Villanova Law Review
Norman J. Shachoy Symposium

The Future of Judicial Independence

Saturday, February 2, 2008
Garey Hall, Room 29

SCHEDULE

8:30 – 9:00 a.m. Registration (Continental breakfast)

9:00 a.m. Welcome: **Dean Mark Sargent,**
Villanova University School of Law

9:15 a.m. **Keynote Address:**
In and and Out of Sight, Site, and Cite
Professor Judith Resnik
Arthur Liman Professor of Law, Yale Law School

10:00 a.m. Break

10:20 a.m. **Panel 1: Transparent Virtues**

The Honorable Joseph F. Anderson, Jr.
Chief Judge, The United States District Court for the District of South Carolina

Professor Adam Samaha
University of Chicago Law School

The Honorable Stephen Reinhardt
United States Court of Appeals for the Ninth Circuit

11:45 a.m. **Panel 2: The New "Public Courts"**

Professor Peter W. Martin
Jane M.G. Foster Professor of Law
Cornell Law School

Dr. Tim Reagan
Senior Research Associate, The Federal Judicial Center

12:45 p.m. Lunch

1: 45 p.m. **Panel 3: Systematic Justice**

The Honorable T.S. Ellis, III
Senior Judge, United States District Court for the Eastern District of Virginia

The Honorable Rebecca Love Kourlis
Executive Director, Institute for the Advancement of the American Legal System

Professor Marc L. Miller
Ralph P. Bilby Professor of Law, University of Arizona

3:15 p.m. Break

3:30 p.m. **Closing Address**

Professor Kim Lane Scheppele
Director, Program on Law and Public Affairs
Laurance S. Rockefeller Professor of Public Affairs in the Woodrow Wilson School and in the University Center for Human Values, Princeton University;
Faculty Fellow, University of Pennsylvania Law School

The legitimacy of democratic institutions depends upon adherence to norms of transparency and accountability.

Most recent attention concerning legitimacy post 9/11 has been focused on Congress and the President, particularly with regard to issues of secrecy and surveillance. A persistent theme in this conversation has been the role of rapidly changing information technologies in rethinking the content and application of these fundamental democratic norms.

Little attention has been paid to the role of technological change in creating new challenges and opportunities for transparency and accountability in the judicial branch.

Issues arise concerning transparency and access at three stages of the judicial decision-making process: (**1**) access to the inputs for a decision, such as evidence and arguments provided by the parties; (**2**) access to the decision-making rationale (i.e. judicial candor); and (**3**) access to the products of judicial decision-making (usually opinions). Speakers will address the role technology can play to improve transparency in the inputs and outputs of judicial decision-making as well as issues arising when the value of judicial transparency conflicts with values such as national security.

ATTENDING THE PROGRAM

General registration, including program materials, Pennsylvania Continuing Legal Education certificate, continental breakfast and lunch is $80.
Law student registration for non-Villanova students is $25.

This program has been approved by the Pennsylvania Continuing Legal Education Board for 4.5 substantive credits, including 1.5 hours of ethics credit.

NORMAN J. SHACHOY, class of '58, '61 Law, was editor in chief of the *Villanova Law Review.* Upon graduation he began a long and distinguished career at Bingham, Dana (now Bingham, McCutchen LLP) in Boston. Shachoy opened the firm's London office and has done transactional work for clients in Europe, the Middle East, Asia, and Latin America. Throughout his career he has maintained close ties with Villanova Law School, serving on the Board of Consulters (since 1967) and chairing the New England Regional Campaign Committee. This symposium is the result of his generosity and support.