The afternoon panel delved into the Miller opinion and the Court's holding, and related litigation issues. Professor Jeffrey Fagan, Columbia Law School, traced the Court's reasoning from Roper v. Simmons (2005), in which fundamental differences between children and adults were cited in outlawing the death penalty for those under age 18, and Graham v. Florida (2010), when life without parole was banned for youths convicted of nonhomicide offenses. Miller "places the courts in a difficult position [because] it returns to a system of individualized assessments and culpability," Fagan said, noting that this system was previously rejected by Roper.

Professor David M. Siegel, who co-directs the Center for Law and Social Responsibility and directs the center's Criminal Justice Project, sees Miller as "a watershed case for lawyers," but he's unsure how helpful it will be for youth. "It really changes what a lawyer's job is—what effective assistance is," said Siegel, a founding member of the New England Innocence Project. Miller didn't outlaw life without parole sentencing, but instead influenced procedure. Counsel, Siegel explained, should now feel empowered to request juvenile-specific mental health experts and social history investigators—both at the state's expense—to build their cases.

The audience also heard from Meg Garvin, executive director, National Crime Victim Law Institute, and Barbara Kaban, director of juvenile appeals, Massachusetts Youth Advocacy Division. Professors Tigran W. Eldred and Louis N. Schulze, Jr., moderated the morning and afternoon sessions, respectively.

**Professor Sorenson Appointed to Committee on Judicial Ethics**

Advisory Body Guides Judges, Nominees

Professor Charles W. Sorenson, Jr., a 20-year member of the New England Law | Boston faculty and coordinator of the law school's Judicial Internship Program, was appointed to the Committee on Judicial Ethics by the justices of the Massachusetts Supreme Judicial Court (SJC).

The committee is an advisory body that provides both formal opinions and informal guidance to judges and nominees who seek advice on interpreting court rules concerning ethical and professional conduct of judges. Sorenson, the sole nonjudge on the committee, is serving a five-year term. Members of the committee include judges from the Superior, Probate and Family, Appeals, and District courts.

Although the committee is very active, it meets only occasionally, as most requests are informal and committee members communicate to one another through e-mail. "Informal requests come in from judges who are fairly confident about the answer," says Sorenson, "but they want reassurance from the committee that they are doing the right thing. Requests bring to light the restrictions judges face when they are asked about participating on committees, attending events, giving speeches, and the like." Oftentimes, Sorenson continues, "attorneys who are personal friends of judges have made a request like asking the judge to write a letter of support for an individual the judge does not know, hoping to have the judge lend the prestige of office to the individual."

Formal opinions, which are issued in writing and posted on the committee website, are considered as precedence. "The opinions can be relied on by judges in the future, and even if the committee is wrong, the judge is protected," Sorenson says. "Inappropriate conduct is very troublesome for a judge, and they are keenly aware that if they make a wrong assessment, they are subject to discipline from a different committee."

The experience has been both fascinating and broadening, says Sorenson, who teaches Civil Procedure, Remedies, and The Law and Ethics of Lawyering. He has already implemented changes in his approach to teaching, introducing new material about judicial ethics, and it has changed how he advises students who are working with judges. "For years I've told students that working with judges will give you an inside look. Now I have an insider view in a much greater level of detail, so I can highlight for them some of the ethical issues that judges are dealing with."