

## 2021 NFJE Judicial Symposium

# Lessons Learned, Challenges Ahead

By Amy L. Miletich


**F**or seventeen years, appellate court judges from more than forty states have come together to share legal knowledge and to promote the continued administration of justice. In light of COVID-19's profound impact on our nation's legal system, this year's symposium, entitled "Lessons Learned, Challenges Ahead: Emphasizing the Importance of the Judiciary in the New Normal," focused not only on the past challenges faced by the judiciary, but also on how the legal community has and will continue to change and adapt to such tests.

Our keynote speaker was the Honorable Richard M. Gergel. Judge Gergel's book, *Unexampled Courage: The Blinding of Sgt. Isaac Woodard and the Awakening of President Harry S. Truman and Judge J. Waties Waring*, which was recently featured on an episode of PBS' *American Experience*, details how the horrendous racial injustice faced by Sgt. Woodard forever changed the course of civil rights in America. Judge Gergel began the symposium by sharing Sgt. Woodard's story and his effect on President Truman and Judge Waring, which includes a legal legacy that laid the framework for *Brown v. Board of Education*.

Against the backdrop of the challenge of COVID-19 and the pandemic's effect on the judicial system, the symposium also highlighted the innovation that has arisen from a need to be six feet apart, including the adaptation of court hearings to fit a virtual space. Symbolic of the lessons and advancements of 2021, innovation, cybersecurity, and racial equality and justice were explored during this year's symposium. In his presentation, "Hopeful Signs from a Hard Year," the Honorable Jeremy Fogel, Executive Director at the Berkeley Judicial Institute, discussed the legacy that the COVID-19 era has left on our judiciary, from combating structural inequality to strengthening judicial independence. We also heard from a panel of members from the plaintiffs' bar and the defense bar about how virtual trials repre-

sent both new possibilities and difficulties. In addition, the symposium included a program entitled "Unringing the Cybersecurity Bell: The Court's Role in Mitigating Cybersecurity Risks Invited During the Discovery Process." The panel provided insights from defense counsel, a cybersecurity expert, and the Honorable Joseph C. Iannazzone, concerning the balance among confidentiality, security, and truth finding when faced with disclosing sensitive information in discovery.

The Honorable Tanya M. Bransford, the Honorable Susan F. Maven and the Honorable Veronica Galván discussed the commitment by many state courts to combat racism and promote equality and justice for all since the tragic deaths of George Floyd and others in 2020 in their presentation, "Ensuring Racial Equality and Justice for All in State Courts."

I was honored to be a part of the NFJE and this year's program, and I thank all the participants and attendees for their involvement. 



■ Amy L. Miletich, managing partner of Miletich PC in Denver, has over twenty years' experience in litigation and in counseling clients. Focused on employment and insurance law, Ms. Miletich enjoys an active and varied practice serving a range of clients. Ms. Miletich has represented domestic and international private employers, public employers, and academic institutions in the defense of claims alleging violations of federal and state employment laws, including cases alleging sexual harassment and discrimination on the bases of gender, race, disability, national origin, age, and religion. Ms. Miletich is a past chair of the DRI Employment and Labor Law Committee, a former DRI national director, and current vice president of the National Foundation for Judicial Excellence.



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