

## NAALJ 2022 Midyear Webinar

### Revisiting Core Judicial Functions—Credibility Determinations, Self-Represented Parties, and Judicial Professionalism



**May 13, 2022**

(Times below are all Pacific Time. Webinar runs from 1 p.m. to 4:40 p.m. Eastern Time,  
Noon to 3:40 p.m. Central Time, and 11:00 a.m. to 2:40 p.m. Mountain Time)

**10 a.m. to 10:05 a.m. (PDT) - *Welcome***

- 1. 10:05 a.m. to 11:05 a.m. (PDT) - *Communicating with Self-Represented Parties***

**Kelly Tait**, Communication Consultant and Adjunct Professor of Communications  
Studies at the University of Nevada, Reno **1 hour CLE**

- 2. 11:15 a.m. to 12:15 a.m. (PDT) - *Judicial Ethics and Professionalism***

**Hon. Katherine Kwan MacDonald**, Assistant Chief Administrative Law Judge,  
California Public Utilities Commission **1 hour ethics CLE**

- 3. 12:25 p.m. to 1:40 p.m. (PDT) - *Unmasking Credibility***

**Julia Simon-Kerr**, Professor, University of Connecticut School of Law **1.25 hours CLE**

#### **Continuing Legal Education (CLE) Credit Information**

Participants are responsible for filing a Certificate of Attendance form provided after the webcast with their states' Continuing Legal Education Commissions, Boards or State Bar where required. While NAALJ's educational programs have been regularly approved by CLE Commissions, Boards or State Bars, participants must follow their states' specific filing rules to have CLE credits considered for approval. **Potential CLE Credit: 3.25 hours CLE (1 hour Ethics)**

**[Click here to register for the Conference](#)**

## Presenters Biographies

### Kelly Tait

Kelly Tait is an adjunct professor of communication at the University of Nevada, Reno (UNR) in the School of Social Research and Justice Studies. She has taught at UNR for twenty-four years, including classes on intercultural communication, business and professional speaking, small group communication, and fundamentals of communication. She also taught communication for the University of Maryland in Heidelberg, Germany.

Professor Tait is a communication consultant who has specialized in justice system education for twenty years. Her areas of expertise include communicating with the self-represented, courtroom communication skills, procedural fairness, listening skills, working with challenging people, working in teams, change management, reducing implicit biases, wellness and stress management, and faculty development. She has been on the faculty of The National Judicial College since 2002 and has taught for organizations including the National Association of Women Judges, Judicial Division of the American Bar Association, National Tribal Judicial Center, National Association for Court Management, National Center for Courts and Media, National Association of Administrative Law Judges, and judicial systems across the country. She has taught justice system professionals across the United States and Canada as well as in Mexico, Russia, Ukraine, Macedonia, Philippines, and the Caribbean.

Tait is a past president of the National Association of State Judicial Educators (NASJE) and is a long-term member of the NASJE Communications Committee and the NASJE Diversity, Fairness, and Access Committee. Her publications include *“Procedural Fairness: A Treat for the Brain”* in Case in Point, and she is one of the co-authors of the bench book *“Handling Cases Involving Self-Represented Litigants: A National Bench Guide for Judges.”*

### Hon. Katherine Kwan MacDonald

Hon. Katherine Kwan MacDonald joined the California Public Utilities Commission as an Administrative Law Judge in 2009 and currently serves as Assistant Chief Administrative Law Judge. In addition to supervising Administrative Law Judges and Retired Annuitants, she has subject matter responsibility for citation appeals, telecommunications policy and licensing, utility mergers and acquisitions, and confidentiality issues for the division. She leads the Judicial Internship program and Division Training programs. Judge MacDonald has extensive experience adjudicating a wide variety of proceedings in adjudicatory matters, enforcement proceedings, telecommunications, energy matters, water, and transportation matters. She is an experienced certified neutral and actively serves in the Commission’s Alternative Dispute Resolution Program.

Prior to beginning her career in public service, Judge MacDonald practiced as a litigator, practicing general civil litigation with a focus in professional liability defense, employment, and tax matters. She also served as an advisor to elected Board Member Johan Klehs prior to becoming a hearing

officer at the California State Board of Equalization. Judge MacDonald graduated with a bachelor's degree in History and Art History from the University of California at Los Angeles. She earned her J.D. from Whittier Law School in 1995. In 2000, Judge MacDonald earned her LLM in Taxation from Golden Gate Law School. Judge MacDonald became a certified neutral at Hastings College of Law in 2010. Judge MacDonald joined the faculty of the National Judicial College in 2018.

## **Julia Simon-Kerr**

Julia Simon-Kerr is a Professor of Law at UConn School of Law where she teaches Evidence, Civil Procedure and Law & Lying. Professor Simon-Kerr is a leading evidence scholar, whose scholarship focuses on credibility and lying in the law. In her published work on credibility, she has explored how gender influences the types of evidence being used to impeach witnesses, how much of United States credibility doctrine rests on outmoded proxies for social worthiness, and how the law reflects deeply-held societal conceptions of what makes people believable. She is currently working on a project that envisions how big data will shape the future of credibility in the law.

Professor Simon-Kerr's work has been cited and relied on by multiple federal courts of appeals and state supreme courts. She is a co-chair of the Evidence Summer Workshop at Vanderbilt University and serves as the academic advisor to the Connecticut Code of Evidence Committee. Professor Simon-Kerr also has written on education law, gender and the law, and law and literature. Her paper *Systemic Lying* was selected for the Harvard/Stanford/Yale Junior Faculty Forum. In 2021 she was the recipient of the Perry Zirkel '76 Distinguished Teaching Award.

Professor Simon-Kerr received her undergraduate degree at Wesleyan University where she won the Camp Prize for excellence in English literature. A 2008 graduate of Yale Law School, she joined the Law School faculty after two years as a Bigelow Fellow and lecturer in law at the University of Chicago Law School. Professor Simon-Kerr clerked for Justice Jaynee LaVecchia of the New Jersey Supreme Court and Judge Kermit V. Lipez of the United States Court of Appeals for the First Circuit.