



INDIA – UNITED STATES JUDICIAL EXCHANGE

# Trafficking in Persons

## Phase Two

### Curriculum Design and Faculty Development

Federal Judicial Center

Washington, DC

December 12 - 13, 2022

#### Project Summary

This collaboration between the judiciaries of India and the United States is focused on designing a judicial education workshop on trafficking in persons. Phase One, a 10-session virtual program, offered an overview of human trafficking-related issues including the investigation process, international standards, trauma-informed judging, and procedural issues. During this workshop, Phase Two, we will discuss challenges judges face when presiding over trafficking cases and introduce participants (the “Working Group”) to curriculum development and teaching strategies. Over the next six months, working group members will develop workshop content, refine their teaching skills, and prepare to deliver two programs for district/sessions court judges at the National Judicial Academy (NJA) in Bhopal.

This project is facilitated by the CEELI Institute in partnership with the U.S. Federal Judicial Center (FJC), and the NJA. It is generously supported by the United States Department of State’s Bureau of International Narcotics and Law Enforcement Affairs (INL).

#### Monday, December 12, 2022

##### 9:30 AM Opening Remarks

The Director of the Federal Judicial Center, John C. Cooke, will welcome participants and deliver opening remarks.

*John C. Cooke*  
Director, Federal Judicial Center  
Washington, DC

##### 9:45 AM Introductions

Participants and faculty will introduce themselves and describe their legal and judicial careers, including their experience (if any) with human trafficking cases.

*Cristobal Diaz*  
Director of Outreach and Development  
CEELI Institute



**10:00 AM**

### **Program Overview**

This two-day program has four components: (i) a review of law and procedure; (ii) an introduction to adult education and interactive teaching methods; (iii) time to draft an agenda for the Bhopal workshops; and (iv) the assignment of curriculum development responsibilities to working group members.

*Mira Gur-Arie*  
*Director, International Office*  
*Federal Judicial Center*

**10:15 AM**

### **Human Trafficking: Legal Issues and Human Context**

During this session, we will review trafficking cases decided by courts in different countries and explore the complex legal issues raised by these cases.

*Judge Timothy Burgess*  
*U.S. District Court, District of Alaska*

**10:45 AM**

### **Trafficking in Persons: Review of Law and Procedure**

This session provides an opportunity to review some of the topics covered during the Phase One workshop. Using the hypothetical fact pattern, we will discuss:

- The path of a trafficking investigation
- Evidentiary issues
- Cyber-enabled trafficking in persons
- International cooperation in human trafficking cases
- International standards and instruments

*Barbara Martinez*  
*Partner*  
*Holland & Knight LLP*

**12:00 PM**

### **Lunch Break**

**1:00 PM**

### **Think-Pair-Share: Adjudicating Trafficking Cases**

Working in pairs of two, participants will discuss the legal, evidentiary, procedural, and technical areas that Indian judges must be familiar with when presiding over criminal trials involving human trafficking.

Each pair will identify 3-4 potential workshop topics and record their list on the distributed paper.

*Claire Smearman*  
*Senior Judicial Education Attorney*  
*Federal Judicial Center*

*Stephanie Hemmert*  
*Senior Judicial Education Attorney*  
*Federal Judicial Center*



**1:30 PM**

### **Report Back**

1. Each pair will report back their list of topics.
2. The group will collectively nominate the top 10 - 12 topics to prepare for tomorrow morning's session.

**2:15 PM**

### **Overview: What is Adult Education?**

Judges are task oriented, self-driven, and very busy. Judicial education should provide judges the opportunity to gain mastery of essential knowledge, skills, and values. During this session, we will review the principles of adult education, discuss the meaning of judicial "competencies," and offer examples of general competencies for first instance judges.

*Stephanie Hemmert  
Claire Smearman*

**3:00 PM**

### **Tea Break**

**3:15 PM**

### **Competencies for Adjudicating Human Trafficking Cases: Brainstorm**

What knowledge, skills, and attributes do judges need when presiding over trafficking cases?

*Judge Burgess  
Claire Smearman*

**4:00 PM**

### **Day 1 Concludes**

**Tuesday, December 13, 2022**

**9:30 AM**

### **Case Management**

Using a hypothetical scenario, the group will work through the judge's role in active case management.

*Judge Burgess*

**10:15 AM**

### **Trauma-Informed Judging**

Cases involving trafficking in persons present judges (and courts) with a complex array of challenges. The trauma experienced by victims, witnesses, and trafficked persons charged with crimes has an impact on the investigative process and court testimony. Judges, court staff, and attorneys must become knowledgeable about the ramifications of human trafficking and develop strategies to protect the rights and safety of trafficking victims. We will discuss some of the practices that can be utilized to effectuate trauma-informed judging.

*Barbara Martinez*



**11:15 AM**

### **Order the Concepts: Small Group Activity**

Participants will review the 8 - 10 topics identified during yesterday's Pair and Share activity.

Divide into 2 groups of four judges:

- Discuss the topics. Should any other topics be added to the list? Should any be eliminated?
- Each group will prioritize its topics (written on large cards) and tape the cards to the wall, in order of importance.
- After 25 minutes, we will look at results of two groups and discuss.
- Can a consensus be reached for the "Top 8" topics?

*Mira Gur-Arie*

**12:15 PM**

### **Lunch**

**1:15 PM**

### **Learning Objectives: Return to Groups**

Strong curriculum design has an internal structure based on learning objectives. These objectives reflect the demonstrable skills, knowledge, and values participants will acquire during a workshop. Learning objectives also facilitate the selection and organization of course content and instructional strategies.

- Group One will draft learning objectives for two of its 4 topics.
- Group Two will draft learning objectives for two of its 4 topics.

After 25 minutes, each group will report back.

*Stephanie Hemmert*

**2:15 PM**

### **The "What" and "Why" of Learning Activities: Jigsaw Activity**

Learning activities, like those incorporated into this workshop, facilitate active participation to enhance learning and provide an opportunity to apply knowledge and practice skills. In this session, we will explore examples of learning activities, offer suggestions for design and sequencing, and practice drafting exercises.

Groups One and Two have 30 minutes to:

- Select one workshop topic
- Identify the learning objectives
- Choose a learning activity to reinforce one objective
- Prepare to present to the large group:
  - The activity and learning objectives
  - Instructions, including time needed
  - Materials (flip charts, laptop, small tables, online tools)
  - Delivery of a segment of the activity

Each group will have 15 minutes to present its activity and participants will offer feedback

*Claire Smearman*



**3:15 PM**

**Tea Break**

**3:30 PM**

**Curriculum Design and Planning**

The process of curriculum development includes many stages: assessing the learning needs of the target audience, developing educational objectives, designing activities to teach and reinforce the information being delivered, and planning program implementation. In this session we will review the design process, select and assign workshop topics, and begin to formulate an outline of the program.

*Mira Gur-Arie*

**4:00 PM**

**The Action Plan**

In this final session, we will develop an “Action Plan” for future discussion and implementation.

*Judge Burgess*

**4:30 PM**

**Closing Session**

*Cristobal Diaz*

