, strengths and weaknesses. Another important part of the course focuses on new and emerging issues in various bias areas, including some review of techniques and methods, which have been effective in the past. After this course, participants will be able to: (1) Define and explain the role of the judge in building a bias-free court; (2) Analyze and replicate the characteristics of a bias-

free court; (3) Respond appropriately to bias when it occurs; and (4) Communicate decisions with neutral, bias free language.

Faculty: Prof. Todd Brower, Williams Institute, UCLA School of Law; Hon. Ken. Kawaichi (Ret), Professor University of Nevada-Reno, Donna Clay-Conti, Office of General Counsel, California Administrative Office of the Courts, Kimberly Papillion, California Administrative Office of the Courts

Washington State Annual Judicial Conference - Sexual Orientation: Issues for the Courts

October, 2008

Washington

In preparation for a court-wide judicial education program, the Williams Institute integrated its fairness curriculum into the State of Washington's judicial education training program. Specifically, the Williams Institute helped develop appropriate exercises and scenarios for judges to work through related to the state's domestic partnership statute and other matters related to sexual orientation law.

Prof. Todd Brower, Williams Institute, UCLA School of Law reviewed the curriculum and provided training and consultation to Washington's trainers (based on a train-the-trainers model).

12th Annual International Conference of Gay & Lesbian Criminal Justice Professionals

May 12, 2008

Washington, D.C.

Popular media often fosters stereotyped images of the lesbian, gay, bisexual, and transgender (LGBT) population and their families. The Williams Institute's presentation provided a demographic portrait highlighting the complexity and diversity of the LGBT community. The presentation also offered a summary of some current LGBT legal and policy issues of particular interest to criminal justice professionals. These issues included employment discrimination (focusing on case law involving criminal justice professionals), the particular challenges of transgender individuals in the criminal justice system, and a national overview of trends in hate crimes.

Family Law Seminar

April 17, 2008

Green Bay, Wisconsin

Sexual Orientation Law Issues in Wisconsin – Wisconsin family court judges and court commissioners participated in an interactive session with a panel that included: 1) a demographer from The Williams Institute; 2) an attorney from Madison with a background in social work, expertise in sexual orientation law, and particular familiarity with Wisconsin statutes governing adoption and guardianship; and 3) a state Supreme Court judge. In the first portion of the program, the judges and commissioners took a self quiz. This was followed by a

presentation on the demographics of the state. The second part of the program involved break-out groups where the judges examined three hypotheticals involving family units headed by same sex parents. The scenarios covered issues such as factors to be considered when determining placement schedules when same sex couples with children are managing joint legal custody arrangements as well as the validity of contracts of “intended parents.” The judges also considered issues surrounding petitions to grant or terminate guardianship, grant visitation, or those seeking child support when only one parent is biologically related to the child.

Faculty: Gary J. Gates, Williams Distinguished Fellow, The Williams Institute; Michele Perrault, Attorney, Madison, Wisconsin; Honorable Shelley Gaylord, Dane County, Wisconsin

Family and District Court Judges Statewide

March 12-13, 2008

Ely, Nevada

Dissolution of Same Sex Partnerships and the Current Legal Landscape for LGBT Individuals in Nevada – Nevada Family Court judges confront sexual orientation law issues, but there is little statutory guidance on how to manage cases coming before the Nevada Bench. A highly experienced local practitioner with expertise in same sex family law matters facilitated discussion regarding the challenges judges face in a legal environment where - with little legislative guidance - case law is rapidly evolving. The Williams Institute panel presented an overview of national trends on same sex marriage, civil unions, and domestic partnerships with a focus on states neighboring Nevada. A social scientist presented the most recent demographic studies showing the characteristics of lesbian and gay couples and their families.

Faculty: Gary J. Gates, Williams Distinguished Fellow, The Williams Institute; Clifford Rosky, Law Teaching Fellow, The Williams Institute; Caren Jenkins, Esq.