



## The Fulbright, a journey worth taking!

### A REFLECTION ON WHAT IT MEANS TO BE A FULBRIGHT HONOREE WITH AN INTERNATIONAL LAW AND MEDIATION ASSIGNMENT

As many of my colleagues know, I am very supportive of the Fulbright Award. This award was originally funded by the Congress of the United States at the behest of Senator J. William Fulbright, to spread friendship and culture around the world after the Second World War. As war material was being disposed of at the war's end, Senator Fulbright thought that if some of the remnants of war could be sold to enhance communities, that the funds raised could assist in funding this new American idea.

Congress embraced this award and idea and initially funded the now-named Fulbright, to honor Senator J. William Fulbright's American dream, and the funds donated have helped to open Fulbright offices around the world. The goal was educational exchanges at every level of math, science, the arts and civic engagement including enhancing democratic institutions. Today, there are over 160 Fulbright offices worldwide, 370,000 alumni who account for 62 Nobel Prize Winners and 88 Pulitzer Prizes. The world is a better place for these alumni and The Fulbright's efforts.

In 2007 after a terrible loss in my family, my niece Melissa had just graduated from UC Santa Barbara and was preparing for her first job. While visiting a cousin, she took a shower, and without warning, she had an epileptic seizure and drowned when she fell on the drain. Our lives were never the same. My sadness was unending. Every day in my chambers at lunch was gut wrenching as I just kept rereading her emails to me. Then I would cry and then dry my eyes and then go out on the bench to continue with a trial or some motion.

This went on for months until one day I knew that I had to choose happiness, as my mother used to say, "Maureen, happiness is a choice, you need to choose to be happy." To that end

I thought, what is it that I love to do? And teach was my answer. I had a long history in teaching elementary school while working my way through Loyola Law School and later as a judge teaching at Judicial College and continuing judicial education courses. I went to my computer and started to look for teaching opportunities and as I wriggled around the net, the J. William Fulbright Award had just opened for applicants.

I thought Fulbrights go to special people, and I certainly was not a renowned law professor. The more I read about developing curriculum for a law class, I came upon an article talking about the rigorous curriculum that one must develop to be competitive for a Fulbright Award. I thought, let's just look at the application and maybe I could design a program with a curriculum that would be a good fit for a local law school. Oh, my goodness when I got to the Fulbright page it was full of all sorts of worldwide teaching positions and then I went to the required lesson plans for curriculum development.

This was no easy assignment; I was breathless just reading the application. I settled in on the "describe your proposed class curriculum and books required" section and just took a deep breath. Then, it happened, I just started to tap away, and tap away every lunch hour for three months. I was engrossed in my new project, I cried only at night in the shower. Eventually, developing a potential top-notch law class took over all my extra time and eventually I forgot to cry.....a small amount of happiness started to creep into my life again.

At some point I needed a friend to run a few things by and I ran down my back hallway to Judge Greg Alarcon, who is a talented teacher. He assisted in my selecting books for the class. And he read

my curriculum. Greg was always so gracious and helpful. My enthusiasm for life was picking up and I figured I could check my spelling and print out my proposed class and head over to USC to offer up a final version of a class they had long ago asked me to develop. Then happiness just came over me and I spent another month just filling out the application in its entirety. Then I went silent and just let it rest.

About one month later as summer was arriving, I printed out the entire Fulbright application to show my husband Ron what I had been working on. I poured him a glass of wine and we both sat there. I watched him read every word. He took out a red pen and made one correction (he edited all my papers in law school) and then handed it back to me. I anxiously asked, "What do you think?" I then took a sip of my vino. He looked me straight in the eye, walked over and gave me a hug and said, "Honey, why don't you send this into Fulbright?" I said, "Oh, don't be ridiculous. I just used it as a format." He encouraged me, and I protested that the application was due the next day. He insisted that I go to work in the morning, finish downloading it and hit send. When I asked him why, he said, "Because you are going to win the Fulbright!" I was struck silent. The next morning, I hit send and forgot about it.

#### The phone call

Many months later I was in a jury trial at around 11 in the morning when my court phone rang, and my court clerk sent me a note to recess because the State Department was on the line. I ran into my Chambers and picked up the phone, and heard, "Hello Judge, we would like to inform you that you have won the Fulbright Award and we would like you to keep it quiet until we officially announce all the winners nationally." I was stunned!

My selection committee was led by a woman by the name of Cynthia Crowe. Within a few days after I received my official letter, she called and said I had two possibilities for teaching on my Fulbright. The first was a Distinguished Chair at a large University in Italy. The second opportunity was a professorship in the Department of Law, at Sofia University in Bulgaria. I told her I wanted to reflect a bit and I would be back to her within a week. She then said she thought I was the first sitting judge to be awarded a Fulbright. She was clearly highlighting to me that a Distinguished Chair was very impressive. But in the end, I chose Bulgaria, a small country just 25 years out of the yoke of communism. A new member of the European Union with a new judicial system and lots of enthusiastic students who wanted Western ideas and interesting new information. Italy was one of the seats of the Western world. Italy did not need me, but Bulgaria did. And so started my love of everything Bulgarian.

First things first, I had to contact Presiding Judge David Wesley, who was so kind; he said he would support me going and would assist me with judicial council if necessary to get a sabbatical, unpaid, of course. And so, it started, my Fulbright journey to Bulgaria.

## **Bulgaria**

The Bulgarian Fulbright office is very well organized and competent in executing its mission. The leadership there is very professional, warm and inviting. The offices offer all kinds of international academic testing and counseling opportunities for students' academic endeavors. The work in their offices is a constant hum of accomplishment and a lot of plain old fun. They actively engage with every aspect of Bulgarian cultural life and every level of government. It is fair to say they know everyone everywhere in the country. Many of the governmental, academic or artistic representatives were Fulbright alumni. It became clear to me very quickly that Fulbright represents the

ultimate in networking opportunities. A casual dinner or lunch with a Nobel Laureate, an ambassador or a world-famous author was not out of the ordinary.

As I arrived in Bulgaria, looking for a cab to the Fulbright office, I am grateful that my husband Ron had accompanied me to help me get settled in an apartment. The apartment I had rented on the internet was a rat trap with no elevator and only cold water. When the cab drove up to the apartment building, my husband mercifully said, "Drive on please to the nearest Hilton Hotel, my wife won't stay here," and I had not even said a word yet! Ron found me a wonderful apartment and dragged up all my luggage and books. He paid for months in advance and made sure they had morning coffee service with a concierge. I tell you, he saved my life.

We unpacked and then went off to the Fulbright orientation. While I thought my only job was to teach at Sofia University, it became evident that more was to come. Standing outside the orientation room were two representatives from the State Department who asked to speak with me at the break. At break with my coffee in hand, they explained that since I was a sitting judge from the largest bench in the world, the Los Angeles Superior Court, they were sure that I could assist in developing a mediation program for the Bulgarian courts.

## **The mediation connection**

They knew that Los Angeles Superior Court had for many years led in mediation and hoped I could use my knowledge to help with the Bulgarian courts. Prior to my arrival, I had been introduced via email to Judge Evgeni Georgiev. Judge Georgiev was a Fulbright alumnus who had law-clerked and interned for a federal judge in Louisiana. He was well informed about the American judicial system. We immediately connected on all things regarding mediation. He knew all the court hierarchy and the leading jurists at every level of the court. He committed to me

that we would see them all and see what we could accomplish regarding mediation.

But it was clear to me that The State Department wanted results, not just glad-handing. They had made it clear that the European Union, which had admitted Bulgaria in 2007, was frustrated with the lack of a stronger mediation program. I told this to Judge Georgiev; he did not seem shocked. He smiled and he said, "Well then, let's do it!"

It's 2009 and I am off to my first day of classes at Sofia University, St. Kliment Ohridski, Law Program. I met a nice fellow in the hallway who seemed to know about plugging my computer into the hardware so my lessons could be seen on the large screen. I bought him coffee and he was so wonderful, he came to the start of every class to make sure all was up and running properly. My class size was to be about 15 students. I came equipped with 20 textbooks. My class included 50 students and 25 auditors. Honestly, it was crazy, I told the students that I did not have enough books and they all quipped "no problem, we will share." They were all cooperative and always ready and well versed in the next chapter.

My students were so smart and motivated. The word had gotten out in the academic and legal community that an American judge was teaching a course at Sofia University. The rush was on to get into the class. I even had one student from the local American High School (American College of Sofia), who was only 15 years old, beg the secretary to the dean of the law school to let him into my class. He was told no because "you are not a high school graduate nor are you an admitted student at the university." As I stood in the corner of the dean's office waiting for him, I witnessed the greatest act of academic perseverance in my life. Alan, the 15-year-old pleaded in Bulgarian, pleaded in Russian and then resorted to perfect beautiful English. By then the dean appeared and we both were enthralled. I nodded my head yes and Alan was in my class. Alan became a star, and nothing got in his way.

My semester at Sofia University will forever remain in my heart. Each time I return to Sofia my students set up dinners and small reunions. They are now successful judges, lawyers, mediators and legislators and ministers within the various government departments. My students continue to assist in training current law students for international moot court competitions and I know that service to others has become a hallmark for my class. At the end of every class, we would say in unison, "Today we are one step closer to being the Voice of the Voiceless" and then the class would applaud.

### Extracurricular

The mediation program was a heavy lift, to put it bluntly. I taught courses at the Judicial College in mediation and engaged in discussion on how best to set up a mediation program for the courts. Convincing judges, who understood the concept of mediation, to refer cases to a mediation program was difficult.

Due to the old Communist system, the cases you control personally reflects on you and your prestige. Sending a case out to a mediator was viewed as "giving up control" and in the old Soviet Union, control was everything. Judge Georgiev stepped right into the light and introduced me to every judge who was a decision maker at every level of the courts, all the way up to the Supreme Judicial Counsel. I remember meeting the presiding judge of the Sofia Regional Court with interpreters at the elbow. We had a one-hour meeting about the mediation program and much-needed dedicated space for the program. I further mentioned, with a bit of frustration, that his courthouse was so in need of repair that I fell in a hole with my high heels on, while walking down the interior court hallway to meet him for our appointment. He seemed interested but not overly concerned.

I launched into a "little ditty" about the public knows if they are respected when their public buildings are well maintained. A courthouse in a new

democratic country sends that message to the community that "we are here for you and respect you." As our meeting ended, he smiled at me and then I asked, "Is it possible that with a decent budget you could build a new courthouse?" and "Please find us a mediation space." As I stood up to depart and thank him for his time, he responded in perfect English, "It was a pleasure to meet you Judge Duffy-Lewis!"

A week later I got an excited call from Judge Georgiev. He wanted me to meet him downtown at the subway station. It was 20 degrees below zero. I put on my heavy coat and out I went. He met me at the stairs and said, "follow me." We walked two blocks and there it was, a pale-yellow building which evidently was an old gestapo location. The workers were already assembling with fresh paint in hand. This was our new mediation center. Judge Georgiev smiled with his hand out like a game show host! That mediation center opened with such fanfare with the local Bulgarian and American Chambers of Commerce, judges and lawyers from the local bar associations. Judge Georgiev's law interns were even convinced to help serve wine and hors d'oeuvres (we promised them they could eat a few). We were the opening TV news story two evenings in a row. We were off and running!

During my semester, I was getting a little homesick. Mark Salzberg, my friend and long-term research attorney back home jumped on a flight and arrived in Bulgaria to visit me. I was thrilled. Mark is a seasoned world traveler and within a few days was impressing me with his ability to start reading Cyrillic. We toured the city sights together and visited a beautiful Jewish temple with one of Europe's largest chandeliers. Bulgaria is located at the ancient crossroads of the world and experienced Crusaders, Thracians, Islam and the Holy Roman Empire. It's people, history, archeology and antiquities are thrilling.

During that semester the State Department also asked me to teach a course on Judicial Ethics at the well-

organized Judicial College. It is no secret that a leftover problem from previous Soviet satellite countries is judicial corruption. After the Fall of the Wall, these countries worked overtime developing democratic institutions and judicial systems. But many of the older judges were still exhibiting their Communist proclivities (like taking bribes or getting favors) which was very necessary to exist in the old Communist systems.

So, with Judge Georgiev I went headlong into teaching the entire judiciary in the country (or a good portion who were attending Judicial College) at one of the sessions with about 40 judges, I asked every person in the room who was not a judge to please leave and that included servers who were offering coffee in the back of the room. Once the room was "just us" as I told them, we needed to "talk turkey" about actual corruption and the public's perception of corruption in the judiciary. The younger judges were thrilled and ready to engage.

But up front sat about 10 old Communist leftovers with their arms folded over their chests. They had scowls on their faces, exuding the attitude of "What does this American and these wet-behind-the-ear young Bulgarian judges think they can teach me?!!" In the end I warned them that there must be active investigations into judicial corruption and that the EU wanted improvement in this area quick! Then I went on to say, "Watch out for anyone who tries to influence you, you may be a target." Also, I told them that anyone who engages in this behavior will likely be arrested. The front 10 judges just scoffed.

Three weeks after I returned to the United States and maybe two months after I taught that class, one of the judges in the front row with his arms crossed was arrested in his chambers, in his robe and it was all played on the evening news. One of my students sent me the video. Enough said!

### As it comes to an end

The year 2013 came quickly and off to Bulgaria on another Fulbright, this time a “Specialist” assignment to check in on continuing progress of the mediation program and give a few guest lecturers on predetermined subjects at a few law schools. My students were thriving, and some had just graduated law school. Things were looking up! Evgeni and I had been in constant contact via email during the last two years, consulting with each other.

I knew there was more work to be done in every area of my previous assignments. I left after three weeks, tired but knowing that the judiciary was trying hard to rise above the legacy practices and attitudes. I also had the honor of reviewing the plans for a new courthouse with mediation space, too. Some of my students had even undertaken mediation in their practices. I was impressed.

On October 15, 2022, I went back again for 10 days to Bulgaria as a Fulbright alumnus to speak at and participate in a panel at the Fulbright International Seminar. As I arrived, my

email started blowing up with invitations to speak at numerous law schools across Bulgaria and an invitation to visit their *new* regional courthouse that I saw in its construction stage during my 2013 visit. Dinner requests from my old students abounded. I accepted every invite. As my plane touched down, waiting for my husband Ron and I at the airport was Judge Evgeni Georgiev and his lovely wife Teodora, flowers in hand. We had become good friends and shared our family stories: kids, pets and parents over the years.

Evgeni now sits on the highest trial court and continues to be very active in the judiciary and well respected. Ten days passed quickly and my husband, who accompanied me to some of the law schools, got a big surprise. At one lecture there were questions that I thought Ron could answer, so I said, “you are in luck, I have brought an American criminal defense attorney and he can answer all your questions regarding civil cases and how they can impact a criminal trial.” He was great and the students loved him. I think he saw firsthand why I am in love with everything Bulgarian.

As I reflect on my Fulbright experience, I remind myself what an honor it is to represent my country and the world’s largest court, The Los Angeles Superior Court. The talent in our court abounds from judges to trial lawyers. My up-front seat during trials with some of the most talented trial lawyers reminds me that justice is a human endeavor and it is alive and well. I fervently hope that more talented American lawyers consider sharing their talents, skill and love of justice with others through the Fulbright.

And daily I am reminded that Happiness is a Choice.

*Judge Maureen Duffy-Lewis is a two-time honoree of the Fulbright Award. As an international speaker and judicial educator, her emphasis has been on mediation/arbitration and the importance of commercial business dispute resolutions. Judge Duffy-Lewis currently sits in Department 38, unlimited jurisdiction, Stanley Mosk Central Civil Courthouse. Her degrees include University of Southern California BA and Loyola Law School JD.*

