

**Federal Judges Association  
Executive Committee Meeting Minutes  
Omni Shoreham Hotel  
Washington, DC  
May 24, 2017**

In attendance: Judges Allyson K. Duncan (president), Marilyn L. Huff (president-elect), Cynthia M. Rufe (vice president/communications & publications), Charles R. Simpson, III (vice president/congressional liaison), Karen E. Schreier (vice president/membership), Gerald Bruce Lee (vice president/security & planning), Richard R. Clifton (secretary), Dan A. Polster (treasurer), and Executive Committee members Deborah A. Batts, J. Michelle Childs, Leo M. Gordon, Virginia M. Kendall, Philip R. Martinez, Kathleen M. O'Malley, Jerome B. Simandle, and Kathryn H. Vratil.

Judges Grady Jolly and Wiley Daniel (both past presidents) and James O. Browning were also present.

Also attending: Beth Palys, Megan Freedman, and Grace Jan (all with Management Solutions Plus).

Judge Duncan called the meeting to order at 2:03 p.m.

## **Minutes**

The minutes of the May 17, 2016 Executive Committee meeting were approved.

## **Treasurer's Report**

Judge Polster presented the report. Written reports are contained in the Board Book starting at page 25. The FJA is solvent. The efforts to reduce spending on board meetings has produced positive results. The new schedule for the meeting has cut down on the total number of hotel nights, with most board members staying for just one night. Money has also been saved in the conduct of the meeting, such as spending on audio visual equipment in large part due to the efforts of MPS. The increase in net income shown on the financial statement from \$73,865 (for the period from April 2015 to March 2016) to \$101,512 (for April 2016 to March 2017) has primarily come from the savings on the cost of the board meeting. Judge Simandle noted that the Total Equity of \$658,784 is the highest ever.

Approval was given to pay stipends to staff assistants of certain officers: up to \$1500 per year for assistance to Judge Polster for this past year and up to \$1500 for assistance to Judge Duncan for the past two years. Similar stipends in the future for assistance to Judges Huff, Polster, and Childs are anticipated but will not be formally requested or approved until next year.

Approval was given to expenditures for a joint congressional reception on Wednesday, September 13, at an estimated cost of \$1000 (one-third of the reception cost, shared with the Magistrate Judges Association and National Conference of Bankruptcy Judges) plus limited travel expenses for attending committee members. Last year a total of approximately \$4000 was spent for both the share of the reception and the travel costs. Other judges who may be in the area are invited to attend the reception, including judges from the Washington area or judges who may be in Washington for the meeting of the Judicial Conference on Tuesday of that week. Judges interested in attending should let Judge Simpson know in advance, so their names can be added to the list. He should also be advised in advance of members of Congress or staffers with whom attending judges have relationships, so they can be specially invited to the reception.

The Quadrennial Committee was authorized to make expenditures and undertake obligations for next year's program.

Judge Polster advised that it is planned to commission a compilation of income and expenditures for the 2018 Quadrennial at a cost of up to \$5000. A request to that effect will be made at next year's meeting.

Payment of FJA's annual dues for the International Association of Judges (1,767 Euros) was approved. Approval was also given for the expenditure of \$15,000 to assist with some of the expenses of seven FJA members for attending the annual IAJ meeting in Santiago, Chile in November 2017. Those members will be Judges Duncan, McKeown, Huff, Rufe, Simpson, Carter, and Kendall. Judges Duncan, Huff, Rufe Simpson, and Kendall abstained from the latter approval.

### **Resolution honoring Jill C. Sayenga**

A resolution honoring Jill C. Sayenga on her retirement as Deputy Director of the Administrative Office of the Courts was approved:

WHEREAS, Jill C. Sayenga is the Deputy Director to James C. Duff, Director of the Administrative Office of the United States Courts, having been appointed to that position by the Chief Justice of the United States, John G. Roberts, in January of 2007; and

WHEREAS, as Deputy Director, Jill C. Sayenga has been responsible for providing the management and oversight of day-to day operations at the Administrative Office of the Courts, implementing short-term and long-term goals, objectives and policies, as well as ensuring that the activity of all the elements of the Administrative Office functioned in support of its management goals; and

WHEREAS, for ten years, in the position of Deputy Director Jill C. Sayenga has been a friend of the Federal Judges Association (FJA), attending its Board meetings, reporting on the activities of the Administrative Office of the Courts, and providing advice and assistance to the FJA and its members whenever called upon; and

WHEREAS, Jill C. Sayenga has retired from her service as Deputy Director of the Administrative Office of the Courts and will be deeply missed by the members of the FJA;

RESOLVED, That on behalf of the FJA, the Board of Directors extends its warmest gratitude and appreciation to Deputy Director Jill C. Sayenga.

The resolution will be given to Ms. Sayenga at the Board dinner later this evening. She and Director Duff are both expected to attend.

### **Benefits Committee report**

Judge Gordon presented the report. A written report is contained in the Board Book on page 39. A printout of a slide presentation to be presented at tomorrow's board meeting was also distributed.

Starting next month, the committee will launch a series of "meet and greet" sessions, sponsored on a local basis, with the benefits consultant (FedAdvantage). The goal is to increase judges' understanding of existing and potential insurance coverage. (As was noted, many of us don't know what we don't know.)

It was observed that federal judges have flag rank equivalent to generals and admirals in protocol terms. The committee is continuing its efforts to encourage USAA to treat judges as eligible for coverage by that company.

Judge Batts asked about benefits that are available to Executive and Legislative Branch officers but that not have not been extended to date to the Judiciary. Judge Gordon acknowledged that there were such programs, giving as an example a program to forgive student loan debt. Efforts continue to be made to encourage extension to judges. Judge Simpson asked if any such efforts would require action by Congress, noting that the AO's Legislative Officer has urged that the Judiciary try to keep a low profile on budget matters in the near term.

Judge Vratil described a program she attended sometime in the 1990's that helped judges with tax and investment advice. That might be something for FJA to pursue, possibly as part of the Quadrennial or as a subject of discussion in brochures and the FJA website. A survey could be considered to ask FJA members what information they would find useful.

### **Communications Committee report**

Judge Rufe presented the report. A written report is contained in the Board Book starting on page 43.

The FJA website is still emerging and growing. It wouldn't be as timely but for assistance from intern Tyler Sanborn and from Megan Freedman and Lynn Turner at MPS. It is now easier to update the information on the website. The site still needs more submissions from FJA members of their writings. Further efforts should be made with the AO, with court and community committees of the various courts and circuits, and with individual judges to encourage posting of materials. For a while there was a technical problem with posting on the message board. That problem is being worked on now and is expected to be resolved very shortly. It is planned to use the website extensively for Quadrennial communication and registration.

Judge Gordon suggested that judges posting notices from which they anticipate responses should be sure to include their email addresses or other contact to make it easier for readers to communicate in response to the post.

### **International Association of Judges report**

Judge Huff presented the report. A written report on the October 15-20, 2016 IAJ meeting in Mexico City is contained in the Board Book starting on page 33.

This was the first IAJ meeting attended by Judge Huff. She came away very impressed. IAJ is a useful organization worthy of FJA's support. She described the leadership roles filled by Judges Simpson, Hall, Duncan, and McKeown, set out in more detail in the written report.

### **Membership Committee report**

Judge Schreier presented the report. A written report is contained in the Board Book starting on page 63. Membership has increased since the last meeting from 1,077 (as of April 2016) to 1,105. It was noted that in the longer term there has been the customary decline in membership since the last Quadrennial and also that the number of judges may have declined given the very limited number of confirmations during the past election year.

The committee consists of one member from each Circuit. Many committee members are hitting the term limit for service on the FJA board. Judge Schreier asked for suggestions for new members of the committee. That person is assigned primary responsibility for membership from that circuit.

Judge Schreier thanked Judge Rufe and the Communications Committee for their work on the new FJA membership cards and brochures. A membership card was sent to each member since the last Board meeting. The committee recommends that a new card be sent to each member every two years. The new membership brochure was finalized last year. A copy is contained in the Board Book starting on page 65.

A listing of members by circuit is contained in the Board Book starting on page 95. Board members are asked to identify judges missing from the list and to urge them to become FJA members.

When new judges are confirmed, they are sent a letter from the FJA president, with follow up from the Membership Committee. Judge Jeremy Fogel, director of the Federal Judicial Center, has indicated that FJA may participate in new judge orientation programs when those are again held.

### **Judicial Independence Committee Report**

Judge Childs presented the report. A written report is contained in the Board Book starting on page 61.

The Federal Bar Association Government Relations Committee has agreed to serve as a point of contact for Judicial Independence issues. The AO public information staff is also available to help deal with responses to attacks on judges. Efforts are being made to gather articles regarding Judicial Independence to be posted on the FJA website. Videos have been prepared and will be posted as well.

### **2018 Quadrennial Report**

Judge Childs presented the report. A written report is contained in the Board Book starting on page 61.

The program will be held on Sunday-Tuesday, May 6-8, 2018. (The 2018 Board meeting will precede the membership gathering. It may include a dinner Saturday, May 5, at the Dolley Madison House.) The theme of the program will recognize the 150<sup>th</sup> anniversary of the Fourteenth Amendment. Judge Childs commended Judge O'Malley for doing a great job on the program. It will include a tribute to Justice Ginsburg, during which she will be interviewed by some of her biographers. Programs on cyber security and judicial independence are also planned, along with sessions on benefits and an opportunity to register for Global Entry. The Supreme Court has declined the use of its building for a reception due to the size of our meeting. Efforts are being made to obtain an invitation for a reception at the White House, as in past years, but it has never been possible to confirm that event far in advance, and there are some doubts about whether it will be available next year. It is hoped that the featured event for the 2018 Quadrennial will be at the new National Museum of African-American History & Culture.

Judge Huff reported that the Federal Bar Association has historically subsidized the opening reception at the Quadrennial. Judge Gelpi has been asked to coordinate that request. In addition, grant requests have been submitted to the Spencer Williams Foundation for Judicial Independence for costs and expenses in connection with certain proposed speakers at the Quadrennial and also for a national civics education essay contest, partnering with the FBA.

The civics education essay contest will be one of the responsibilities of a new FJA Civics and Service Committee to be chaired by Judges Anthony Battaglia and Janis Sammartino, both from the Southern District of California.

### **Board Meeting Relocation Report**

An ad hoc committee was created at last year's Board meeting to explore the possibility of holding the annual Board meeting at a different location starting in 2019 in order to save money, Washington, DC, being an expensive city for hotels. (The 2018 Quadrennial will be held in Washington, as usual.) Judge Lee presented the report. A written report is contained in the Board Book starting on page 59.

The committee's recommendation that the 2019 meeting be held in Dallas, Texas, at the Fairmont Dallas, on Monday-Tuesday, April 15-16, 2019, was approved. The hotel rate will be \$146 per night, providing a substantial savings compared to \$229 per night this year.

### **Other Committee reports**

Written reports from the Bylaws Committee, International Rule of Law Committee, Legislative Liaison Committee, Nominating Committee, Security Committee (security tips), and Senior Judges Committee are contained in the Board Book.

### **Other business**

Judge Vratil noted that the Bylaws were amended last year to give the Board the authority to set number of at large directors per circuit up to a maximum of four (except for the Federal Circuit and the CIT, which have one each) and asked if there would be a proposal to reduce the number allocated to any circuit. Judge Duncan responded that no such proposal had been submitted for consideration this year, with the Quadrennial scheduled for next year, but that the question will be considered by the Bylaws Committee for the future.

The meeting was adjourned at 3:55 p.m.

Respectfully submitted,

Richard Clifton  
Secretary