



EQUAL JUSTICE

Newsletter of the Washington Bar Association

Dedicated to the Principle "Equal Justice Under Law"

April
2010

President's Column



Happy 98th Birthday Dr. Dorothy I. Height

By Ronald C. Jessamy, Sr.



On March 24, 2010, legendary civil rights leader, Dr. Dorothy I. Height, turned 98 years old. On behalf of the officers, directors and members of the Washington Bar Association, I would like to extend to her a heartfelt and well-deserved birthday greeting from our association. Despite her advanced age, as Chair and President Emeriti of the National Council of Negro Women, Inc. (www.ncnw.org), she is still on the battle field trying to work to make equal justice a reality in this nation. -- *Cont'd on page 2.*

Attorney General Eric Holder, Jr. will Participate in the WBA's Presentation of 2010 Charles Hamilton Houston Medallion of Merit to John Payton



United States Attorney General Eric Holder, Jr.

United States Attorney General Eric Holder, Jr. was the Washington Bar Association's 2009 recipient of the organization's Charles Hamilton Houston Medallion of Merit. The medallion was presented to Holder at the WBA's Annual Law Day Banquet last May. WBA President Ronald Jessamy announced that Attorney General Holder will return this year to present the medallion on behalf of the WBA to John Payton, President and Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. It is the tradition of the WBA to invite the prior year's recipient to present the award to the current awardee. "The fact that the Attorney General is available and willing to honor our tradition speaks volumes as to the high regard in which 2010 medallion recipient John Payton is held as he fights tirelessly in an effort to gain equal rights for all people. It also demonstrates the Attorney General's commitment to the principles and values of the Washington Bar Association," says Jessamy.

WBA Judicial Council Update

By Judge Anita Josey-Herring

More than 200 people joined the Judicial Council in a celebration of the 10th Anniversary of the Council's founding at the Historic Courthouse of the District of Columbia Court of Appeals on March 16, 2010. The celebration coincided with the Annual Spring Symposium, whose theme was "The Judiciary: Then and Now."

The panelists were Judge Reggie Walton, U.S. District Court for the District of Columbia; Judge Inez Smith Reid, District of Columbia Court of Appeals; Judge William Pryor, retired District of Columbia Court of Appeals; Judge Constance O'Bryant, retired Administrative Law Judge, U.S. Department of Housing and Urban Development; and Judge Eugene Hamilton, retired, Superior Court of the District of Columbia. Attorney Billy Martin moderated the program. -- *Cont'd on page 3.*

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Calendar of Events

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- Kevin D. Judd
- Felicia L. Chambers
- Kim M. Keenan
- Donald A. Thigpen, Jr.

WEBSITE: www.washingtonbar.org

Newsletter Editor-in-Chief:
Natalie S. Walker

Newsletter Production
Editor: Jeffrey Jones

May	June
May 8, 2010 - 6:30 p.m. WBA Annual Law Day Banquet, JW Marriott Hotel, 1331 Pennsylvania Ave, NW, Washington, D.C. 20004	June 17, 2010 – 6:30 p.m. Annual Meeting and election of officers/board members, and the WBA Hall of Fame Ceremony, Dorothy I. Height/NCNW Building, 633 Pennsylvania Avenue, N.W., Washington, D.C.
[The particulars will be on the WBA web site]	

Happy 98th Birthday Dr. Dorothy I. Height

(Continued from page 1)

A crusader for equal rights, Dr. Height has been a presence on the national and international scene for decades. Typically, the lone woman in the midst of the more celebrated male leaders of the civil rights movement, she never let that get in the way of advancing the agenda for civil and equal rights. The Washington Bar Association awarded Dr. Height the Charles Hamilton Houston Medallion of Merit at our 2007 Law Day Banquet. Although she is not a lawyer, like all of the other recipients of the award throughout the years, she is an exemplar of the principles we have come to refer to as Houstonian Jurisprudence.

I have had the opportunity to work with Dr. Height for just over two decades, both as an outside counsel to NCNW and as her personal attorney on other matters. I was saddened when she was hospitalized in serious condition at Howard University Hospital just before her birthday last month. Even as I prepare this column, her medical condition remains serious. But, the premature reports in some media outlets, blogs and on a few social networking sites about her demise are, as the writer Mark Twain once said about reports of his death, "greatly exaggerated." As the leader of the only African-American organization that owns a building midway between the White House and the Capitol on Pennsylvania Avenue (America's main street), neither she, nor NCNW, is likely to fade out of the heart or minds of people for generations to come. At the dedication program for the NCNW/Dorothy I. Height Building, she remarked that "they cannot even inaugurate a president without passing by our house." When the last president was inaugurated in 2009, he did pass by their "house." She is still rejoicing about that particular event, a path that she had helped to pave through her many efforts and advocacy for equal rights. Fight on Dr. Height! We are all hoping and praying for your recovery.

MEMBERSHIP/DUES: For those of you who have not done so already, please go to www.washingtonbar.org to renew your membership and to pay your dues online.



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WBA Judicial Council Update *(Continued from page 1)*

United States District Court of Appeals Judge Judith Rogers, who brought greetings from Chief Judge David B. Sentelle, provided an historical perspective regarding the significance of the passage of the Home Rule Act and the development of the judiciary in the District of Columbia. The Act included the process by which judges would be vetted, selected and appointed. It was soon after the Act was passed that the first Judicial Nominations Commission sent two nominees to the President of the United States in 1975. The system continues to this day.

Each panelist provided perspectives on judging, the Courts and the diversity of the bench during the conversation that provided a link between past and present.

Judge Pryor, who was a judge on the Court of General Sessions prior to the Home Rule Act, was one of the first judges on what is now the Superior Court. He went on to serve on the District of Columbia Court of Appeals as an associate judge and as chief judge. Judge Pryor said that in the 1960s there were 18 judges on the trial court and 6 or 7 at the appellate level. Today, there are 80 judges on the trial court and 20 on the Court of Appeals. "Judging is harder," he said. In an urban Court in a place like Washington, D.C., where the volume is high in both the trial court and the appeals court, judges must "judge well and swiftly."

Judge Hamilton recalled what it was like sitting as a judge on the Superior Court in the 1970s. "There were a small number of judges on the bench," he said. The Board of Judges meetings were held in the Chief Judge's conference room, according to Judge Hamilton. And, he said, there was a strict hierarchy that carried over into everything including calendar assignments which meant a judge might stay on a calendar for years before being assigned to a more challenging assignment. "Today, judges are considered equals among equals. It was a welcome relief when the bench finally reached the point where judges could move around from calendar to calendar" without being subject to the hierarchy of 30 years ago. Judge Hamilton added: "When I started there was no diversity. Today, there is diversity."

Judge Hamilton also discussed the lack of connection between the Court and the community in the 1970s. "The community had a great yearning to have close connections and relationships with the Court. But, there was a separation in the 70s. The wall has eroded since that day." Today, judges are operating in all areas of the court and the community. There is a strong relationship between the Court and the local community, as well as nationally and internationally.

Judge Smith Reid, who was appointed to the Court of Appeals in 1995 after serving as Corporation Counsel for the District of Columbia, said that when she came on the bench and began to work on Access to Justice in the Courts it became clear that some of the problems and perceptions that the community had of the Court had not changed. "There was a perception of unfair treatment of litigants based on race, gender and ethnicity," she said. Following the release of the findings on access to justice, the chief judges of the District of Columbia Courts created a standing committee on fairness and access to the courts. The committee's task: Monitor unfairness regarding personnel but also barriers to justice or unfairness as to litigants.

According to Judge Reid, the initial reaction to the creation of the committee was "skepticism" from many within the Court. "Some thought there was no bias or unfairness. 'What ever problem that may exist is someone else's fault,' they said." She said the committee's work brought forth "a fear of a loss of independence." Since 1996, Judge Reid said "there has been a sea change." Individual members of the Court are invested. "If you look around, accessibility is greater for those who have disabilities throughout the courthouses. Language access has been improved for those whose language is not English. Resource centers have been established to assist self-represented litigants."

There have also been changes that have increased diversity on the Court of Appeals since 1995. At that time, there were two African American women and seven white men. Today there are six women and three men, three African American and one Hispanic.

Judge O'Bryant, a former defense attorney with the Public Defenders Office who is a retired Federal Administrative Law Judge, provided a perspective on the Federal Administrative Law Judge corps where she worked for many years. "When I was appointed an ALJ in 1981, there were 181 judges hired and only three were black. I was the third woman appointed nationwide. Today, there are 100 African American ALJs out of nearly 1600 in the corp."



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WBA Judicial Council Update *(Continued from page 3)*

Judge O'Bryant believes more must be done to encourage attorneys to apply to improve the record of diversity in the Federal Administrative Law Judge corp.

She initially was an Administrative Law Judge for the Social Security Administration and then moved to the U.S. Department of Health and Human Services. She heard cases all over the United States and its territories in federal courthouses including District Courts and Tax Courts. The hearings were formal and she wore a robe.

She said she felt that she was afforded the greatest level of respect no matter where the hearings were held. But she also noted that respect comes based upon the manner in which you carry yourself.

Judge Walton, who was appointed to the U.S. District Court for the District of Columbia after two appointments to the District of Columbia Superior Court discussed judging today because of the complexities of our society and the cases before the courts. He believes that judges have to provide appropriate innovation within the courts to ensure that the public is involved in a meaningful way in the justice system.

For example, Judge Walton allows jurors to ask questions during trials -- in a controlled manner. "The growing complexity that we are facing in the process requires that we come up with innovative ways to ensure that jurors understand the law," he said. "It is unconscionable that we might have jurors there (in trial) for months and unable to take notes. The judge would read the instructions once and then ask them (jurors) to go back and decide the case without even a tape of the instructions."

According to Judge Walton, there is a lot of "kick back" among some about jurors asking questions. He said that the prosecutor and defense counsel in the Scooter Libby trial, which he presided over, were wary of allowing jurors to ask questions initially. In the end both sides came to see that the questions the jurors asked gave them a window on what the jurors concerns were. Indeed, Judge Walton said, "jurors feel more invested in the process and, therefore, the process is improved."

The final word came from Judge Hamilton, who reminded the audience that: "We have to remember we did not get here by ourselves. We are standing on the shoulders of a lot of people who went through a lot of sacrifices. Many great lawyers and jurists have gone before us and provided a platform upon which we can proudly stand today: Fred Edwards, Norma Holloway Johnson, Mabel Hayden, Carl Moultrie, John Shorter, Dovie Roundtree, George Mitchell, John Shorter, Margaret Haywood and a few more.

The judicial council honored Attorney Donald Thigpen; Judge Arthur Burnett, Sr.; Judge Paul Webber, III; and Attorney A. Gilbert Douglass for their tireless efforts to make the Judicial Council a reality in 2000.

WBA Book Club Update



Katie McCabe, co-author of "Justice Older than the Law: The Life of Dovey Johnson Roundtree," discussed the book and Mrs. Roundtree's life with members of the WBA Book Club at the book club's meeting held on March 27, 2010 at St. Augustine Roman Catholic Church, Gingras Ecumenical Center.

Former WBA President Keith Watters To Receive Lawyer Of The Year Award



Former WBA President Keith Watters will be awarded the Trial Lawyers Association of Metropolitan Washington, D.C.'s Trial Lawyer of the Year Award at the association's 55th Annual Awards Dinner in May 2010. Watters was President of the Washington Bar Association from 1988 to 1990.



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*The Washington Bar Association
and the Washington Bar Association Educational Foundation, Inc.
Cordially Invite You To*

LAW DAY 2010

Law Day Committee Co-Chairs: Iris McCollum Green & William (Billy) Martin
Honorary Banquet Chairs: Elaine R. Jones, Esq. & Prof. Charles J. Ogletree, Jr.

*Honoring: John Payton, President/Director-Counsel
NAACP Legal Defense and Educational Fund, Inc.*

*Saturday, May 8, 2010
J.W. Marriott
1331 Pennsylvania Avenue, NW
Washington, D.C.
Cocktail Reception: 6:30 p.m.
Dinner: 7:30 p.m.*

Equal Justice Table*

\$10,000.00

*Full Gold Page Ad in Program
Video Display of Logo
VIP Reception
Signage
Reserved Seating for Ten
Listing in Newsletter
Champagne Toast*

Platinum Table*

\$7,500.00

*Full Gold Page Ad in Program
Video Display of Logo
VIP Reception
Signage
Reserved Seating for Ten
Champagne Toast*

Gold Table*

\$5,000.00

*Full Gold Page Ad in Program
Video Display of Logo
VIP Reception
Reserved Seating for Ten
Champagne Toast*

Silver Table*

\$3000

*Full Page ad in program
Reserved seating for ten*

General Table

\$1,750.00

Reserved seating for ten

Individual Ticket

\$175.00

Please make checks payable to the "Washington Bar Association Educational Foundation, Inc."

P.O. Box 56551, Washington, DC 20040

Ronald C. Jessamy, President



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Martin Luther King, Jr. Drum Major for Justice Advocacy Competition in May 2010

Region XII of the National Bar Association will sponsor the Dr. Martin Luther King, Jr. Drum Major for Justice Advocacy Competition in May 2010. In order to make this event a success, we are asking that you encourage District of Columbia high school seniors, with preliminary acceptance to an accredited college or university, to apply and be a part of this terrific experience. This competition requires them to write an essay on a specific topic and then be able to make an oral presentation of their essay before a panel of judges. The topic can be obtained by going to www.nationalbar.org and clicking on the competition.

All essays need to be submitted to either Robie Beatty (202-671-2377) or Valencia Rainey (301-928-4939) by April 30, 2010.

This competition is a wonderful opportunity for graduating high school seniors in the District to obtain 1) experience in writing, 2) experience in public speaking and to obtain 3) some money for college.

WBA Nominations and Elections Committee

The Washington Bar Association's Nominations and Elections Committee is charged with the preparation of a slate of candidates to be voted on at the Association's Annual Meeting on June 17, 2010. WBA Past President Felicia L. Chambers is Chair of the Committee. The other members of the Committee are WBA Past Presidents, Robert Bell and Kim M. Keenan. If you are interested in running to serve as an officer or member of the Board of Directors, please contact Committee Chair, Felicia L. Chambers, via e-mail at flcesq@yahoo.com

In addition to the slate of candidates proposed by the Committee, any WBA Regular Member in good standing may be nominated for any elective office in the Association by filing a Petition of Nomination with the Association's Secretary. All Petitions of Nomination must be filed with the Secretary, Jay Stewart (jstewart@udc.edu), not later than April 20, 2010. Each petition must contain the signatures of fifteen Regular Members in good standing.

Hall of Fame Nominations

The Washington Bar Association's Hall of Fame Committee is accepting applications for the 2010 Hall of Fame Induction Ceremony in June 2010. All nominations must be received by April 23, 2010. The criteria for nomination are: (1) that the nominee is a member of the Washington Bar Association, (2) has practiced law for at least 25 years, and (3) has made significant contributions to the cause for equal justice under law and to the profession. This year's Hall of Fame Committee is chaired by WBA First Vice President Iris McCollum Green. The other committee members are WBA Judicial Council Chair, Hon. Anita Josey-Herring, WBA Young Lawyers Division Chair, Yaida Ford and WBA President, Ronald C. Jessamy. You may contact Iris McCollum Green at (202) 785-1171 or via e-mail iriseagain@aol.com for further information.

Newsletter Deadline:

Submit newsletter articles

by May 1, 2010 to

NWalker@wfcplaw.com