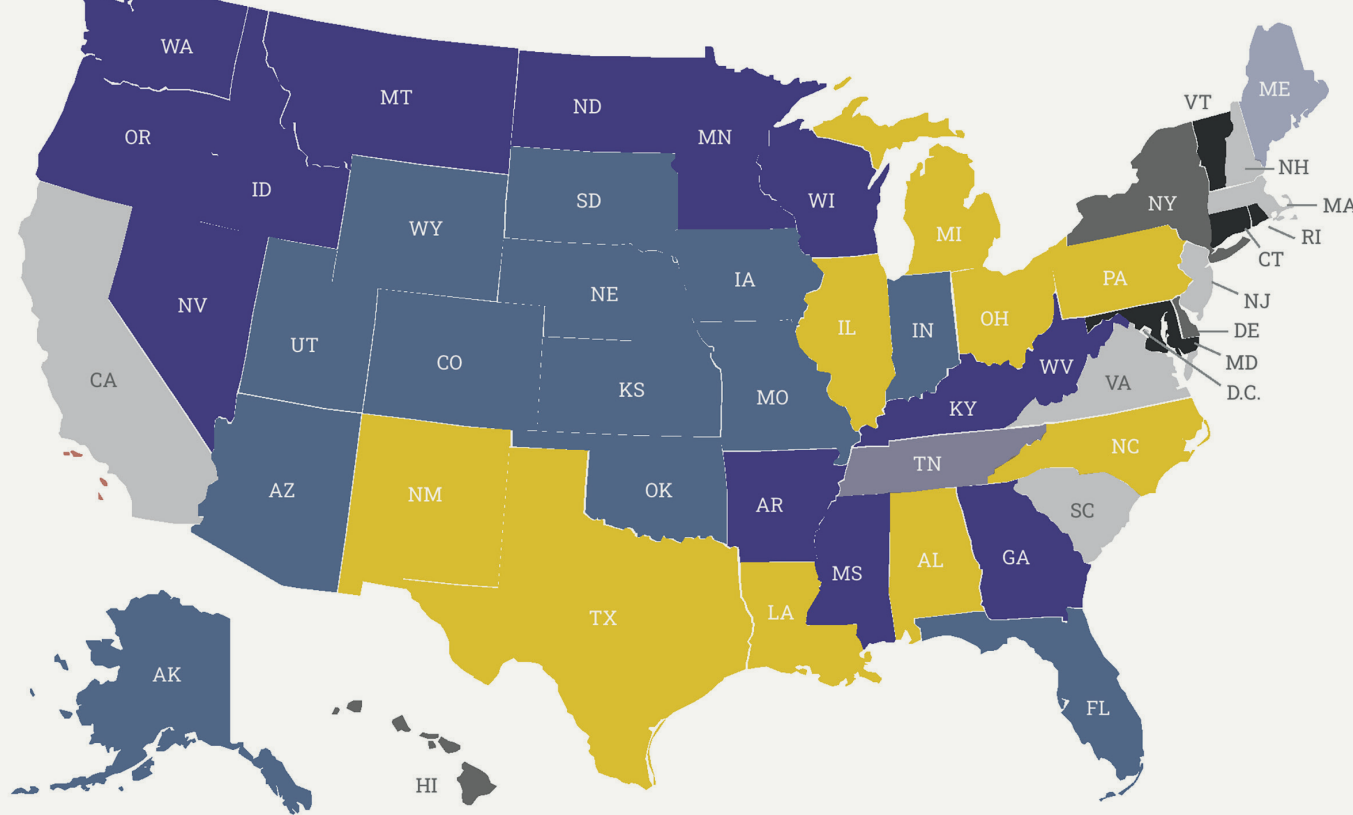


# LAW DAY

## Voices of Democracy

Judicial Selection Methods for the Court of Last Resort in Each State



- Nonpartisan Election (13):** Arkansas, Georgia, Idaho, Kentucky, Minnesota, Mississippi, Montana, Nevada, North Dakota, Oregon, Washington, West Virginia, Wisconsin
- Partisan Election (9):** Alabama, Illinois, Louisiana, Michigan, New Mexico, North Carolina, Ohio, Pennsylvania, Texas
- Gubernatorial Appointment From Judicial Nominating Commission (13):** Alaska, Arizona, Colorado, Florida, Indiana, Iowa, Kansas, Missouri, Nebraska, Oklahoma, South Dakota, Utah, Wyoming
- Gubernatorial Appointment From Judicial Nominating Commission With Consent of the Legislature (4):** Connecticut, Maryland, Rhode Island, Vermont
- Gubernatorial Appointment From Judicial Nominating Commission With Consent of the Senate (3):** Delaware, Hawaii, New York
- Gubernatorial Appointment With Consent of Legislature (2):** Maine, Tennessee
- Other (7):**
  - Gubernatorial Appointment With Confirmation by Commission on Judicial Appointment (1): California
  - Presidential Appointment From Judicial Nominating Commission With Senate Confirmation (1): District of Columbia
  - Gubernatorial Appointment With Approval of Elected Executive Council (1): Massachusetts
  - Legislative appointment (1): Virginia
  - Legislative Appointment From Judicial Nominating Commission (1): South Carolina
  - Gubernatorial Appointment With Consent of Senate (1): New Jersey
  - Gubernatorial Appointment From Judicial Nominating Commission With Approval of Elected Executive Council (1): New Hampshire

Design: Monika Kozak/ALM | Compiled by Brian Lee

## How New York Selects and Elects Its Judges



**Joseph A. Zayas**  
Chief Administrative Judge  
New York State  
Unified Court System

The theme of this year's Law Day is "Voices of Democracy." The United States will hold its 60th presidential election this fall. So, this year's theme appropriately emphasizes the importance of citizens understanding how the electoral process works, debating important issues in a civil and informed way and, ultimately, turning out to vote.

Understanding how elections work is essential to any basic understanding of how democracies function. Most people, hopefully, have a general understanding of how legislators and executive leaders are elected at the state and federal levels. But New Yorkers, in my experience, know very little about how judges are chosen in our state, even though most people appreciate that the courts have a profound impact on their lives.

Judges, of course, resolve discrete disputes between parties—over things like the custody of a child, a disagreement about what a contract means or whether someone's negligence was the cause of an injury. They also articulate legal principles of much broader applicability—for example, setting limits on when a police officer can stop and frisk someone on the street; defining what kinds of speech are protected under the First Amendment; and continuing to flesh out the sorts of discrimination that violate the Equal Protection Clause of the Fourteenth Amendment.

It is for this latter reason that the nomination of Justices to the U.S. Supreme Court has long been seen as deeply consequential. The public pays attention to Supreme Court nominations because they are concerned about how the appointment of a new Justice might affect issues that people care a lot about, like access to reproductive health care, the ability of States to regulate gun ownership and possession, or the use of affirmative action in college admissions decisions. Indeed, in just the past couple of years, we have seen precedent-shifting decisions from the Court in all of these areas.

Until very recently, however, the selection of judges in New York—including the appointment of judges to our highest court, the Court of Appeals—has not received the same degree of public attention. This is unfortunate. After all, the decisions made by our state court judges, including interpretations of New York's Constitution, could have an even greater impact on the day-to-day lives of New Yorkers than the decisions of the U.S. Supreme Court.

So, how are judges in New York selected? The short answer is,

in several different ways. Some judges are appointed by elected officials. The Mayor of New York City, for example, appoints judges to the Criminal Court and Family Court, based on recommendations made by an advisory committee.

The governor appoints judges to the Court of Claims, which is the exclusive forum in New York for litigating claims seeking damages against the state or certain other state-related entities. The governor also appoints the Justices of the Appellate Division.

When a vacancy arises on the Court of Appeals, interested candidates apply to the Commission on Judicial Nomination, which consists of members appointed by the governor, chief judge and the leaders of the Senate and Assembly. The Commission vets the applicants and submits a list of qualified candidates for the governor's consideration. The governor's choice » Page 13

### Judicial Selection In New York

- Court of Appeals**
  - Candidates nominated by Commission on Judicial Nomination
  - Governor appoints
  - Confirmed by the Senate
- Appellate Division**
  - Appointed by Governor
- Supreme Court**
  - Elected
- County Court**
  - Elected
- Family Court in NYC**
  - Appointed by the Mayor Of the City of New York
- Family Court Outside NYC**
  - Elected
- Surrogate's Court**
  - Elected
- Court of Claims**
  - Appointed by Governor
- NYC Civil Court**
  - Elected
- NYC Criminal Court**
  - Candidates nominated by Mayor's Advisory Committee On the Judiciary
- City Court**
  - Elected
- District Court**
  - Elected
- Town & Village Justice Court**
  - Elected

Source: The Fund for Modern Courts

## Let's Get Engaged!



**Norman St. George**  
First Deputy  
Chief Administrative Judge  
New York State  
Unified Court System

Law Day, first established in 1958 by President Dwight D. Eisenhower, is a day of national recognition of the principles of law in our government and in our society. Each year, Law Day provides us with an opportunity to promote an enhanced understanding of our legal framework and to underscore its significance in our system of government. This year, in celebration of Law Day, we recognize the "Voices of Democracy", emphasizing the fundamental role of people in democracy. A democracy, today and in the future, depends on the active engagement of all members of our society. In short, civic engagement is a must.

Chief Judge Rowan D. Wilson recently pledged that the Unified Court System will do its part, and perhaps more than its part, to combat the crisis in civics our nation faces by energizing civic engagement (see "Energizing Civic Engagement in New York", New York Law Journal, Jan. 16). Sharing that sentiment, Chief Administrative Judge Joseph A. Zayas has envisioned a comprehensive plan to take our New York state courts out into the communities.

As a court system, we must educate the public and our youth about the role of the Judiciary and the importance of our courts in our democratic system of government. We must emphasize the duty

and commitment to guarantee and protect the rights of all, especially those most vulnerable in our society. Critically, we must demystify the courts. By doing so, we inform New Yorkers about the extensive services offered in our courts and the valuable role our courts play in the community.

To accomplish the Chief Judge's pledge and the Chief Administrative Judge's vision, we have established a statewide civic engagement program led by a coordinator. The statewide civic engagement coordinator will develop and implement civic engagement programs in every one of our judicial districts throughout the state to promote meaningful connections between courts and the communities we serve. These programs will enhance public understanding of the roles and operations of the courts within New York state.

The coordinator will work closely with both our Office for Justice Initiatives, which operates under the brilliant tutelage

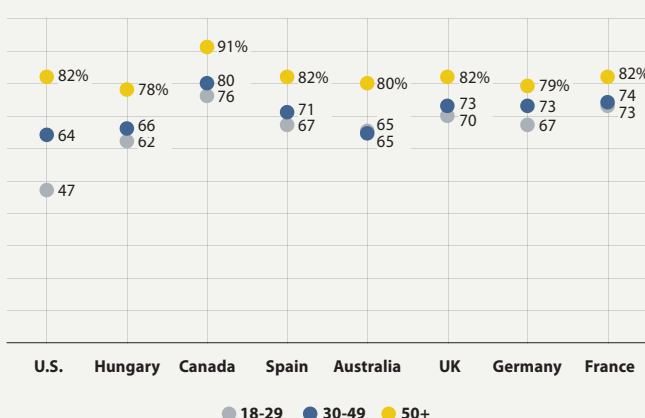
of Deputy Chief Administrative Judge Edwina G. Richardson, and our Communications Department led by Director Al Baker. As we know, civic engagement can take many forms and we are excited to launch new programming including interactive civic education programs for students, teachers and the public. In addition, there will be a Speaker's Bureau of Judges, non-judicial personnel and members of the Bar who will discuss the work of the courts at schools and community events.

Our new civic engagement programs will also propel collaborative efforts with schools, faith-based and community-based organizations to draft materials to enhance understanding of the courts and to create educational programs highlighting the importance of jury service and social justice. And that is just the beginning.

These invigorating new programs will encompass a wide range of activities and complement our already thriving » Page 14

### Older Adults in Some Countries Place More Importance on Voting Than Younger Adults

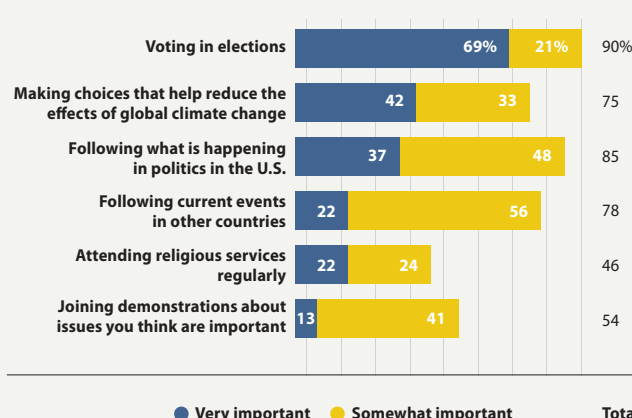
The gap is largest in the U.S., where 82% of those ages 50 and older say this, compared with 64% of those 30 to 49 and 47% of adults under 30.



Design: Monika Kozak/ALM

### Voting Regarded as Highly Important for Good Citizenship by Nearly 70% of Americans

Percentage of U.S. adults who say each of the following categories is important to be a good member of society.



Source: Pew Research Center, 2022 Surveys

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### LAW DAY:

Kylie Marshall, Sections Editor  
Monika Kozak, Design

# Creating the Next Generation of Engaged Citizens



**Dianne T. Renwick**  
Presiding Justice  
Appellate Division,  
First Department

Reflecting on this year's Law Day theme, "Voices of Democracy," evokes memories of when my passion for civic engagement first began. When I was young, I participated in the Girl Scouts of the USA, which taught me what it means to be an involved citizen. It was through this group that I first actively engaged in the practice of civic responsibility and began to understand the principles of citizenship—the importance of volunteering in our community, regularly voting, and communicating with our local leaders and fellow citizens on issues of concern.

For our democracy to thrive, we must avail ourselves of the rights we have as citizens: among them, the right to vote, the right to serve as a juror, the right to petition our elected officials. To assert these rights as adults, our youth

should be exposed to the fundamental concepts of citizenship, the three branches of government, and the rule of law. Simply put, civic education is vital to emboldening the multitude of "voices of democracy" and ensuring that our democracy withstands the test of time.

All three branches of our government are, of course, equally essential to maintaining the balance of power and the proper functioning of our democratic system. Nonetheless, as a member of the Third Branch, it is particularly important to me that we maintain the integrity of the judicial system, not only by adjudicating cases promptly and fairly, but also by fostering respect and appreciation for an independent judiciary and the value and purpose of the law.

Given the apparent decline in civic understanding and engage-

ment in recent decades, as judges, it is important to play an active role by creating sustained programs that will provide promising and lasting effects into the future (see, e.g., "Americans' Civics Knowledge Drops on First Amendment and Branches of Government", Annenberg Public Policy Center. As I wrote last year, we must equip our youth with the information and values necessary to engage intelligently and respectfully on democratic principles and the issues of the day. If young people see that they can play a role in the development of society and the law, even before they are old enough to vote or serve on a jury, they will feel more empowered to exercise their rights and, consequently, help to strengthen our democracy.

Accordingly, I am pleased to announce the launching of the Justice Forward Initiative at the Appellate Division, First Department, to cultivate that same formative experience for young students that I was fortunate to enjoy as a child. We will pursue our mission of creating the next generation of engaged citizens by educating students on how our laws are implemented, expand-

ing their understanding of our judicial system, and exposing them to career opportunities in the courts.

On May 3, we will hold our inaugural Law Day program in our majestic courtroom with approximately 60 high-school students. I am delighted that Justice Bahaati Pitt-Burke, who has years of experience teaching community college students, has graciously agreed to succeed me as chair of the court's Anti-bias Committee, which will be implementing this exciting new initiative.

Working with students in grades 6 through 12 from schools in Bronx and New York counties, we will host programs throughout the year that are centered on democratic principles, our tripartite system of government (particularly the role of an independent judiciary) and the rule of law. To make this a more true-to-life learning experience, we will host student groups at the courthouse to meet with judges in our landmarked courtroom, listen to oral arguments, discuss the impact and importance of the issues raised, and be asked how they would decide a particular case.

Additional components of the program will include » Page 13

# A Recommitment To Civic Engagement



**Hector D. LaSalle**  
Presiding Justice  
Appellate Division,  
Second Department

"Dialogue is born from a respectful attitude toward the other person, from a conviction that the other person has something good to say. It supposes that we can make room in our heart for their point of view, their opinion and their proposals. Dialogue entails a warm reception and not a preemptive condemnation"

—(Jorge Mario Bergoglio [Pope Francis], in Jorge Mario Bergoglio and Abraham Skorka, "Sobre el Cielo y la Tierra", Translated by Alejandro Bermudez and Howard Goodman, in "On Heaven and Earth", Image, 2013, at XIV).

it has separated us from one another. With all of its benefits, nothing compares to person-to-person interaction, the energy of a room, and the importance of a collective discussion.

New York state courts and their partners in the legal community have historically provided open public forums where a wide array of subject matter have been discussed and debated. A quick, but not comprehensive, review of several events that have taken place over the last seven months exemplifies this tradition.

On Oct. 25, 2023, the Queens County Bar Association sponsored a virtual conversation with Associate Justice of the U.S. Supreme Court Sonia Sotomayor, which was moderated by Appellate Division Justice Valerie Brathwaite Nelson. Attendees were afforded the rare opportunity to engage with a member of our nation's highest court and to hear her unfiltered thoughts on a range of topics. This was an excellent example of New York attorneys contributing to the public discourse in our great state.

On March 4 the Historical Society of the New York Courts, Sullivan and Cromwell and The Fund for Modern Courts presented "Judicial Independence: The Israeli Experience", which was sponsored by the New York State Bar Association. The event was presented in a hybrid format and allowed attendees to hear from several speakers including Hon. Yoram Danziger, former judge of the Israel Supreme Court and Hon. Avichai Mandelblit, immediate past Attorney General of the State of Israel. Each speaker remained after the formal event concluded, graciously answered questions, offered opinions on issues affecting the judiciary in Israel, and presented comprehensive comparisons to circumstances affecting judicial independence in New York state.

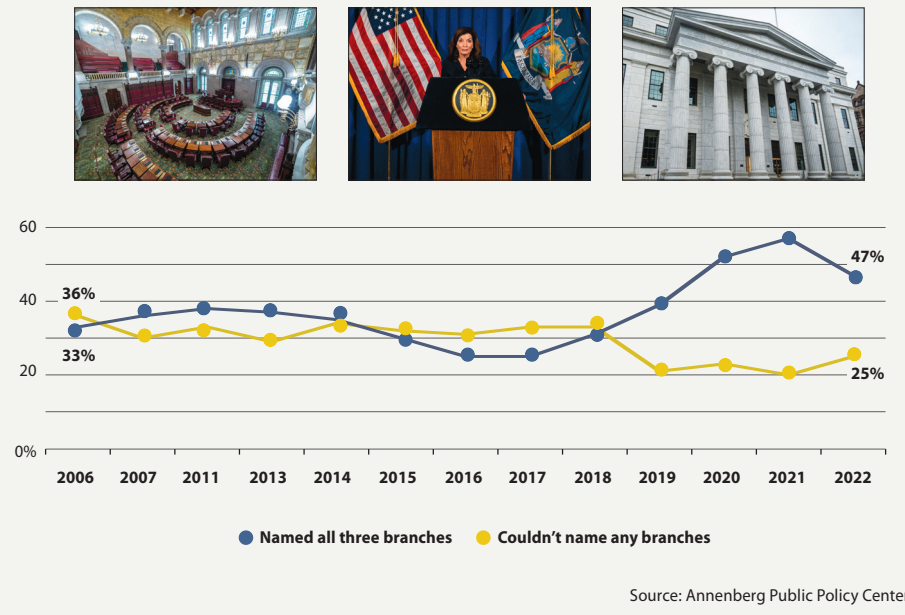
Most recently, on April 16 the Suffolk County Bar Association, in conjunction with the Long Island Hispanic Bar Association, sponsored an in-person conversation with Kings County District Attorney Eric Gonzalez. The event was moderated by Rudy Carmenaty, Deputy Commissioner of the Nassau County Department of Social Service. The speakers included Oscar Michelen of Cuomo Inc. and two individuals who had served considerable terms of imprisonment before being exonerated by the Kings County District Attorney's Conviction Integrity Unit. This insightful event provided an opportunity for the community to consider the factors that led to the wrongful convictions at issue and to propose suggestions aimed at ensuring that such devastating errors would not be repeated. Again, the discussion among the attendees generated an enlightening and fruitful engagement.

The justices of the Appellate Division, Second Department recognize that we have » Page 14

## Decline in Knowing First Amendment Rights

- **Freedom of speech** was cited by 63%, down from 74% in 2021 and 73% in 2020.
- **Freedom of religion** was named by 24%, down from 56% in 2021 and 47% in 2020.
- **Freedom of the press** was named by 20%, down from 50% in 2021 and 42% in 2020.
- **Right of assembly** was named by 16%, down from 30% in 2021 and 34% in 2020.
- **Right to petition the government** was named by 6%, down from 20% in 2021 and 14% in 2020.
- One in 4 respondents (26%) said they can't name any or don't know, compared with 17% in 2021 and 19% in 2020.
- Over half of those surveyed (51%, compared with 61% in 2021) incorrectly believe that the First Amendment requires Facebook to allow all Americans to express themselves freely on its platform. However, the First Amendment only protects citizens from government censorship, not private entities like Facebook.

## Percentage of People Who Can Name The Three Branches of Government



# Integrity and Moderation: Fostering Faith in the Judiciary



**Elizabeth A. Garry**  
Presiding Justice  
Appellate Division,  
Third Department

The theme of Law Day this year, "Voices of Democracy," emphasizes the importance of turning out to vote in the upcoming elections and implores voters to express their views and aspirations for the path our nation will take in the coming years. As citizens, we have the duty and privilege to shape the future at the ballot box, by paying attention to current events and making our voices heard on public issues, and through involvement with our communities in various paths of service.

As a judge, I can only encourage everyone to inform themselves, be engaged citizens, and vote in all

elections. Judges, and the courts, have a strictly limited role in any form of politics. We are, of course, called upon to adjudicate election disputes at every level, as a last resort—from assessing designating petitions or eligibility to reviewing actual votes cast—and political players and parties of our government do appear before us. When these matters arise, as in any case, our neutrality and impartiality must be beyond reproach.

The authority and legitimacy of courts to resolve legal disputes lies at the very heart of the democracy that we shape through our vote.

In a recent poll conducted

by the National Center for State Courts (NCSC), when asked how much confidence they have in various public institutions, 61% of respondents answered that they have either some confidence or a great deal of confidence in their state courts. This was on par with, but slightly higher than the expression of trust in most other public bodies. Although public confidence in the courts dipped after 2020, the NCSC poll suggested that the 2023 responses may indicate a continuing rebound.

A number of specific attributes also showed improvements in public perception, including the notion that courts are fair and impartial, treat people with dignity and respect, serve as an appropriate check on other branches and are unbiased in case decisions.

Troublingly, however, the NCSC poll also indicated that an increasing number—more than 60%—of citizens view their state judiciary as a political institution. And while this number was unaffected by

party affiliation, the increase was driven in part by younger voters who responded to the survey. As summarized in the NCSC analysis, the ratings' "greatest deficit is on displaying political bias, as Americans see their state courts as political by a margin of nearly 2-1; this is the only attribute that continued a steady decline in this survey, underscoring the importance of addressing a concern that clearly rests at the very center of public doubts about the courts" (see "2023 State of the State Courts – National Survey Presentation and Analysis", National Center for State Courts (Dec. 18, 2023)).

These survey results emphasize how important it is to continue working to promote civics education, and to directly address these perceptions and concerns. Our New York State Court System and its leadership have undertaken concerted efforts to innovate, improve access to justice and foster civic engagement. I am hopeful that the advancement of those efforts will help to bolster public trust in the judiciary, and thus, help us better serve our communities.

Courts help to maintain peace in our society by providing a venue for people to resolve problems without resorting to » Page 14

This year's Law Day theme, "Voices of Democracy," provides an opportunity for New Yorkers to recommit to the exercise of our constitutional right to assemble peacefully and engage on issues of the day. These rights both protect the individual and strengthen our nation by allowing a communal free exchange of ideas, which can benefit all aspects of society. The New York legal community has traditionally led in providing platforms and forums for many of these interactions to take place. These efforts are more important than ever.

The creation of the "information superhighway," coupled with the emergence of digital platforms, promised to transform the speed and ability of people to communicate with each other. In September 1996, Jim Barksdale, then-CEO of Netscape Communications Corporation, stated, "the Internet is the printing press of the technology era" (quoted from Joshua Cooper Ramo, "Winner Take All", Time, Sept. 16, 1996).

Those promises have proven to be true. The ability to exchange ideas with others around the globe in real time is a technological marvel that has provided the world with considerable positive outcomes.

Conversely, the digital world has also provided society with situations not immediately apparent in 1996. Disinformation, illusions and patently inflammatory content are widely disseminated through the internet, with little if any safeguards to minimize their impact. The internet and digital platforms allow individuals the opportunity to access information specifically tailored to their interests. The dizzying proliferation of "news" platforms which provide consumers with "facts" that support their current view has an effect on the New York landscape.

The digital world, with all of its positive attributes, has contributed to a society where our exposure to news, social commentary and, in turn, each other, is increasingly "siloeed."

One may argue that a collateral consequence of the digital era has been that a technology intended to tighten our social ecosystem may be contributing to its division. While the internet was thought to bring societies closer together, in some ways,

## Public Trust in Institutions Has Stabilized After Years of Falling

Confidence in Government Institutions	2023	2022	Change
Local Police Department	76%	75%	+1
State Court System*	61%	60%	+1
State Legislature*	59%	55%	+4
U.S. Federal Court System	57%	57%	0
Governor*	55%	54%	+1
U.S. Supreme Court	54%	53%	+1

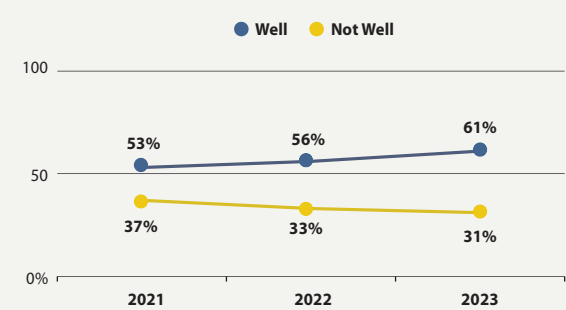
Confidence in Government Institutions	% Total Confidence		
	Lib	Mod	Cons
State Court System*	56%	65%	61%
U.S. Federal Court System	54%	62%	55%
U.S. Supreme Court	27%	54%	75%

\*Question customized by state for each respondent

Design: Monika Kozak/ALM | Source: National Center for State Courts, 2023 Survey

## An Increasing Number See the Courts as Political

Voters by a margin of nearly 2-to-1 describe their state court system as political (61% describes well, 31% describes not well), with the shift spanning party and ideology but driven primarily by younger voters and women across political affiliation.



## State Courts Rebound on Positive Attributes

State Courts – Positive Attributes	2023		2022		2021	
	Well	Not Well	Well	Not Well	Well	Not Well
Hard working	53%	39%	52%	40%	55%	36%
Fair and impartial	51%	42%	47%	47%	50%	42%
Provide equal justice to all	46%	48%	43%	49%	46%	47%
Provide good customer service to people in the court system	42%	42%	41%	44%	41%	45%
A good investment of taxpayer dollars	42%	48%	40%	51%	43%	48%
Innovative	32%	52%	33%	53%	33%	53%

# Regardless of Judicial Philosophy, Judges Want Just Results in Each Case



**Gerald J. Whalen**  
Presiding Justice  
Appellate Division,  
Fourth Department

A healthy democracy requires the preponderance of differing views, and those differences often lead to disputes that are resolved by the judiciary. In the service of resolving such disputes, the work of an appellate justice can be simply described as reading the law and applying it to the facts of a given case. You can imagine providing this explanation to a curious non-attorney at a social gathering and receiving the response: "Well how hard can that be? You just follow whatever the law says."

Of course, the audience for this article is primarily attorneys, who understand the deceptive simplicity inherent in that description, and the countless complications that may arise in "reading the law and applying it to the facts." Easier said than done. An attorney litigating a case must determine which law to read and, just as critically,

which facts are most salient to the case. These considerations are equally relevant to the judges who determine the disputes that come before them.

However, as an appellate justice, there is yet another critical consideration that must be accounted for—how to read the law. For example, should we read the words of a statute through the lens of the drafters' intent, or should greater weight be given to modern mores? Is it appropriate to consider the text in a vacuum, or should the history surrounding a law's enactment have some influence? And should the approach change when we look at the constitutions of the United States or the state of New York, rather than federal or state statutes?

These are discussions that lawyers begin engaging with during the first semester of law school, and that continue to reverberate

throughout our careers, including for those judges who sit on the highest courts of the land. One need only read the majorities and dissents in any number of recent high-profile cases dealing with principles of constitutional law—such as *New York State Rifle & Pistol Association v. Bruen* (597 US 1 [2022]) or *Obergefell v. Hodges* (576 US 644 [2015])—to observe these debates through the words of some of our most respected contemporary jurists.

Obviously, there is no single agreed method for reading the law, from the flexible approach propounded by Benjamin Cardozo in *The Nature of the Judicial Process*, to the pragmatism of Oliver Wendell Holmes, to the strict originalism advanced by Antonin Scalia or the treatment of the constitution as a living document by Ruth Bader Ginsburg—each of these perspectives reflects the invaluable diversity of judicial voices that support a strong democratic system.

This multitude of approaches can be confusing to the legally untrained observer, like those curious party guests. They may fear that, without uniform guidelines, the application of law to the facts of each case is left to the whim of individual judges, who may be

unduly influenced by their personal beliefs and biases. In my opinion, there is no need for such concern.

For decades, I have witnessed judges at their work, first from the perspective of a trial lawyer, and for the past 18 years as a colleague on the bench. From my observations, the judges who serve our state, as well as their counterparts on the federal bench, strive mightily and successfully to set aside individual biases when ruling on the issues before them.

Moreover, although I certainly cannot speak for every judge, I know from my own experience that, no matter what judicial philosophy I seek to follow, my approach must be sufficiently nuanced and flexible to allow me to deliberate over the reading of the law that I believe to be correct, while simultaneously being open to hearing opposing viewpoints, until the point that I have reached a final decision. This is because, regardless of their judicial philosophy, judges want very much to reach a just result in each case. In this way, we endeavor to fulfill our obligation to work toward the most equitable interpretation of the law, and to allow the voices of democracy to be fairly heard.

# Countering Apathy In Young Voters Not Planning To Vote in 2024



**Richard C. Lewis**  
President  
New York State Bar Association

How can we counter voter apathy? We need citizens who are engaged, informed and invested in the workings of our government and the electoral process. For our elections to matter, people need to know that their votes matter—especially young people.

Unfortunately, there is a lack of enthusiasm for this year's presidential election. A Harvard poll indicates that only 49% of young adults ages 18 to 29 plan to vote in November, a decrease of eight percentage points from a similar poll taken before the 2020 election.

One young, first-time voter, Lucy Whiteley, a freshman at the University of Buffalo, tells us that while her friends and peers are aware that voting is necessary, they are discouraged by the choices available to them. "Voting should be something we as Americans, and young people, take pride in instead of dread, which is mostly what I am seeing from my peers and social media," she writes. "Although I hope most young voters know how important we are to the future of our country and do our part in voting and making thoughtful change."

When more young people vote and get involved, more people listen to their voices. Part of the problem is that Americans—especially young voters—are overwhelmingly not informed about civics and how our government works. Without this knowledge, people are less interested in the democratic process as well as voting itself.

As lawyers, we have a role to play in ensuring and promoting the rule of law, as well as imparting civics knowledge to all citizens. The New York State Bar Association is dedicated to fixing this problem because our mission is to educate and inform the public. This is why we are hosting an event on this very topic on May 9. We aim to ensure New Yorkers understand what the U.S. Constitution guarantees, why the history of our democracy is important and how it all works.

As part of our Civics Convocation, U.S. Supreme Court Associate Justice Sonia Sotomayor will deliver virtual remarks to an audience at the Bar Center in Albany. She will also answer questions from students, helping spark their interest in the democratic process. With a memorable experience like that, this event is sure to engage them in understanding how government works.

The Civics Convocation will bring together luminaries from the worlds of education, government and law to examine a troubling lack of basic knowledge among adults and young people about civics. For example, a 2023 study from the University of Pennsylvania's Annenberg Public Policy Center found that only 5% of U.S. adults could name all five freedoms guaranteed in the First Amendment, and only 30% could name three or four (for the record, these rights are freedom of speech, freedom of religion, the right to assembly, freedom of the press and the right to petition the government).

Similarly, a Pew Research study from last November found that fewer than half of Americans know how long a full Senate term lasts, or who chooses the president if the Electoral College is tied (that's six years and the House of Representatives, respectively). The study also found that older adults are more likely than younger people to know such basic facts about our government. Education is the only way we can reinvigorate our democracy.

It's hard to feel invested in democracy when people are not

informed. As one of our Civics Convocation speakers, Nick D'Amuro, describes it, part of the problem is that all curriculums need to place a greater emphasis on civic education itself—meaning to start at the elementary and middle school levels. "Students must see their role in the story of their nation and their part to play," he says.

As part of our Civics Convocation, we are inviting students of all grade levels to participate and ask questions. We hope that this event sparks students' interest in civics and the democratic process, as this is sorely needed. More youth involvement in politics and elections will be a benefit to us all. It will literally pay off for decades to come.

A study from Yale University indicates that voting is habit-forming, meaning that people who are encouraged to vote in this election are more likely to vote in future elections. Many of the people involved with our Civics Convocation are pushing forward for education in our schools and communities.

For his part, D'Amuro has been leading efforts to foster dialogue across the political divide and boost civic education in rural school districts around Rochester. He especially points to the Seal of Civics Readiness as an important step in getting students interested and invested. The New York State Education Department awards this honor to students who demonstrate a commitment to civic education through courses and special projects.

One of D'Amuro's former students, Elise Quincey, now a freshman at SUNY Brockport, received her Seal of Civic Readiness through a capstone research project on sustainability and environmental policy. She says that the project helped her learn about local and national politics. "I feel that this project was a steppingstone that helped bridge the gap between high school into college," she writes. "It definitely prepared me for the type of critical thinking that is expected at Brockport."

Another bright spot in civic education is the passage of a law requiring all high schools in New York state to form a student government—bringing the process of participating in a democracy directly to students. Senator Shelley Mayer, who will be a speaker at our Civics Convocation, has championed this bill. As she explains it, this encourages students to practice leadership while learning to compromise. It gives students the tools to come up with their own ideas and have their own voice.

We hope and encourage lawyers to volunteer and advise these new student governments. Civic education is a lifelong pursuit, and there is always something we can do to aid it—both as citizens and as lawyers.

Part of our mission in promoting civic education is to encourage citizens to talk to each other civilly so they can work together to solve problems, learn how to spot misinformation and become more informed voters. The people leading this charge have found that when people learn how to disagree with each other, it strengthens positions and enhances debate.

As Quincey tells us, "My values do not always match those of my friends or family, and that's OK. We shouldn't treat other people negatively for their political opinions; they should be seen and heard. You don't always have to agree with someone to be a good person."

We are grateful that our many prestigious guests will be at our Civics Convocation to address these issues and find solutions. The future of our democracy depends on conversations like this and continued action to educate and inform young people about their responsibilities as citizens—including being responsible, informed voters.

RICHARD C. LEWIS is the president of the New York State Bar Association. He serves as special counsel at Hinman, Howard & Kattell in Binghamton, where he focuses on litigation and business law.



One of polling station in New York during 2020 election. Many election workers across U.S. faced hostility during and after the 2020 election due to unproven accusations of election theft. According to a 2023 Brennan Center for Justice study, nearly one-third of election officials reported being abused, harassed or threatened due to their work. As a result, more officials quit, and those who remained took steps to increase their security.



A New Yorker put an "I Voted" sticker on his jacket after voting in Brooklyn in the 2020 election. "If young people see that they can play a role in the development of society and the law, even before they are old enough to vote or serve on a jury, they will feel more empowered to exercise their rights and, consequently, help to strengthen our democracy," First Department Presiding Justice Dianne T. Renwick writes.

# Saving Our Republic



**Jerry H. Goldfeder**  
Chair  
Task Force on Voting Rights  
And Democracy

In May 2019, I had the opportunity to address the graduating class of Fordham Law School. After I gave the relatively common advice to the soon-to-be-lawyers to adopt a flexible attitude toward their careers, I focused on the following year's election:

As a teacher of election law I would be remiss not to say this. It is not partisan to acknowledge that the state of our nation is fraught. That the rule of law is being compromised. So whomever you may support in the presidential election, this graduating class has a solemn duty to be involved, to make certain that our constitutional democracy is preserved—to save our Republic.

Little did I realize that the normative and institutional guardrails of our republic would be severely tested in the ensuing year and a half—a defeated president who attempted to foil peaceful succession; a wide-ranging plot by attorneys to undermine the legitimacy of the electoral process, coupled with a slew of frivolous lawsuits; and an armed attack on the United States Capitol.

Fortunately, like 10 of his defeated predecessors, former president Trump left Washington after losing. Yet, there is a swath of the population that continues to question the integrity of our elections, including the former president who is seeking to reclaim the Oval Office; there are foreign governments involved in disinformation campaigns on social media that are fueling the "big lie"; and we are witness to traditionally neutral election administrators quitting under pressure or being replaced by partisans.

Bar associations and a variety of civic groups across the country are working overtime to preserve our democratic norms and the rule of law—and these efforts are deep and broad. Examples include the filing of amicus briefs opposing restrictive voting laws; op-eds, podcasts, seminars and reports on legal issues impacting the presidential election; and an active monitoring of legal ethics of those involved in campaign-related litigation. Indeed, with an eye toward holding accountable those who attempted to upend the 2020 election, a robust cottage industry of legal commentators has emerged to analyze and explain the various civil cases and criminal trials against the former president and his allies.

Attorneys are thus quite engaged in 2024.

However, there is an abiding sense that all of this may not be sufficient to stave off a highly contentious election whose pro-

cedures and results will be challenged at every step of the way. The number of lawsuits, though prevalent in almost every election since *Bush v. Gore*, reached a crescendo in 2020, and will undoubtedly increase this year—potentially creating confusion and inconsistencies in how Americans in fifty-one jurisdictions cast their ballots and whether they will be counted.

Worse than such judicialization of our elections, though, is a fear that political violence, like we saw in Lansing, Michigan in 2020 and at the United States Capitol in 2021, may be a prelude to disruptive conduct at polling sites in November and at Electoral College meetings in December. In fact, a prominent candidate for the United States Senate is encouraging her supporters to arm themselves ahead of the election.

So, while former Secretary Jeh Johnson of the U.S. Department of Homeland Security wisely determined that election infrastructure was a national security issue, DHS now needs to affirmatively work with state law enforcement agencies and local bar associations to protect polling places and Electoral College meetings.

As we approach our 60th presidential election, let's be honest—it is shaping up to be unlike any other since the Civil War and its aftermath. Preparation by federal and state authorities to ensure a free and fair election, with the active support of the legal community, is, I am sad to say, necessary. One need not be an alarmist to think this—just a cold-eyed realist.

I will conclude this essay with two stories. After the 1876 presidential election was stolen from him, the Democratic candidate, Samuel J. Tilden, spoke at a meeting in Manhattan and said the following:

Everybody knows that, after the recent election, the men who

were elected by the people as President and Vice President were counted out; and the men who were not elected were counted in and seated. If my voice could reach throughout our country and be heard in its remotest hamlet, I would say: Be of good cheer. The Republic will live. The institutions of our fathers are not to expire in shame. The sovereignty of the people shall be rescued from this peril and re-established.

I like to recount his remarks because I believe doing so nurtures optimism about the future, and, so far, Tilden's view has been borne out. I certainly hope he continues to be right.

My last story features a Runyonesque character of New York politics. His name was Danny DeFrancesco. He was from East Harlem, and rose up through the ranks at the New York City Board of Elections to become executive director. He always had a smile, and although not an attorney himself, was eager to advise young lawyers, whether representing insurgents or incumbents. His main tenet was there would always be another election, so keep your powder dry and don't take wins or losses too personally. But, when all was said and done, he had to make sure that votes were counted properly and those taking office actually won and losers did not feel cheated. To fulfill this goal, he had a simple credo: "Every Election Day I pray. I pray for a just result. And toward that end, I pray for a landslide."

This year, as attorneys from across our nation seek to ensure a fair process and a just result, let's keep in mind that probably the best insurance is a decisive electoral margin. Lawyers who might feel more comfortable in court or conference rooms would, therefore, be well advised to take on the additional role of political advocates. At the end of the day, perhaps that is the most effective way to save our republic and preserve the rule of law that we so cherish. We need to prove Tilden right.

JERRY H. GOLDFEDER, senior counsel at Cozen O'Connor, writes the Election and Political Law column in the New York Law Journal. He is director of Fordham Law School's Voting Rights and Democracy Project and serves as a member of the ABA Task Force for Democracy and NYC Bar Association's Rule of Law Task Force.



Members of the National Guard were seen in and around the U.S. Capitol building in Washington, D.C., in January 2021 in preparation for President Joe Biden's inauguration. Early that year, supporters of outgoing President Donald Trump stormed the Capitol in an attempt to stop Biden's confirmation, claiming Trump's election was stolen.



Demonstrators with the group ShutDownDC marched from Black Lives Matter Plaza to the D.C. offices of King & Spalding to protest the lawsuits that the firm, along with Jones Day and Porter Wright, filed on behalf of Donald Trump's campaign challenging the 2020 Presidential Election results in November 2020.

## Calling All Lawyers To Protect the 2024 Election



**Susan J. Kohlmann**  
President  
New York City Bar Association

If you are a lawyer, you are an "officer of the court," that is, a "person who has an obligation to promote justice and effective operation of the judicial system." And, in becoming a lawyer, you swore to uphold the constitutions of the United States and of your state. We lawyers then have a special obligation to step up now to protect the electoral system that is the very foundation of our democracy and the rule of law.

That's because the threats to our elections are growing more formidable and varied with each election cycle. According to the Brennan Center for Justice, for the upcoming election we can expect to see refusals to concede, refusals to certify election results, efforts to discredit voting machines, efforts to tamper with voting data and equipment, massive public records requests, recruitment of election deniers to serve as poll watchers and workers, threats against election officials and workers, voter intimidation, mass voter challenges, "election police forces," anti-voter lawsuits, anti-voter legislation and unprecedented levels of disinformation.

The New York City Bar Association recently hosted a virtual program, cosponsored by the ABA Task Force for American Democracy, the Brennan Center for Justice and We the Action, on "Safeguarding the 2024 Election: The Role for Lawyers." Among the vital themes that emerged was the nonpartisan nature of election protection, as illustrated by the makeup of the panel, which

included Jeh Johnson, who was Secretary of Homeland Security in the Obama administration, and Ben Ginsberg, famous for defending George W. Bush in *Bush v. Gore*. I think we can't emphasize enough that taking action in defense of the right to vote and the justice system that protects it are not partisan activities. The role of lawyers transcends party affiliation and political inclination.

The City Bar has a web page—"Election Protection Opportunities for Lawyers"—where lawyers can find information and links to projects that will be deploying volunteer lawyers across the country in advance of the November elections. These include We the Action's "Voter Vanguard" project, which will respond to election administration issues, counter voter purges, educate voters on their rights, and staff call centers across the country. They have projects requiring sustained commitment, but also ones estimated to take as little as one to five hours, including remote projects like monitoring election board meetings. "There's something for everyone," says the organization's Executive Director Anna Chu.

These efforts matter greatly when you consider that our national elections are administered locally, and shenanigans in one or two swing states can decide a national election. As Secretary Johnson puts it, "Our election results dance on the head of a pin."

Among the most serious threats to our democracy is the

increasing level of disinformation. We are witnessing an alarming rise in election denialism—the rejection of legitimate vote tallies without credible evidence of fraud or irregularities sufficient to alter the outcome of elections—often in the Orwellian guise of "election integrity." The result of this firehose of disinformation is a corrosive distrust of the electoral system and its results, with a third of Americans not believing our elections are reliable. Such rejection of the electoral process by which we choose our leaders foments unrest, incites violence, and is a threat to democracy itself.

What can lawyers do about disinformation? What lawyers do best: Speak! The sentiment among our panel was that while our national politics seem almost hopelessly toxic, there tends to be much more of a sense of community and willingness to reach across the partisan divide on the local level. Mr. Ginsberg, who co-chairs the Election Official Legal Defense Network, which will connect pro bono attorneys with election administrators who need advice or assistance (another volunteer opportunity), is also working on a project called "Pillars of the Community." The idea is to recruit community leaders, including from the bar, to meet with their local election officials to learn how elections work in their jurisdiction so that they can publicly validate the systems and the results.

We lawyers need to speak loudly and clearly in our own community when we see disinformation actually invading the courts. When lawsuits are filed that don't meet Rule 11 standards or are outright frivolous, we need to point out when ethical lines are being crossed.

While the City Bar is a voluntary organization that is not involved in the licensing and disciplining of lawyers, we spoke out about a certain New York lawyer's

conduct in connection with the 2020 election. As Wendy Weiser of the Brennan Center said, "It does not speak well for lawyers how front and center lawyers were in the efforts to overturn the election, and it would speak very well for the bar to rein that in for future elections."

We also need to speak out in defense of the judges, clerks, jurors, prosecutors and witnesses who make up the justice system that is the ultimate protector of our elections. Most of them are unable to protect themselves from the increasing wave of character attacks and threats that some politicians, including those who aspire to the highest office, have directed at them in press conferences and rallies or on mainstream and social media.

The judiciary was instrumental in protecting our democracy in over 60 court cases challenging the results of the 2020 election—cases overseen by judges appointed by both Republicans and Democrats—and our judges will need confidence in their independence and safety to be able to do their part in protecting this year's election as well. To that end, the City Bar has put out a statement in support of Justice Juan Merchan, who is overseeing the criminal trial of our former president.

Because free and fair elections are how "the consent of the governed" is determined in our democracy, it is safe to predict that the grave and unprecedented threats to our elections in 2024 will be seen as a fraught moment in American history. As officers of the court and stewards of the rule of law, it is our obligation to meet the moment to protect the upcoming election and, with it, our democracy.

SUSAN J. KOHLMANN is president of the New York City Bar Association and a partner at Jenner & Block.

## Threats to Election Workers: How Lawyers Should Respond



**Marcy L. Kahn**  
Chair  
Task Force on the Rule of Law



**Alan Rothstein**  
Vice Chair  
Task Force on the Rule of Law

The bulwark of our election system is the election workforce. From Secretaries of State, to local election commissioners and managers, to people who work the polls (who in some states are volunteers), we rely on these dedicated workers to assure that elections run fairly and smoothly. Traditionally, these people had the respect and appreciation of the community.

However, during and after the 2020 election, a wave of hostility inundated many of them. Entirely unproven accusations that the election was stolen have led to a huge number of direct threats to election workers, generally through hostile and occasionally grotesque phone calls, emails and social media posts. Election workers' personal information has been shared; their families have been harassed and intimidated.

According to a 2023 study from the Brennan Center for Justice, nearly one in three election official respondents say they have been abused, harassed or threatened because of their work as an election official. The Colorado Secretary of State received 191 threats in March 2024 alone, an acceleration of a disturbing trend. Threats come to Republican and Democratic officials; party affiliation does not provide insulation. More than three in four election officials have reported increased threats in recent years.

The result is a substantial increase in the number of election officials who have quit. A survey by the Bipartisan Policy Center found 39% of election officials left between 2018 and 2022, an increase from 28% in the previous four-year period.

In some areas, the situation is worse. Forty percent of chief local election officials in the 11 western states have left office since the 2020 election, taking with them a combined 1,800 years of election experience. In Arizona, 12 out of 15 counties have lost a top election official since 2020. In Pennsylvania, 40 of 67 counties lost a top election official between the 2020 election and the end of 2023.

Those officials who remain have taken steps to increase security, including training sessions, barriers and additional security personnel.

HON. MARCY L. KAHN (retired) is the chair and ALAN ROTHSTEIN is the vice chair of the New York City Bar Association's Task Force on the Rule of Law.

At least 16 states have enacted penalties for threatening or harassing election workers. Legislatures in several other states are considering such legislation. Some states allow election workers to protect disclosure of their personal information through government databases.

Unfortunately, even protecting election workers from threats has become politically charged. While Indiana, Montana and North Dakota have enacted election-worker protection legislation in the past year or so, the governors or legislatures in Virginia, Florida and South Dakota have vetoed or killed such bills.

The argument is these laws might infringe on First Amendment rights. Indeed, law enforcement officials in a number of states have expressed concerns about enforcing such legislation. The Department of Justice has a task force to prosecute election threats, although they have brought charges against only 20 individuals since being set up nearly three years ago, while receiving over 2,000 complaints. In addition, law enforcement officials in a number of states have spoken about treading carefully when dealing with these cases.

Nevertheless, election worker protection legislation is needed to curb outright threats, intimidation and harassment designed to deter election officials from doing their job properly. Prosecutors and courts can effectively sort protected speech from activities that go well beyond that, and they should be given the statutory tools to do so.

A threat to an election worker is a threat to our democracy. Those who pitch vitriol at these dedicated public servants seek to undermine our trust in what they do, and thereby our trust in the worth of elections. What can lawyers do about it?

First, speak out in your communities whenever you learn of such threats, and support the people who step forward to oversee elections as their public duty.

Second, advocate for election-worker protection statutes in your state. The organization Public Citizen has a tracker of which states have this legislation, so you can see whether your state is on the list.

Third, lawyers can serve as poll workers. Lawyers have the knowledge and experience to understand the procedures and apply them fairly. There is particular need to serve on

## Giving a Stronger Voice to Smaller Donors



**Joanna Zdanys**  
Senior Counsel  
Brennan Center for Justice



**Marina Pino**  
Counsel  
Brennan Center for Justice

The 2024 election cycle is projected to be staggeringly expensive, with billions of dollars expected to pour into federal, state and local campaigns. If recent elections are any guide, most of that money will come from a small group of wealthy donors. Their disproportionate influence sidelines the voices and interests of everyday constituents who don't have access to private wealth.

But New York state now stands to interrupt that trend and give more voters a bigger say in the

political process. The state's Public Campaign Finance Program, which boosts the value of constituents' small campaign donations with government funding, is in effect for the first time for the 2024 state legislative elections. This is an investment in civic participation at a time when American democracy really needs it.

Big money has long had a grip on New York's politics. The 2013 Moreland Commission to Investigate Public Corruption condemned the state's longstanding pay-to-play political culture as "greased by a campaign finance system in which large donors set the legislative agenda." Under that system, the Commission observed that the voices of the vast majority of New Yorkers were "drowned

out by the blare of big money."

The most recent statewide elections showed that the problem persists. In the 2022 state election cycle, just 200 big donors outgave all 206,000 small donors—defined in New York as those giving \$250 or less. That tracks with trends at the federal level, where in the 2022 midterms, the 100 largest donors to federal campaigns contributed 60% more than all 3.7 million small donors.

But with public campaign financing now available for state elections, New York is starting a new chapter—one where more constituents' voices can be heard in the electoral process. The law creating the program in 2020 was intended to ensure "to ensure a government that is accountable to all of the voters of the state regardless of wealth or position."

The result is the strongest campaign finance reform enacted anywhere to counter the influence of outsized wealth in politics. More than 300 legislative candidates from across the political spectrum and state have registered for the program this year—for context, that's more than 70% of the total number of candidates who ran in 2022.

The voluntary program matches constituents' low-dollar donations of \$250 or less. Candidates who opt in must qualify for the program by meeting certain fundraising thresholds to demonstrate community support. After that, the small donations they receive can be matched

with public funds at a ratio as high as 12-to-1 for legislative races and 6-to-1 for state races. That means that a \$10 contribution to state legislative candidates can be matched with \$120, making it worth \$130 to the campaign.

This elevates the voices—and the priorities—of everyday New Yorkers relative to wealthy donors with specific agendas. And because donations must be from the people a candidate seeks to represent—inside the district for legislative candidates and within the state for statewide races—the program enables and incentivizes candidates to run competitive campaigns fueled by constituents.

Research by the Brennan Center for Justice and OpenSecrets shows that the program can significantly increase small donors' political importance in New York elections. If public financing had been available for the most recent state legislative elections in 2022, the financial power of small donors could have increased six-fold from 11% to as much as 67% of all campaign funds—and all of it from donations within candidates' districts.

With the first public funds payments going to participants this month, the program is already boosting the role that small donors play in state elections. Preliminary analyses suggest that publicly financed legislative candidates who had also run for legislative seats in 2022 are raising a greater share of their overall

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# The Case for Moving NYC Elections To Even-Numbered Years



**Frederick P. Schaffer**

Director  
Citizens Union Foundation

Since the 1990s, voter turnout for local elections in New York City has decreased every election cycle, with the 2021 election seeing record-low turnout. This is a troubling trend given the profound impact our local government has on our day to day lives. From schools to parks to older adult services to public safety and sanitation, elected officials at the local level are making decisions that shape our communities.

One of the biggest reasons we see low rates of voter participation in local elections is because they are held “off cycle,” in odd-numbered years. Meanwhile, presidential and gubernatorial elections (along with races for other federal and state offices) are held “on cycle” in even-numbered years. Since 2001, New York City’s mayoral elections have averaged a turnout of less than 30%, lagging far behind turnout for gubernatorial (35.6%) and presidential elections (60.8%).

The impact on turnout is seen in down ballot races as well. Elections for assembly, which are held on-cycle, consistently see higher turnout than races for city council, which are held off cycle.

The off-cycle election calendar depresses turnout, increases voter fatigue, and attracts an electorate that doesn’t reflect the diversity of our city. This isn’t an accident: our municipal election cycle wasn’t meant to foster a more inclusive democracy. During the late 1800s, New York City switched between on-cycle and off-cycle elections four times, and

each switch was motivated by a political party to benefit its own interests.

Then, a coalition of Republicans eager to weaken Democratic machines in New York City, Brooklyn (still a separate city) and Buffalo, and reformers who wanted to weaken Tammany Hall’s vaunted voter turnout operation, joined forces at the constitutional convention of 1894. They managed to pass a mandate requiring all cities in New York hold municipal elections on odd-numbered years.

But a 130-year-old political arrangement no longer serves the voters of today. New York should move its local elections to even-numbered years—a reform that has been enacted by over 100 cities and several states. Consolidating city elections with races for president or governor is the easiest way to increase the number of New Yorkers voting in races for key city offices. Not only will this dramatically boost voter turnout, it will lead to a more diverse, inclusive electorate.

We have seen the positive impact of this reform throughout the country. Phoenix, Austin, El Paso and Baltimore have all made this shift, and turnout rates in these cities have increased by as much as 46%. In November 2022, Los Angeles held its first local election in an even-numbered year, and turnout nearly doubled. Legislatures in California, Arizona, Nevada and Montana have all adopted statewide measures to move local elections to even-numbered years.

Shifting elections to even-numbered years would do more than just boost turnout: it would also reduce the racial disparities caused by our current election calendar.

A recent study by the Harvard Election Law Clinic looked at turnout data from several counties in New York and found that minority voters made up a much smaller portion of the electorate in odd-numbered years than they did in even-numbered years. In New York City, an analysis of turnout across the five boroughs found that majority-minority assembly districts see the sharpest turnout gains in even-numbered year elections compared with odd-numbered years.

Aligning our mayoral election with federal elections is also a chance to give young people a stronger voice in how the city is run. The turnout rate for New Yorkers aged 18 to 28 is five times higher in presidential elections compared with mayoral elections. In cities in California that switched to even-year elections, the turnout rate for younger voters nearly doubled.

Critics of shifting municipal elections to even-numbered years say that this will lead to a less-informed electorate. They claim that with so many races on the ballot, voters will not have the time to research down-ballot races or will only pay attention to the top of the ticket.

But voters already vote in elections that feature presidential and statewide races with local elections. Even-year ballots often have elections for a dozen offices and mix local races for judicial positions with higher-profile contests. In high-turnout elections, campaigns reach out to more voters. This means more constituents will receive information about local issues, creating a larger, more informed voter base. That will make our democracy stronger in the long run.

Accomplishing this reform would require amending the New York State Constitution. Lawmakers cannot change the date of city elections through statute because Section 8 of Article 13 explicitly requires all elections of city officers to be held on odd-numbered years. The constitution also sets the length of judicial terms and the timeline for filling vacancies in law enforcement offices. Therefore,

shifting the timing of elections for judges, district attorneys, county sheriffs and county clerks must also be done by amending the constitution.

We are inching toward making this a reality. Last December, Governor Kathy Hochul signed legislation introduced by Senator James Skoufis and Assembly Member Amy Paulin that moves local elections that are not bound by the state constitution to even-numbered years. Starting in 2026, county and town elections across New York will gradually align their election calendar with presidential and gubernatorial elections.

When Governor Hochul signed the bill, she announced her support for a constitutional amendment that would move other elections, including in cities, to even years. A constitutional amendment is currently being introduced in the Legislature. Once approved by two consecutive legislatures, the constitutional amendment would be presented to New Yorkers as a ballot question.

Given the clear benefits of this reform, it’s not surprising that it enjoys broad public support. A national poll shows that 70% of voters favor this reform across partisan spectrums. When Los Angeles, Phoenix and Austin put this question before the voters, the referendum passed with over 70% of the vote in each city.

Here in New York, a Siena poll found that a majority of Democrats and a plurality of independents and Republicans support the idea. The same poll found that the reform has support from New Yorkers regardless of income, age and ethnicity.

We need to do something bold to give more New Yorkers a say in choosing the people who make decisions that impact the neighborhoods they live in. Moving local elections to even-numbered years would boost voter turnout and help narrow participation gaps, particularly among voters aged 18 to 29 and in communities of color. It’s a common-sense reform that will have a transformational impact on our local democracy.

## Zayas

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from that list must be confirmed by the State Senate.

Other judicial positions in New York are elected offices—including Family Court and City Court judges outside of New York City, District Court judges on Long Island, Surrogate’s Court judges, and Justices of the Supreme Court, New York’s superior trial court of general jurisdiction. The unique process by which political parties choose their nominees for Supreme Court Justice positions is likely unfamiliar to many New Yorkers, and yet they appear on the ballot every year. Instead of having direct primary elections, nominees are chosen at judicial nominating conventions held in each of New York’s 13 judicial districts. The delegates who attend these conventions are themselves elected, in earlier races that take place in the various assembly districts within the judicial district.

The election of judges in general, and New York’s process for electing Supreme Court Justices in particular, have been the subject of criticism. In fact, a First Amendment challenge to our system of nominating Supreme Court Justices (which was ultimately rejected) went all the way to the United States Supreme Court in a case called *New York State Board of Elections v. Lopez Torres* (552 U.S. 196 [2008]).

The broader critique of electing judges is encapsulated in this observation by former Justice Anthony Kennedy, which he offered in his concurring opinion in the *Lopez Torres* case: “The rule of law, which is a foundation of freedom, presupposes a functioning judiciary respected for its independence, its professional attainments, and the absolute probity of its judges. And it may seem difficult to reconcile these aspirations with [participation in the electoral process]”—a process that, by its very nature, involves the exertion of political pressures and often necessitates fundraising.

Kennedy went on to note, however, that given that most states elect at least some of their judges, judicial elections are not going away. We should therefore work to ensure that these elections are geared toward “select[ing] judges with the highest qualifications.” And we should also recognize, Kennedy continued, that judicial elections “present[] the opportunity, indeed the civic obligation, for voters and the community as a whole to become engaged in the legal process,” and for “society to discuss and define the attributes of judicial excellence.”

I am not going to suggest that New York’s system is perfect. But I can say, from my own experience, that seeking a party’s nomination for a Supreme Court judgeship—as I did successfully in 2016 (and three times unsuccessfully before that)—can include the sort of meaningful community engagement that will both broaden the judge’s perspective and increase confidence in the courts, should he or she ultimately be elected.

That, at least, is how I tried to campaign. I arranged meetings with district leaders from diverse neighborhoods throughout Queens—my own community, as well as Astoria, Long Island City, Woodside, Jackson Heights, East Elmhurst, Flushing, Rego Park, Forest Hills and Southeast Queens. I also met with leaders from the African American, Latino, East Asian, South Asian, Jewish and Irish communities. These community leaders represented a broad range of personal and professional backgrounds; they were teachers, secretaries, small business owners, landlords, daycare workers, lawyers, and activists. I listened carefully to everyone I met, and answered their questions about my background and experience, as well as my role at the time, serving as the Administrative Judge of Queens Supreme Court, Criminal Term.

Through these many meetings and conversations, I learned about the issues that communities in different parts

of Queens were concerned about; public safety, young people with guns, case backlogs, the conditions at Rikers Island, and affordable housing and exorbitant rents, came up frequently. These exchanges were extremely valuable to me because, although judges don’t make decisions based on political calculations, sympathy, or “public clamor,” having an understanding of how legal issues play out in the real world is critically important for the judiciary to be perceived as legitimate. And, I should add, for all the talk of “politics” having a corrupting influence on judges, no one ever tried to have an improper discussion with me about a particular case that was pending in the courts, or a specific controversy that was likely to soon end up there.

These meetings were also, I hope, valuable to community leaders, because I tried to help them understand what happens in our courts every day and how judges make decisions. These interactions also hopefully conveyed the human side of judges—that we are pretty much like ordinary people, as opposed to the stereotypical stern presence in a black robe, who occupies an elevated position in the courtroom and bangs a gavel.

As a result of my efforts to build relationships with community leaders, I was able to attract broad support for my campaign to be among the Democratic Party’s nominees that year, and district leaders began to reach out to party leaders to advocate for my nomination. Ultimately, I was nominated by the party and successful again in the general election.

I offer my story as an example of how judicial elections can, as Justice Kennedy put it, allow “voters and the community as a whole to become engaged in the legal process.” I recognize that my experience may be different from that of others who have sought their party’s nomination for Supreme Court. Ideally, however, judicial campaigns will allow the community to get to know the candidates—their experiences, qualifications, temperament, and values—and for candidates, in turn, to gain insight into the legal issues that are of concern to the communities that make up the judicial district they are running to serve.

When this sort of productive back-and-forth occurs, judicial candidates have the opportunity to show that, if elected, they will do their best, day in and day out, to dispense justice fairly and equitably, with empathy, and within the constraints of the law. There is, in short, nothing inherently unseemly about judicial elections.

Indeed, for the same reasons that judicial campaigns can be worthwhile, judges, once they are elected, shouldn’t quietly withdraw into their chambers. They should continue to engage with the community and elected leaders, in an effort to demystify the work of the judiciary and promote confidence in the courts. This is why, as First Deputy Chief Administrative Judge Norman St. George describes in his Law Day piece, the Unified Court System has recently begun to implement a robust civic engagement program.

It is also why I have been urging judges throughout the state, particularly those who preside over our problem-solving courts, to invite legislators into our courtrooms, so that they can see for themselves the extraordinary things our judges are doing every day, and also, perhaps, learn from our judges about ways that the courts’ impact and efficiency can be improved. This sort of ongoing engagement is well worth the time of both judges and legislators.

In closing, on this year’s Law Day, I want to urge New Yorkers not to forget that there are three branches of government; each has different powers, but each, in its own way, shapes how our society functions and affects the lives of our citizens. So, although the presidential election will take center stage in November, don’t neglect the local races, including judicial races.

FREDERICK P. SCHAFER is a director of the Citizens Union Foundation and co-chair of the Citizens Union Policy Committee.

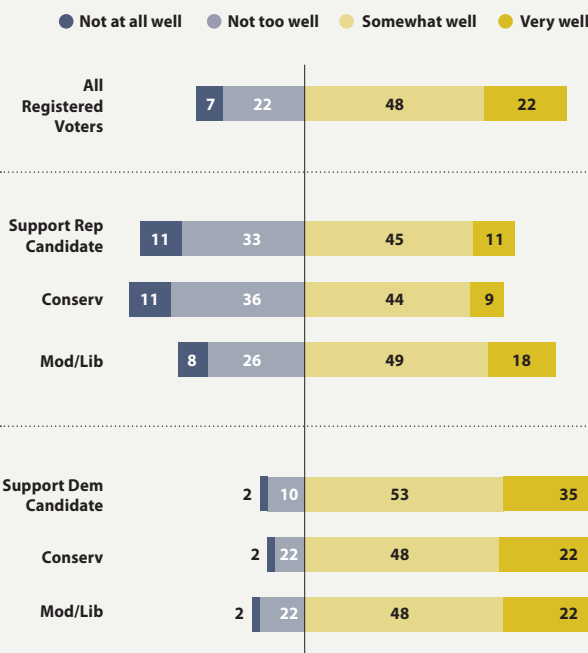


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Rutherford B. Hayes’ inauguration in March 1877 was held with a lot of security due to the controversial presidential election of 1876. Outgoing President Ulysses S. Grant feared a revolt by Samuel J. Tilden’s supporters, who was Hayes’s opponent in the election.

### Conservative GOP Supporters Least Likely To Say U.S. Elections Will Be Administered Well This Year

Registered voters’ perception on how well the elections this November will be run and administered.



Notes: Based on registered voters. No answer responses not shown. Design: Monika Kozak/ALM | Source: Pew Research Center

## Renwick

« Continued from page 10

moot court competitions, resume-building workshops, and presentations on the myriad job opportunities available in the judiciary. Many children in our city and throughout the country would benefit from enriching experiences that can inspire them to consider pursuing meaningful and fulfilling careers. Through this program, we hope not only to ensure that young people are better informed on how our government functions, but also to open their eyes to some of the opportunities that exist in an extremely impactful field that has the power to shape our society.

To expand learning opportunities and kindle students’ varied talents, we are also implementing an annual art contest to coincide with Law Day. The submitted artwork, focusing on themes of justice and democracy, will be displayed in the courthouse, furthering, through the eyes of young student artists, our goal

of contextualizing and updating the First Department’s art and architecture.

In addition to inspiring the students who submit artwork for display, this project will offer the added benefit of enhancing the inclusiveness of our historic courthouse, a monument to justice. Our Representation of Justice Initiative, begun in 2022, to contextualize and add to the art and architecture of the courthouse, led to the installation of “NOW,” a statue of a female figure on the same footing as the previously all-male statues on our courthouse roof. Similarly, the artwork we receive from the diverse students of New York City will contribute to our endeavors to assure all who enter our courthouse that they are welcome here, and that justice is truly “for all.”

As the mother of three young men, I believe that the most important legacy we can leave our children is a robust education and an understanding of the importance of becoming fully engaged citizens. The future of our country depends on pre-

paring today’s youth to become tomorrow’s citizens, lawyers, judges and leaders. For those of us in the legal profession, I cannot think of a more significant legacy to leave than one that ensures the continued engagement of our youth in civic life. We can only do that through civic education programs like the Justice Forward Initiative.

In her memoir, Hon. Constance Baker Motley, one of my personal heroes, wrote of her childhood aspiration to become a lawyer, which went unsupported even by her parents. Although she had never met a woman lawyer growing up, Motley was inspired when she heard of the appointment of Judge Jane Bolin to what is now the New York City Family Court, making her the first Black woman judge in the United States (see Constance Baker Motley, “Equal Justice Under Law: An Autobiography,” 35 [1998]).

Still, Motley wrote, “When I was fifteen, I decided I wanted to be a lawyer. No one thought this was a good idea, and I received no encouragement...For some rea-

son, this lack of encouragement never deterred me.” Thankfully for our nation, Motley was undeterred and went on to become a legendary civil rights lawyer and judge. Yet, I wonder, how many bright students gave up pursuing their dreams because they never received the encouragement that would have helped them to thrive?

It is my hope that our initiative to inspire students in the First Department—through courthouse visits and discussions with judges and nonjudicial staff—will be the spark that ignites some young, brilliant student’s desire to pursue a career in the law, or simply encourages students to become more active citizens or service-oriented leaders.

I look forward to welcoming younger “voices of democracy” into the Appellate Division, First Department courthouse for all the programs which we have planned, and to celebrating Law Day with students in our beautiful courtroom, this year on May 3 and in years to come.

## Kahn

« Continued from page 12

Election Day, Nov. 5. Training will be provided beforehand. Opportunities to serve during early voting are also available in the many states that have early voting. The New York City Bar Association has a web page showing how lawyers can volunteer to safeguard the election, which includes links for signing up as poll

workers in the various states.

Fourth, election officials may at some point need legal defense, and the Election Officials Legal Defense Network, a nonpartisan organization, plans to provide that assistance at no charge, but they need volunteers to step up.

This crisis is imminent. Now is the time for lawyers and others in our communities to step forward to protect the right to a free and fair election.

# St. George

« Continued from page 9  
initiatives. Court tours for diverse groups of all ages and abilities, including student youth organizations and international delegations, are an ongoing success. A wide distribution of Careers in the Courts videos, which highlight the various career opportunities offered in the New York State Unified Court System, have enjoyed exposure to a vast audience. Our courts' internship opportunities, both paid and non-paid, continue to expand in every judicial district throughout the state. Additionally, our yearly Law Day Art Contest, offered in conjunction with the Historical Society of

the New York state courts, which invites high school students to share their interpretations of Law Day themes, garners a great deal of amazing submissions from extremely talented youth around our great state of New York. To ensure we have diverse and engaged jurors, the coordinator will develop programs and outreach on the importance of jury service.

All of these initiatives—new and old—will be front and center at our exhibition booth this summer as the Court System once again participates in our Great New York State Fair.

Through these and other civic engagement efforts, we intend to increase transparency, responsiveness and accessibility within the

courts, all the while advancing our commitment to our Access to Justice and Equal Justice efforts. In the words of former President Barack Obama, "...change only happens when ordinary people get involved and they get engaged..."

On behalf of our New York State Court System, I am confident that our partners in the legal community will gladly and actively join us in furthering this call for civic engagement. We eagerly look forward to collaborating with new and existing partners for the greater benefit of our communities, greater benefit of our courts and for a future brighter than we could imagine. Indeed, democracy is stronger when everyone is engaged. Engage with us!

# Garry

« Continued from page 10  
self-help. Any erosion of the perceived legitimacy of our courts causes direct harm to the efficacy of our laws and the rule of law generally, and dangerously undermines our self-determined way of life. Our democracy is at heart only an idea—an aspirational story that is constantly unfolding, that we can and should all tell together—and it is fragile. In the oft-quoted words of Benjamin Franklin, "a republic, if [we] can keep it."

Law Day encourages us to pause and reflect on its virtues rather than taking it for granted. The rule of law essentially requires us to agree upon certain rules and norms, abide by the law as promulgated by the government that represents us, and comply with orders of the courts that interpret that law in a neutral and impartial manner—even when some outcomes do not align

perfectly with our preferences.

As Alexander Hamilton wrote in Federalist No. 78: "[t]he benefits of the integrity and moderation of the judiciary have already been felt in more states than one; and though they may have displeased those whose sinister expectations they may have disappointed, they must have commanded the esteem and applause of all the virtuous and disinterested. Considerate men, of every description, ought to prize whatever will tend to beget or fortify that temper in the courts: as no man can be sure that he may not be to-morrow the victim of a spirit of injustice, by which he may be a gainer to-day. And every man must now feel, that the inevitable tendency of such a spirit is to sap the foundations of public and private confidence, and to introduce in its stead universal distrust and distrest."

Although we would now use inclusive language, I hope and trust that the spirit of these words survives through our time.

When our courts are called upon to decide election-related matters, it is of paramount importance that the independence, regularity and impartiality of those decisions be unquestionable. I am confident that I may speak on behalf of my judicial colleagues throughout our state when I express the pride we feel in doing our part to ensure checks and balances, in all cases that come before us, and the gravity with which we undertake our duties.

Our founders designed this system in rejection of an all-powerful monarchy, mindful of the many challenges and complications democracy would pose, because self-determination is so very highly preferable to the alternatives of either tyranny or lawlessness. For hundreds of years we have navigated those challenges. We in our state judiciary are committed to doing our part to carry our best traditions forward. May this day serve to remind us of these critical values.

# LaSalle

« Continued from page 10  
a collective responsibility to use our court as a platform for civic engagement. While we are cognizant that the primary purpose of the historic "cathedral of justice" located at 45 Monroe Place is to impartially hear and adjudicate intermediate appellate matters in the ten counties within our jurisdiction, we maintain a collateral responsibility to provide opportunities for community discourse.

To that end, the Appellate Division, Second Department

recently sponsored public events on the topics of artificial intelligence, the importance of Latina leadership in New York and, most recently, in conjunction with the Columbian Lawyers Association of Kings County, a discussion on the history of Italian-Americans in New York. Each event was filled to capacity and was punctuated by a robust (yet cordial) exchange between attendees, demonstrating the appetite New Yorkers have for open, in-person forums where we can learn and engage communally.

New York's legal community continues to be at the forefront of providing accessible platforms

for civic discourse. Our community has positively contributed to New York's long, enduring reputation as a reservoir for incisive and forward-leaning commentary and thought. However, as new technologies continue to emerge, we may be faced with challenges threatening to further isolate us both physically and intellectually from one another.

A recommitment and "doubling down" by New York legal institutions to providing opportunities for civic engagement may be our small contribution to protecting our democracy—a contribution New Yorkers desperately need.

# Zdanys

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funds from small donors than in last cycle's primary races, as earlier analyses predicted.

Public financing can be transformative for candidates who previously might have faced financial barriers to running for office. Speaking about the importance of public financing to her campaign this year, one state Senate candidate highlighted that the program "is a game-changer that makes it possible for a mom like me to run a competitive campaign." New York Attorney General Letitia James, who previously became the first Black woman to win citywide office using New York City's public matching funds program, has said that, "I wouldn't be where I am today if not for public financing."

To be sure, the reform can't by itself resolve existing inequities in our political system, but

it stands as a meaningful step toward a more representative and responsive democracy.

Experience from other public financing programs further reinforces this reform's potential to deepen and broaden New York's democracy. For more than three decades, New York City's program has played a key role in engaging more—and more diverse—donors in the political conversation.

Data shows that New York City's publicly financed candidates raise more of their campaign funds from their own districts and a larger portion of their funds from small donors, compared to their non-publicly financed counterparts. In 2021, the program played an important role in ushering in the most representative and diverse City Council in history.

Given these demonstrated civic benefits, it's no wonder that public financing enjoys public support across party lines and growing national momentum.

So far, 14 states and 26 localities across the country have adopted some form of the policy. Others such as Hawaii, Minnesota and Chicago are actively considering it.

At the federal level, the Freedom to Vote Act would establish a voluntary small-donor matching option for elections to the House of Representatives. That legislation came close to passing in 2022 and remains at the top of the agenda for Congressional Democrats.

At a time of anti-democratic efforts to undermine the public's confidence in voting and elections, New York state is leading the way to ensure small-dollar donors have a stronger voice in politics. With public financing, more people across the state now have a much greater chance of being heard.

Questions? Tips? Contact our news desk: editorialnylj@alm.com

## Calendar

### WEDNESDAY, MAY 1

**NY City Bar (CLE)**  
Consumer Financial Law Symposium  
9 a.m. – 2 p.m.  
CLE credits New York: 3.0 Professional Practice; New Jersey: 3.0 General; California: 3.0 General; Pennsylvania: 2.5 General; Connecticut: Available to Licensed Attorneys  
Webinar Registration Link: <https://services.nycbar.org/Institute/>  
42 West 44th Street, New York  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**NY City Bar (Non CLE)**  
Law Day 2024 Voices of Democracy: Election Protection  
5 p.m. – 6 p.m.  
Webinar Registration Link: [https://services.nycbar.org/Members/Event\\_Display.aspx?EventKey=CIVED50124&mcod e=NYLJ](https://services.nycbar.org/Members/Event_Display.aspx?EventKey=CIVED50124&mcod e=NYLJ)  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Nassau Community College**  
Improving your Presentation and Trial Skills  
3 p.m.  
WHPC Radio 90.3 FM  
Voice stream or Podcast anytime  
[www.NCCradio.org](http://www.NCCradio.org)

### WEDNESDAY, MAY 1 THURSDAY, MAY 2

**Practising Law Institute**  
Developments in Antitrust Law & Regulation 2024  
9 a.m. – 5 p.m. (Day 1)  
9 a.m. – 12:30 p.m. (Day 2)  
<https://www.pli.edu/programs/developments-in-antitrust-law-regulation>

### THURSDAY, MAY 2

**NY City Bar (CLE)**  
Current Legal Ethical Issues with Professor Stephen Gillers  
12 p.m. – 1:45 p.m.  
CLE credits New York: 2.0 Ethics; New Jersey: 2.0 Professional Responsibility; California: 2.0 Professional Responsibility; Pennsylvania: 1.5 Professional Responsibility; Connecticut: Available to Licensed Attorneys  
Webinar Registration Link: [https://services.nycbar.org/Members/Event\\_Display.aspx?WebsiteKey=f71e12f3-524e-4f8c-a5f7-0d16ce7b3314&EventKey=WEB050224&mcod e=NYLJ](https://services.nycbar.org/Members/Event_Display.aspx?WebsiteKey=f71e12f3-524e-4f8c-a5f7-0d16ce7b3314&EventKey=WEB050224&mcod e=NYLJ)  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**NY City Bar (Non CLE)**  
Cinco de Mayo Celebration | Lawyers Connect:  
First Thursdays  
6:30 p.m. – 8:30 p.m.  
In-Person Registration Link: <https://services.nycbar.org/EventDetail?EventKey=LCFR050224&mcod e=NYLJ>  
42 West 44th Street, New York  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Practising Law Institute**  
Cool Compensation Considerations for the Private Company: Pay, Performance, and Perspectives  
9 a.m. – 5 p.m.  
<https://www.pli.edu/programs/cool-compensation-considerations-for-the-private-company>

### FRIDAY, MAY 3

**NY City Bar**  
Senior Lawyers Chatroom  
12 p.m. – 1 p.m.  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=SEN050324&mcod e=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Friday Evening Chamber Music at the Association**  
6:30 p.m. – 8:30 p.m.  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=FCM051724&mcod e=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Practising Law Institute**  
Prison Law 2024  
9 a.m. – 4:30 p.m.  
<https://www.pli.edu/programs/prison-law>

### MONDAY, MAY 6

**NY City Bar**  
The ESG Schism: Navigating Conflicting Stakeholder and

**Shareholder Interests in Corporate America**  
9:30 am – 5 p.m.  
In-Person Registration Link: <https://services.nycbar.org/EventDetail?EventKey=ROL050624&mcod e=NYLJ>  
42 West 44th Street, New York  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Avoiding Burnout: Healthy Ambition vs Toxic Achievement Addiction**  
5 p.m. – 7 p.m.  
In-Person Registration Link: <https://services.nycbar.org/EventDetail?EventKey=LAP050624&mcod e=NYLJ>  
42 West 44th Street, New York  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**The Annual Presentation Of the Kathryn A. McDonald Awards**  
5 p.m. – 6:30 p.m.  
In-Person Registration Link: <https://services.nycbar.org/EventDetail?EventKey=MCDONALD24&mcod e=NYLJ>  
42 West 44th Street, New York  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Practising Law Institute**  
Specialized Deposition Techniques  
1 p.m. – 4:30 p.m.  
<https://www.pli.edu/programs/specialized-deposition-techniques>

**Ethics in Social Media**  
1:30 p.m. – 5 p.m.  
<https://www.pli.edu/programs/ethics-in-social-media>

### TUESDAY, MAY 7

**NY City Bar (CLE)**  
Current Issues in Affordable Housing in New York City: Responses to the Migrant Surge, Available Subsidy, and Hotel/Shelter Conversions  
9 a.m. – 12:30 p.m.  
3 CLE credits  
In-Person Registration Link: <https://services.nycbar.org/EventDetail?EventKey=AFF050724&mcod e=NYLJ>  
42 West 44th Street, New York  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

### WEDNESDAY, MAY 7 THURSDAY, MAY 9

**Practising Law Institute**  
Tax Planning for Domestic & Foreign Partnerships, LLCs, Joint Ventures & Other Strategic Alliances  
9 a.m. – 6 p.m. (Day 1)  
8:30 a.m. – 6 p.m. (Day 2)  
8:30 a.m. – 5:30 p.m. (Day 3)  
<https://www.pli.edu/programs/tax-planning-for-domestic-foreign-partnerships-llcs-joint-ventures--other-strategic-alliances>

### WEDNESDAY, MAY 8

**Federal Bar Council**  
Insight on Oversight: The Dynamics of Effective Institutional Monitoring  
6 p.m. – 7 p.m.  
Location: Bernstein Litowitz Berger & Grossmann, 1251 Avenue of the Americas, New York  
1 CLE credit  
<https://fbc.users.membersuite.com/events/a5720928-0078-cd44-0346-0b469a8447f5/detailsNo>

**Nassau Community College**  
Improving Parenting Skills  
3 p.m.  
WHPC Radio 90.3 FM  
Voice stream or Podcast anytime  
[www.NCCradio.org](http://www.NCCradio.org)

### THURSDAY, MAY 9

**NY City Bar (CLE)**  
Checking Out: Ethical Considerations for Stepping Away from Your Practice  
12:30 p.m. – 1:30 p.m.  
1 CLE credit  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=WEB050924&mcod e=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**NY City Bar (Non CLE)**  
Sound of the Siren: Heeding the Warning Signs of Intolerance, Racism and New Forms of Antisemitism  
Program – 6:15 p.m. – 8 p.m.; Reception 5:30 p.m. – 6:15 p.m.  
In-Person Registration Link: <https://services.nycbar.org/EventDetail?EventKey=UN050924&mcod e=NYLJ>  
42 West 44th Street, New York  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

### FRIDAY, MAY 10

**NY City Bar (CLE)**  
Insurers' and Insureds' Perspectives on Current Issues in D&O Liability 2024  
9 a.m. – 12 p.m.  
3 CLE credits  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=WEB051024&mcod e=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**NY City Bar (Non CLE)**  
Mindfulness Break & Yoga for Lawyers  
1:15 p.m. – 2 p.m.  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=MWB051024&mcod e=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Practising Law Institute**  
Diversity & Inclusion in Law Practice  
12:45 p.m. – 5:30 p.m.  
<https://www.pli.edu/programs/diversity--inclusion-in-law-practice>

### MONDAY, MAY 13

**NY City Bar (CLE)**  
Social Media in the Workplace: An Inside View from the EEOC, NYS Division of Human Rights, and NYC Commission on Human Rights  
5 p.m. – 6:30 p.m.; 1.5 CLE credits  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=WEB051324&mcod e=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Practising Law Institute**  
Expert Witness  
1:30 p.m. – 5 p.m.  
<https://www.pli.edu/programs/expert-witness>

**Corporate Whistleblowing**  
1:30 p.m. – 5:15 p.m.  
<https://www.pli.edu/programs/corporate-whistleblowing>

### TUESDAY, MAY 14

**NY City Bar (CLE)**  
Legal Issues for Private Museums  
4 p.m. – 6 p.m.; 2 CLE credits  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=WEB051424&mcod e=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**NY City Bar (Non CLE)**  
Small Law Firm Luncheon: Selecting Your Firm's Structure PC, LLC, or PLLC? Exploring Corporate, Tax, & Mediation in Small Law Formation  
12 p.m. – 2 p.m.  
In-Person Registration Link: <https://services.nycbar.org/EventDetail?EventKey=SLF051424&mcod e=NYLJ>  
42 West 44th Street, New York  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Bar@theBar**  
6 p.m. – 8 p.m.  
In-Person Registration Link: <https://services.nycbar.org/EventDetail?EventKey=bar051424&mcod e=NYLJ>  
42 West 44th Street, New York  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

### FRIDAY, MAY 17

**NY City Bar (CLE)**  
Building Successful Professional Relationships  
6 p.m. – 7:30 p.m.  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=CAM051424&mcod e=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**The 2024 Milton Handler Lecture on Antitrust**  
6:30 p.m. – 8 p.m.  
In-Person Registration Link: <https://services.nycbar.org/EventDetail?EventKey=CMTE051424&mcod e=NYLJ>  
42 West 44th Street, New York  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Practising Law Institute**  
Broadband and Cable Industry Law  
9 a.m. – 4:55 p.m.  
<https://www.pli.edu/programs/broadband-and-cable-industry-law>

**Advanced Topics in Ethics and Compliance: State and Local Government Contracts**  
1:30 p.m. – 5:15 p.m.  
<https://www.pli.edu/programs/advanced-topics-in-ethics-and-compliance-2021-state-and-local-government-contracts>

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