

August 27, 2020

A Report to Court of Appeals Colleagues:
Summing Up the Past Seven Years



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Chief Judge,
U.S. Court of Appeals for the Second Circuit

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I. Words of Appreciation

As my seven-year term concludes on August 31, I offer this report, a summing up of activities. I begin by expressing my appreciation to all of you for your support throughout my tenure. What an honor it has been to try to serve you—the extraordinary judges, executive team, and staff of the courts of the Second Circuit, and the public. I have many thanks to spread about.

As Chief Judge, I could not be more fortunate than to have such stellar judicial colleagues. My deep gratitude extends to every judge on the Court of Appeals in the past seven years—Judges Newman, Kearse, Winter, Walker, Jacobs, Leval, Calabresi, Cabranes, Straub, Pooler, Sack, Parker, Raggi, Wesley, Hall, Livingston, Lynch, Chin, Lohier, Carney, Sullivan, Bianco, Park, Nardini, Menashi—for so many contributions, not just on case work, but for assuming time-consuming tasks on committees so important to the administration of justice. I have benefitted more than I can adequately say from the wise advice of all of my colleagues, with special thanks to my predecessor Chief Judges: Jon O. Newman, Ralph K. Winter, John M. Walker, Jr., and Dennis Jacobs. Indeed, I am especially deeply grateful to our senior judges, without whom we could not function. Appreciation extends as well to the judges of the district courts and the Court of International Trade, to the magistrate judges and the bankruptcy court judges with whom I have worked, to those who have agreed to sit by designation with the Court of Appeals, to those who have been partners on the Judicial Council and the Second Circuit conferences, and to those who have participated in our civic education project, *Justice For All: Courts and the Community*, about which more soon.

The staffs of the Second Circuit—in the various court units and in chambers—have been remarkable. It has been a privilege to work together with our staffs. Their dedication to the court is palpable and inspiring; they perform at the highest levels, for which all of us are grateful. For me, a highlight of each year is our staff recognition program when we salute our incomparable staffs. Our staff colleagues are the but-for reason why we have been able to function well, no matter the great strains they are under because of the unforeseen challenges we have had to face. About them, more below.

And I express my appreciation to the lawyers of the Second Circuit for their conscientious advocacy in cases before the Circuit, their willingness to assist essential committees of the Court, their participation along with bar associations in various programs of the Second Circuit, and their support, along with bar associations, in preserving a vital federal judiciary. The annual Second Circuit Inns of Court Professionalism ceremony is one way that each year we honor our lawyers—in particular, lawyers who have distinguished themselves as mentors.

Much thanks as well to the law schools in our circuit who hosted various events, including sittings. And much appreciation to the law school deans who participated fully

in a variety of our projects, including serving on the planning committees of our circuit conferences and contributing to our civic education program.

In Washington, D.C., James C. Duff, Director of the Administrative Office of the U.S. Courts, Jeffrey P. Minear, Counselor to the Chief Justice, and Jeremy D. Fogel and John S. Cooke, Directors of the Federal Judicial Center, have been invaluable partners. I am grateful to them for being so responsive and thoughtful.

Thanks, too, to our security teams, the CSOs, those in the Marshals Office, who were charged with protecting judges and staffs. And much appreciation to building services staff and the FEDCAP workers who with much pride keep our facilities in top shape.

II. Court of Appeals Operations

A. Challenges Faced and Administrative Operations

These seven years have been marked by extraordinary challenges—the most recent being the COVID-19 crisis, and others as well, such as the challenges of budget sequester and government shutdowns. Through it all, my hope was to ensure the continuation of the fair and effective administration of justice in our circuit, to communicate in word and action to our staffs that their well-being is paramount to all of us.

As to COVID-19, we were able to move ahead early, with the prodigiously dedicated 24/7 support of our Circuit Executive, Clerk of Court, Director of Information Technology (IT), and our staffs, to arrange for remote oral arguments, where no judge, no litigant, no staff member had to be present in the courthouse. Those arguments have been livestreamed, ensuring public access to our proceedings. Day to day, our staffs have been able to work remotely at home, with technical support provided by our IT department. Our Library team has continued to provide virtually full services to our Court. We cannot know for certain what the future will hold for the pandemic and for us, but the experience of the past months leads me to conclude that we will be well-prepared. A COVID-19 Planning Committee is now in place. I would expect that remote oral arguments will continue into the fall, with my successor as Chief Judge, Debra Ann Livingston, guiding the court discussion.

Other challenges to the court have included budget sequester and government shutdowns. I made it clear to our staffs as we confronted these various challenges that for us everyone was essential, and that we would do all that was necessary—and that I would be personally committed—to making sure that the well-being of our staffs would be secure.

That we have been able to weather these various storms, that we have been prepared to meet various challenges, working collaboratively and productively, owes much to my

judicial colleagues, to our Executive team, and to our staffs. A word about our Executive team. At the outset of my tenure, we undertook some administrative restructuring. I am grateful for the dedication of all from the very start of my tenure, and I want to express my appreciation to those now in leadership positions on our Executive team.

Last year, when Circuit Executive Karen Milton took on her important role at the Metropolitan Transit Authority, Michael Jordan, who had been serving excellently as chief operating officer and general counsel to the court, became Circuit Executive, and Janice Kish, who had been serving superbly for many years as Assistant Circuit Executive for Administration, was promoted to Deputy Circuit Executive. The transition was seamless, reflecting the high quality of those serving in these positions. Michael Jordan, with his broad and deep experience in judicial administration in our court, has continued his outstanding work as Circuit Executive, as has Janice Kish as deputy. They have been aided by stellar teams in the offices of the Circuit Executive, including space and facilities, human resources, IT, budget and finance, procurement and administrative services, and CJA case-budgeting.

From my first day, Catherine Wolfe has been an exceptional Clerk of Court, accomplished in every way, leading by stellar example a dedicated staff. A national leader among the Clerks, she has, for example, been the moving force behind an innovative prototype case management system, called the Appellate Case Management System (ACMS), a joint project of the Ninth and Second Circuits to develop functionality that can be used by appellate courts to manage immigration cases. Andrew Barnes now serves as deputy clerk and by all accounts is doing very well. Appreciation is also due to all of the staff of the Clerk's Office who have made invaluable contributions.

Luis Lopez has been an energetic, imaginative, and resourceful Circuit Librarian, an acknowledged national leader. We were fortunate to lure back into government service Adriana Mark, a very talented librarian, as Deputy Circuit Librarian. Our library has a multidimensional, exceptional team at the Thurgood Marshall U.S. Courthouse, and accomplished branch library teams throughout the circuit. As I will detail below, the library has been key to the success of our civic education program.

Sally Pritchard served well for several years as Director of the Office of Legal Affairs. After her departure for the private sector, David Bober succeeded her and has been leading that office very well, working closely with Legal Affairs Committee chair Judge Chin and colleagues, and with the support of an excellent team of supervisory staff attorneys, staff attorneys, and an administrative team. Kathleen Scanlon and Dean Leslie, with rich backgrounds in mediation, became the Chief Circuit Mediator and Mediator, respectively.

B. Onboarding New Colleagues

What a joy it has been to welcome five new colleagues with impressive backgrounds: Richard J. Sullivan, Joseph F. Bianco, Michael H. Park, William J. Nardini and Steven J. Menashi. All of my colleagues have played roles in onboarding these five jurists, who I know will contribute substantially and with the collegial spirit that has marked our court. Although a planned court retreat, co-chaired skillfully by Judge Dennis Jacobs and Judge Rosemary Pooler, had to be postponed because of the COVID-19 virus, we are undertaking retreat sessions remotely. We look forward, of course, to being together in the same room once we are beyond the current health crisis.

C. Mourning Colleagues

During my tenure, we lost treasured Court of Appeals colleagues: Wilfred Feinberg, Joseph M. McLaughlin, Richard J. Cardamone, and Lawrence W. Pierce. Presiding over the memorial tributes at the courthouse to Judges Feinberg, McLaughlin, and Cardamone was an honor as we reflected upon their many contributions. Judge Pierce's memorial will hopefully be held when it is safe to gather.

We remember also our dedicated, wonderful staff who left us while in service: Chandella Armstrong, Carlie Anthony, Amelia Koffman, and Kevin Ramos.

D. Celebrating Colleagues

It was a privilege to shepherd the nominations of Judges Newman and Winter as Devitt Award recipients for their contributions to the administration of justice. We celebrated their much-deserved recognition in memorable ceremonies at the Supreme Court and at Thurgood Marshall, featuring Justices of the Supreme Court. Judge Walker was nominated for the Devitt Award this year, reflecting our admiration for our former chief judge. And we toast our long-serving colleagues who have been with our Court for more than a quarter century: Judges Newman, Kearse, Winter, Walker, Jacobs, Leval, Calabresi, and Cabranes. A court dinner celebrated the 40 years of Court of Appeals service of Judges Newman and Kearse. At a court meeting, we raised a glass to Judges Calabresi and Cabranes on their 25 years on the Court of Appeals. At our March and June court dinners, we would have specially celebrated Judges Walker, Jacobs, and Leval, but for the COVID-19 virus. I am sure we will have future occasions to honor them.

E. Collegiality Gatherings

Much appreciation to Judge Pooler for organizing our dinners after court meetings, and to Judge Jacobs for hosting the Tuesday lunch. Such informal gatherings are important to maintaining our collegiality, apart from being fun!

F. Ensuring a Safe Workplace

The Court of Appeals is committed to ensuring a safe workplace environment for all, and, in that regard, to reviewing its policies and processes. A Workplace Conduct Committee was formed for this review process in December 2018. I appointed Judge Debra Ann Livingston as chair. The committee undertook a review of procedures for informing employees about avenues for reporting misconduct and also reviewed the procedures themselves. We adopted the new model Employment Dispute Resolution plan in December 2019. The Judicial Council also appointed a Director of Workplace Relations in December 2019, Adam Coffey, who, like workplace directors in other circuits, will be engaged in an ongoing review and evaluation of our policies and procedures.

G. Ensuring the Fair and Effective Administration of Justice For All

As a court in a federal system, we are committed to ensuring the fair and effective administration of justice for all. To that end, the court has an active CJA and pro bono committee, chaired by Judge Raymond J. Lohier, to facilitate legal representation in individual cases for those lacking in resources, and a vigilant disciplinary committee to root out inadequate counsel, chaired by Judge Richard C. Wesley. In its staff recruitment practices, the court endeavors to reach out to diverse constituencies to expand the pipeline, including participating in the minority diversity internship program of the Administrative Office of the U.S. Courts. As noted above, the court has taken steps to maintain a safe and appropriate workplace environment for all. In addition, through its civic education program, *Justice For All: Courts and the Community*, described below, the court seeks to foster ongoing communication, discussion, and understanding about the judicial system, including working with schools, the Justice Resource Center, and such diversity pipeline efforts as Legal Outreach, the Sonia and Celina Sotomayor internship program, and the Harlem Educational Activities Fund. The civic education program has sponsored exhibitions and programs, for example, honoring Black History Month, Women's History Month, and LGBT Pride Month. Also as described below, the court inaugurated the Thurgood Marshall Lecture and a permanent exhibition in its civic education Learning Center, to honor the life and continuing legacy of a civil rights icon dedicated to the principles of equality before the law. The courthouse itself is a welcome venue for bar associations, including diverse bar associations. A circuit judicial conference addressed the Reconstruction Amendments and their aftermath. All this recognizes, as societal institutions grapple with important issues of diversity and inclusion, that courts, like all institutions, must be ever attentive to the values that are vital to the functioning of our democracy.

III. Court of Appeals Projects

A. 125th Anniversary Programs

On the occasion of the 125th anniversary of our court, I suggested a retrospective project, not for self-celebration but because any institution, in the effort to do its work well, should on occasion reflect on its past to better settle the present and meet the challenges of the future. To that end, I proposed, and my colleagues agreed to establish, a special committee to undertake a wide range of activities relating to that 125-year experience, as we had done some 25 years ago. That committee, superbly chaired by Judge Richard C. Wesley, consisted of a dedicated group of judges, court staff, and members of the bar. The activities include: a [biographical collection of the judges](#) of the court of appeals, distributed by Cornell University Press; a [volume on the jurisprudence of the Second Circuit](#) published by the Fordham Law Review; exhibitions documenting the court's cases and history; reenactments of some of our notable cases, including the *Wright Brothers* litigation (with the Connor Inn of Court) and the *Cortright* case (with the Federal Bar Council Inn of Court); lectures on the history of the court, for instance, a lecture on the *Ulysses* case; programs of remembrances of some distinguished judges of the past, Learned Hand, Henry J. Friendly, and Thurgood Marshall, with reflections of four Supreme Court Justices, Chief Justice John G. Roberts, Jr., Justice Ruth Bader Ginsburg, Justice Sonia Sotomayor, and Justice Elena Kagan; and a program on the certification of opinions from our court to state high courts.

B. Civic Education and the Federal Courts: *Justice For All: Courts and the Community*

As Chief Judge, I have spoken about the importance of increasing public understanding of the role and operations of the courts and bringing courts closer to the community. In 2014, a circuit-wide initiative began with the formation of a Committee on Civic Education, co-chaired brilliantly by my esteemed and gifted colleague, Judge Victor Marrero of the Southern District of New York. Our objective is to help increase points of contact between the courts and the communities we serve to facilitate mutual understanding. Judges at all levels in every court in the circuit have actively participated, with the invaluable involvement of an advisory committee of lawyers and educators. At my request, Dean Trevor W. Morrison of New York University School of Law graciously hosted an early project meeting of all the law school deans in our circuit to gather ideas. We appreciate as well the support of bar groups, most notably the Federal Bar Council Foundation and the Federal Bar Association.

My hope was to develop programs that could be implemented in every district and courthouse in our circuit. What has developed is a robust, circuit-wide initiative on civic education and the federal courts—[Justice For All: Courts and the Community](#)—with a full range of activities, described on our [website](#) and in our annual reports. The

Committee on Civic Education works through nine subcommittees: Civic Education Programs; Advocacy Skills; Learning Centers; Reenactments; Student Contests; Civic Ceremonies; Speakers Bureau; Adult Education; and Civic Education Media & Public Outreach. Each of these subcommittees consists of several judges along with members of the Advisory Group. Virtually all of our judges have participated in some way in the full range of activities. Our extraordinary library team, led by Circuit Librarian Luis Lopez and Research Librarian Adriana Mark, has been central to our efforts to mount exhibitions, and a website. Circuit Executive Michael Jordan's team, especially Janice Kish and Justin Marziliano, along with Aisha Parks and Meika Brown, have done so much in coordinating efforts with the communities the project is serving. Our new Assistant Director of Administration and Legal Affairs, Alana Chill, with her teaching background as well as law degree, is already contributing to our civic education effort. Our work has also benefitted from the superb work of Rebecca Fanning of the Administrative Office of the U.S. Courts; Russell Wheeler, former Deputy Director of the Federal Judicial Center, and currently president of the Governance Institute and a Visiting Fellow of the Brookings Institution; as well as James C. Duff, Director of the Administrative Office of the U.S. Courts. To all of you, I am most grateful.

In 2018, the initiative became ever stronger with the public opening of the [*Justice For All: Courts and the Community Learning Center*](#). That facility, established by the Court of Appeals, signals to the community that the courthouse is not simply a venue for resolving conflicts in the courtroom, but also a place to encourage learning and discussion about the role of the federal judiciary in the legal system, through a variety of civic education activities, in particular: exhibitions, interactive kiosks, teaching and lecture spaces, technology for podcasts and videos, and communal interaction with judges, lawyers, and court officials.

Our Thurgood Marshall U.S. Courthouse has hosted programs in collaboration with the Justice Resource Center, such as Teachers Institutes and moot courts for students; we have also supported the annual Sonia & Celina Sotomayor Judicial Internship Program convening (with the Justice's participation), and, in 2016, the national Just the Beginning program. *Justice For All: Courts and the Community* has worked with such programs as Legal Outreach, devoted to providing quality educational experiences for diverse communities. We have invited law students of the AnBryce program at NYU School of Law, the first in their families to graduate from college, to meet with students at the Learning Center and share their experiences. Our library team, on the initiative of Judges Alison J. Nathan and J. Paul Oetken, created a program geared to Pride Week, honoring our beloved colleague Judge Deborah A. Batts; apart from a live program at the Courthouse, a video was created and is now part of the Learning Center resources. Other exhibits coincided with Black History Month and Women's History Month. The materials on the *Justice For All* website have been used by other courts and schools throughout the country, for example, the reenactment materials devised by Judge Denny Chin and Kathy Chin. Our judges have participated in school assemblies and such

communal events as naturalization ceremonies. Judge Joseph F. Bianco has overseen an innovative court camp in Central Islip.

A milestone event for the *Justice For All: Courts and the Community* civic education project was the convening at the Thurgood Marshall U.S. Courthouse, on October 31, 2019, of the federal judiciary’s first-ever national civic education and the federal courts conference—[National Conference on Civic Education and the Federal Courts](#). With the support from the circuit’s [Justice For All: Courts and the Community](#) program and the Administrative Office of the U.S. Courts, that gathering brought together some 138 judges and judiciary employees from Maine to Guam to share best practices, innovative programs, and timely, ready-to-go resources to support civic education and the federal courts programs. Most attendees were judges and court professionals selected by the 13 circuit chief judges. Representatives of civics education organizations, bar association leaders, law school deans, and academics also participated in sessions throughout the day-long event. A highlight of the [event](#) was the participation of three Supreme Court Justices: Justices Breyer, Sotomayor, and Gorsuch. “The conference was a game-changer because it created a sense of community and shared commitment,” said Rebecca Fanning, the national educational outreach manager of the Administrative Office of the U.S. Courts, who has been supporting the federal judiciary’s civics outreach for more than 20 years. “It raised the visibility of new programs and long-standing initiatives at the national, circuit, and district levels that can be replicated in other jurisdictions.” A full [report](#) of conference proceedings was prepared by the *Justice For All: Courts and the Community* team.

The success of any conference is measured by what comes out of it. In the following months, two significant developments have helped advance the goals of the conference.

First, on December 31, 2019, Chief Justice John G. Roberts, Jr., issued his [2019 Year-End Report on the Judiciary](#) in which he stated that “civic education, like all education, is a continuing enterprise and conversation” and noted that “by virtue of their judicial responsibilities, judges are necessarily engaged in civics education.”

Second, on March 17, 2020, the Judicial Conference of the United States affirmed that civics education is an important component of judicial service. It endorsed regularly scheduled conferences to share and promote best practices in civics education, and it encouraged circuits to coordinate and promote civics programs. See the [Preliminary Report of the Judicial Conference, March 17, 2020](#) for more details.

In the Second Circuit, where in-person classroom visits by judges have been suspended due to the pandemic, the *Justice For All: Courts and the Community* team has worked with New York City public schools to provide an [online package of original resources](#) for distance learning that will take students through the rest of the school year and beyond. Teaching materials are drawn from the circuit’s [Justice For All website](#). Among the educational resources provided, at the initiative of Magistrate Judge Vera M. Scanlon, are

those related to this year's national Law Day theme, which is commemorating the centennial anniversary of the 19th Amendment to the United States Constitution. We are also working now on distancing learning materials for Constitution Day.

I am proud to report that our civic education program is considered to be the gold standard of such efforts and that several circuits around the country are replicating what we have done and are doing.

C. Thurgood Marshall Lecture

The Marshall Lecture was created in 2018 and joins the Hands Lecture as one of two signature lecture series sponsored by the U.S. Court of Appeals for the Second Circuit. The Marshall Lecture is named for Justice Thurgood Marshall, a pathbreaking civil rights lawyer and later judge on the Second Circuit Court of Appeals who sat in the courthouse now named for him, the Thurgood Marshall U.S. Courthouse.

In the last few years, we have taken steps to assure that Thurgood Marshall's legacy is appropriately honored at the Thurgood Marshall U.S. Courthouse. Even before the Marshall Lecture was created, Gilbert King, Pulitzer Prize-winning author of *Devil in the Grove: Thurgood Marshall, the Groveland Boys, and the Dawn of a New America*, offered a lecture about Marshall's courageous defense in 1949 of four young black men in Lake County, Florida accused of raping a white woman. Two years later, as part of our court's 125th anniversary celebration, we hosted a discussion about Thurgood Marshall from the perspective of his clerks, a panel which featured Justice Elena Kagan; Martha Minow, then the dean of Harvard Law School; Richard L. Revesz, the executive director of the American Law Institute and former dean of the New York University School of Law; litigator Gregory L. Diskant; Georgetown Law Professor Sheryll D. Cashin; and Judge Paul A. Engelmayer. Judge Ralph K. Winter's wonderful eulogy of Justice Marshall was distributed to all attendees.

In the courthouse lobby, everyone who enters this building sees photographs of various aspects of Justice Marshall's incredible career. In our Fifth Floor *Justice For All: Courts and the Community* Learning Center is a multi-media exhibit about the extraordinary life and times of Thurgood Marshall. The first Marshall Lecture was delivered by Professor Robert C. Post of Yale Law School; Judge Barrington D. Parker, Jr., chaired the first lecture. The second Marshall Lecture was to be offered by Professor David W. Blight of Yale Law School on Frederick Douglass, but COVID-19 prevented that gathering.

D. Courthouse Conversations

The Court of Appeals has periodically sponsored courthouse conversations on subjects of interest to the bench and bar, featuring a judicial colleague (for example, Judges Leval, Calabresi and Jacobs).

E. CAMP Colloquy

The Court of Appeals has benefitted from volunteer mediators, experienced lawyers who give their time and energy without compensation. As a way of showing appreciation, we inaugurated in 2017, under the leadership of the Civil Appeals Management Program (CAMP) chief circuit mediator Kathleen Scanlon, a mediation colloquy as part of our courthouse conversation series, with guest speakers with extensive mediation experience. Judge Chin, as chair of the Legal Affairs Committee, has presided over these sessions. Speakers have included former Fordham Law School Dean John Feerick, Senator George Mitchell, and Secretary of State Colin Powell (with Judge Lohier the interviewer). Ambassador Caroline Kennedy is to be the next speaker, in a discussion co-moderated by Judge Sullivan and me.

F. Video History

Following other courts, we have started a video history project featuring our judges being interviewed about their careers. The typical format involves a conversation between the judge and someone of his or her choosing (for example, a former clerk or another judge). The project began with Judge Newman. A video interview with Judge Pratt has also been conducted. Others will follow in order of seniority. A courthouse conversation with Judge Calabresi and Norman Silber, inaugurating our 25th floor event space, provided a glimpse of Judge Calabresi's early life. Our library team has the expertise to undertake such videos—for instance, one was done for the District of Connecticut with an interview of Judge Cabranes. Those conducting the interviews can get basic training with the support of oral historians. There may be opportunities to collaborate on this project with New York University School of Law's Institute for Judicial Administration.

G. Our Spaces

In 2015, the Federal Bar Council, with the support of our Circuit Executive Office, produced a splendid volume, *Courthouses of the Second Circuit: Their Architecture, History, and Stories*. However much they differ in design, the courthouses of the Second Circuit share much in common: they are living, functioning institutions that embody in form and the activities within them the ongoing and steadfast commitment of the Third Branch to do its work in ways that maintain the trust of those who look to it for assistance.

With the ravages of time, however, all buildings need repair. Chief Judge John M. Walker, Jr., had the prescience to initiate the Thurgood Marshall U.S. Courthouse renovation effort, and his successor, Chief Judge Dennis Jacobs, deeply knowledgeable about architecture, deserves substantial credit and our appreciation for overseeing this

complicated project, completed during his tenure. With a beautiful and functional building in operation, the last few years have seen some additional touches:

1. *The 25th Floor Library at Thurgood Marshall U.S. Courthouse*: In honor of her more than 25 years as our Circuit Justice, the judges of the Court of Appeals voted in June 2019 to name the library the Ruth Bader Ginsburg Library. In addition to functioning as a library, the north side of the 25th floor library has been converted partially into an event space, and its views provide a spectacular venue for meetings, conferences, receptions, and dinners. The space is used regularly. For example, we hosted the judges of the New York Court of Appeals one evening for dinner and conversation. Our courthouse conversations generally take place in that space. Our employee appreciation reception occurs in that space. The Devitt Award lunch for Judge Winter was held there, as was a reception at which Judge Cabranes was honored by the Puerto Rican Bar Association.

2. *Room 145*: Room 145 has been fully renovated with state of the art acoustic and video capacity for meetings. A photo gallery of the judges of the U.S. Court of Appeals throughout its history will line the walls, with appreciation to Judge Jacobs and the Library team for their efforts.

3. *Fifth Floor Civic Education Facility*: The Fifth Floor houses the *Justice For All: Courts and the Community* program, including the Learning Center described above.

Our courtrooms and chambers and staff offices continue to serve us well. In addition, we welcome, as noted above, the bar (for instance, the Network of Bar Leaders, the Metropolitan Black Bar Association, the New York Intellectual Property Lawyers Association), various Inns of Courts, student groups, and participants in our various civic education programs.

IV. Circuit-Wide Activities

A. Judicial Council of the Second Circuit

As chair of the Second Circuit Judicial Council, I have benefitted so much from the thoughtful deliberation of my very able chief district judge colleagues and court of appeals colleagues. We have worked so well together, particularly during the COVID-19 crisis, and I am grateful to all members throughout my tenure. The chief district judges with whom I have served, and whose dedication I acknowledge with thanks, are:

Eastern District of New York

Chief Judge Carol Amon – 2011-2016

Chief Judge Dora Irizarry – 2016-2020

Chief Judge Roslynn Mauskopf – 2020-Present

Southern District of New York

Judge Loreta Preska – 2009-2016

Judge Colleen McMahon – 2016-Present

District of Vermont

Judge Christina Reiss – 2010-2017

Judge Geoffrey Crawford – 2017-Present

District of Connecticut

Judge Alvin Thompson – 2009-2013

Judge Hall – 2013-2018

Judge Underhill – 2018-Present

Western District of New York

Judge William Skretny – 2010-2015

Judge Frank Geraci – 2015-Present

Northern District of New York

Judge Gary Sharpe – 2011-2015

Judge Glenn Suddaby – 2015-Present

B. Second Circuit Judicial Conference

A highlight for me each spring, but for this last one due to COVID-19, has been our circuit judicial conferences. These gatherings have been special as they have provided occasions for us to meet with members of the bar and with each other, in a setting outside the courthouse, not only to talk about the work of the courts, but also to exchange ideas, to reflect on our work, to gain fresh perspectives, and to enjoy one another's company. I valued my meetings with the magistrate and bankruptcy court judges to learn more about their perspectives. At our conference, we look forward always to Justice Ginsburg's report to our circuit and to the dialogue that follows with her; that she has managed to faithfully participate during a very busy part of the Supreme Court's term is remarkable. In 2018, we were honored to have Chief Justice Roberts with us and to specially celebrate Justice Ginsburg's quarter century of Supreme Court service. My deep appreciation to our exceptional planning chairs, Judges Victor Marrero, Janet Arterton, Carol Amon, and Victor Bolden; our hard-working planning committee members consisting of judges and members of the bar; our speakers; our toastmasters; Justice Ginsburg and her dialoguers; our Circuit Executive team and Library; and the Federal Judicial Center for its support of our bench-only gatherings.

Circuit Conference Themes:

- 2014: Cyber-Security in an Age of Cyber-Terrorism (Judge Marrero, planning chair)
- 2015: Historic Background of the Third Branch* (Judge Marrero, planning chair)
- 2016: Reconstructing Reconstruction: The Historical Impact of the 13th, 14th, and 15th Amendments (Judge Arterton, planning chair)
- 2017: Judging in the Digital Age* (Judge Arterton, planning chair)
- 2018: The Administrative State: Past, Present, and Future (Judge Amon, planning chair)
- 2019: The World and Law Around Us: International Law and Federal Courts* (Judge Bolden, planning chair)
- 2020: Women in the Law (Judge Bolden, planning chair) (conference cancelled, but the New York City Bar will host panels in the fall)

*partnered w/FJC for judges-only workshop

Toastmasters:

- 2014: Judge Richard J. Sullivan (S.D.N.Y.) and Judge Roslynn R. Mauskopf (E.D.N.Y.)
- 2015: Judge George B. Daniels (S.D.N.Y.)
- 2016: Judge Nicholas G. Garaufis (E.D.N.Y.)
- 2017: Judge Frank P. Geraci (W.D.N.Y.)
- 2018: Judge Jed S. Rakoff (S.D.N.Y.)
- 2019: Judge Geoffrey W. Crawford (D. Vt.)

Dialoguers with Justice Ginsburg:

- 2014: Judge Mae A. D'Agostino (N.D.N.Y.) and Judge Richard J. Arcara (W.D.N.Y.)
- 2015: Judge Joanna Seybert (E.D.N.Y.) and Judge Dora L. Irizarry (E.D.N.Y.)
- 2016: Judge Denny Chin (2d Cir.) and Judge Colleen McMahon (S.D.N.Y.)
- 2017: Judge Raymond J. Lohier (2d Cir.) and Judge Joan M. Azrack (E.D.N.Y.)
- 2018: Judge Pierre N. Leval (2d Cir.) and Judge Kiyoo A. Matsumoto (E.D.N.Y.)
- 2019: Bankruptcy Judge Carla Craig (Bankr. E.D.N.Y.) and Magistrate Judge Kevin N. Fox (S.D.N.Y.)

I note that our 2019 dialog featured for the first time a bankruptcy judge and a magistrate judge.

C. New York State-Federal Judicial Council

Our Court has enjoyed excellent relations with our state court colleagues throughout the circuit. I note with special appreciation the warm friendships built with the Chief Judges of the State of New York, the late Judith S. Kaye and her successors, Jonathan Lippman and Janet DiFiore. Much thanks to our judges who have served on the New York State-Federal Judicial Council, chaired currently and ably by Judge Kevin Castel of the Southern District of New York. Among the initiatives of the Council is a joint

examination of judicial security and how it might be improved, drawing upon the resources of the federal and state system.

V. Serving the National Judiciary

As chief judge, I have been privileged to serve on the Judicial Conference, and by appointment of the Chief Justice, to be a member of the Judicial Conference's Executive Committee, to chair the Supreme Court Fellows Commission, and to serve until 2015 as chair the Committee of the Judicial Branch of the Judicial Conference. With regard to the Supreme Court Fellows Commission, I have very much enjoyed hosting each year Counselor to the Chief Justice Jeffrey P. Minear in a discussion for our law clerks about the unique fellows program. As a member of the Judicial Conference, I have endeavored to make sure that the great talent of our colleagues is recognized through assignment of judges of the courts of the Second Circuit to the committees of the Judicial Conference. We have had substantial success in that effort, including having judges within our circuit appointed to chair committees, owing to the high quality of the judges in the courts of the Second Circuit.

VI. In Conclusion

I end where I began, with deep appreciation to all in the Second Circuit family for your support. As chief judge, in many talks before various groups and organizations, I have always felt proud and humbled by the legacy of our Court. What a special responsibility it has been to be a temporary administrative custodian of this storied institution.

With my term ending on August 31, I look forward to returning to full time judging, to continuing to work on our civic education program, and to more teaching and writing. I also hope to devote more attention to access to justice projects, especially focused on adequate representation of immigrants, which for me have long been matters of concern. I know that Judge Debra Ann Livingston will serve the Second Circuit as chief judge with great dedication, and I would be privileged to be of any assistance to her and to the Court in the years ahead.

With every good wish for continuing fulfillment and good health,

Robert A. Katzmann