

JUDICIAL HONORS

KEM THOMPSON FROST,

chief justice of Texas's Court of Appeals, 14th District, has been named a 2019 Outstanding Texas Leader and inducted into the Texas Leadership Hall of Fame by JBS Public Leadership Institute at The University of Texas-Permian Basin. Chief Justice Frost has served on the Texas judiciary for two decades. She received her LLM from Duke Law in 2014.



New Hampshire Supreme Court Chief Justice **ROBERT J. LYNN** was honored by the

state's bar association with the 2019 Justice William A. Grimes Award for Outstanding Judicial Professionalism. The award honors a judge who is known for being a person "of learning and experience in the laws, of exemplary morals and great patience." Lynn retired in August after 27 years on the supreme and superior trial courts.

M. MARGARET MCKEOWN

was presented with the John Marshall Award at the American Bar Association Annual Meeting in San Francisco in August. Judge McKeown, who was the first female partner of the law firm Perkins Coie LLP and was

appointed to the U.S. Court of Appeals for the Ninth Circuit in 1998, has been a leader on gender issues, judicial ethics, and international rule of law. In the wake of #metoo, she was named by Chief Justice John Roberts to the national Workplace Environment Working Group.

WILLIAM E. SMITH, chief judge of the U.S. District Court for the District of Rhode Island, received the 2019 Chief Justice Joseph R. Weisberger Judicial Excellence Award. Named in honor of its first recipient, retired Chief Justice Joseph R. Weisberger, the

award is given to a Rhode Island jurist for exemplifying and encouraging the highest level of competence, integrity, judicial temperament, ethical conduct, and professionalism.

DUANE SLONE of the Circuit Court in the Fourth Judicial District of Tennessee received the National Center for State Court's William H. Rehnquist Award for



Judicial Excellence. The award is presented by the Chief Justice of the United States and honors a state court judge who demonstrates integrity, fairness, and other qualities; Slone was recognized for his innovative judicial work in addressing the opioid epidemic. His motivation is both professional and personal; in 2011, Judge Slone and his wife, Gretchen, adopted an infant son who had suffered opioid withdrawals from his birth mother's use.

Judge **CARL E. STEWART** of the U.S. Court of Appeals for the Fifth Circuit received the 2019 Edward J. Devitt Distinguished Service to Justice Award. The award "honors an Article III



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human-controlled to mostly machine-controlled planes, with pilots' lack of experience resulting in incidents that may have otherwise been avoidable. Litigation over such accidents may offer guidance as judges continue to prepare for a new era of technology on the road.

Find a longer, annotated version of this report, as well as more information about impaired and distracted driving and the courts, at the Traffic Resource Center (<http://home.trafficresourcecenter.org>). Points of view or opinions expressed in this article do not represent the official positions of the NCSC or NHTSA.

- ¹ *Policy Statement and Compiled FAQs on Distracted Driving*, NAT'L HIGHWAY TRAFFIC SAFETY ADMIN., <http://www.nhtsa.gov/edgesuite-staging.net/Driving+Safety/Distracted+Driving/Policy+Statement+and+Compiled+FAQs+on+Distracted+Driving> (last visited Oct. 28, 2019).
- ² *Id.*
- ³ *Distracted Driving*, NAT'L HIGHWAY TRAFFIC SAFETY ADMIN., <https://www.nhtsa.gov/risky-driving/distracted-driving>.
- ⁴ *Estate of Doyle v. Sprint/Nextel Corp.*, 248P.3d 947, 950-51 (Okla. Civ. App. 2010).
- ⁵ *Modest Use for iPhone 'Do Not Disturb' Blocker*, INST. FOR HIGHWAY SAFETY, <https://www.iihs.org/news/detail/modest-use-for-iphone-do-not-disturb-blocker> (Jan. 24, 2019).
- ⁶ *Vega v. Crane*, 49 N.Y.S.3d 264, 268 (N.Y. Sup. Ct. 2017).
- ⁷ *Meador v. Apple, Inc.*, No. 6:15-CV-715, 2016 WL 7665863, at *4 (E.D. Tex. Aug. 16, 2016), *aff'd*, 911 F.3d 260 (5th Cir. 2018).
- ⁸ See *State v. Hartog*, 440 N.W.2d 852, 853 (Iowa 1989); *People v. Weber*, 494 N.Y.S.2d 960, 962 (Town Ct. 1985); *State v. Swain*, 374 S.E.2d 173, 173 (N.C. Ct. App. 1988); *City of Tulsa v. Martin*, 775 P.2d 824, 825 (Okla. Crim. App. 1989); *Richards v. State*, 743 S.W.2d 747, 748-49 (Tex. App. 1987).
- ⁹ See, e.g., *People v. Coyle*, 251 Cal. Rptr. 80, 81-82 (Cal. App. Dep't Super Ct. 1988); *Hartog*, 440 N.W.2d 852 at 856.
- ¹⁰ *Distracted Driving*, *supra* note 3.
- ¹¹ Matt Day, *Amazon Is Working on a Device That Can Read Human Emotions*, BLOOMBERG (May 23, 2019), <https://www.bloomberg.com/news/articles/2019-05-23/amazon-is-working-on-a-wearable-device-that-reads-human-emotions>.
- ¹² Cathy Russey, *Wearable Sensor Uses Sweat to Check Blood Alcohol Content*, WEARABLE TECHS. (Nov. 28, 2018), <https://www.wearable-technologies.com/2018/11/wearable-sensor-uses-sweat-to-check-blood-alcohol-content/>.
- ¹³ Hannah Fry, *The Road to Self-driving Cars Is Full of Speed Bumps*, DISCOVER MAG. (Oct. 25, 2018), <http://discovermagazine.com/2018/nov/baby-can-you-drive-my-car>.

judge who has achieved a distinguished career and made significant contributions to the administration of justice, the advancement of the rule of law, and the improvement of society." This year's selection committee, chaired by retired U.S. Supreme Court Justice Anthony M. Kennedy, recognized Judge Stewart (who was chief judge at the time of the award) for having "demonstrated his commitment to decency, civility, fairness, and justice."

North Carolina Court of Appeals Chief Judge **LINDA MCGEE** received the state chief justice's Friend of the Court award. Judge McGee chairs the Celebrate North Carolina Courts Committee and has overseen anniversary celebrations for the state's judicial branch, including the 50th anniversary of the district courts in 2016, the 240th anniversary of the superior courts and 50th anniversary of the court of appeals in 2017, and the 200th anniversary of the Supreme Court in 2019.

The Hawaii Supreme Court bestowed its annual Jurist of the Year Award on First Circuit Court

Judge **GARY W.B. CHANG**. Judge Chang was honored for promoting professionalism in the courtroom and leading the launch of an electronic filing system for civil cases in the state's circuit courts.

The Mississippi Bar awarded the Judicial Excellence Award to Judge **DENISE OWENS** of the state's Fifth Chancery Court District. The award "recognizes



an exceptional judge who is an example of judicial excellence, a leader in advancing the quality and efficiency of justice and a person of high ideals, character and integrity." Judge Owens took her seat on the court in 1989 and has served as the vice chair of the state bar association's Delivery of Legal Services Committee and a University of Mississippi law professor.

SCOTT M. BERNSTEIN, of the Florida Eleventh Circuit, and **DAVID L. DENKIN**, of Florida's Sarasota County courts, received the state's 2019 Chief Justice Award for Judicial Excellence. Judge Bernstein was recognized for "his intellectual curiosity and thirst for knowledge"

and efforts to improve the quality of the judiciary, both for court users and for court employees. Judge Denkin was honored for his "record of personal contributions to the judicial branch and sterling reputation for professionalism" and for serving as a leader, teacher, and mentor.

The Judicial Council of California awarded its Distinguished Service Award, the highest honor given by the state court system's governing body, to Presiding Justice **DENNIS M. PERLUSS** of the Court of Appeal, Second Appellate District, Division Seven in Los Angeles, and to Judge **HILARY A. CHITICK** of the Fresno County Superior Court, for embodying the judicial branch's highest purpose – "to ensure that every Californian has equal access to justice."



Arizona Supreme Court justices honored their own Chief Justice **SCOTT BALES** with the Outstanding Service to the Arizona Courts Award for 2019. Justice Bales retired in July.

We want to hear from you!

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The Storied Third Branch invites judges to write a tribute to another judge who has, through example or mentorship, served as an inspiration to colleagues on and off the bench. See details at judicature.duke.edu.



Editor's Note: Joseph Kimble's "Redlines" column will return in the spring 2020 *Judicature*.