

Kenneth J. Withers Appointed Executive Director for The Sedona Conference

PHOENIX, Ariz. – The Sedona Conference Board of Directors is pleased to announce the appointment of Kenneth J. Withers as executive director, effective immediately.

Withers, who has served as The Sedona Conference’s deputy executive director for the past ten years, fills the vacancy caused by the tragic death of Craig W. Weinlein, who served as Sedona’s executive director from 2014 to 2024.



The Sedona Conference is a nonpartisan, nonprofit 501(c)(3) research and educational institute dedicated to the advancement of law and policy in the areas of antitrust law, complex litigation, intellectual property rights, and data security and privacy law. Withers’ lengthy involvement with the organization made him an obvious choice to succeed Weinlein.

“Ken Withers epitomizes the mission of The Sedona Conference in moving the law forward in a reasoned and just way,” said board member Paul E. Burns, Managing Attorney, Mediator and Arbitrator with Burns Legal of Los Angeles and Phoenix. “There is no one more respected among the judiciary and the membership for having tirelessly served The Sedona Conference’s mission, and no one more qualified to lead the organization after the untimely death of our beloved Craig Weinlein.”

Board member Rob Sterne, Founding Director at Sterne, Kessler, Goldstein & Fox in Washington, D.C., also emphasized the importance of continuity in the appointment of Withers: “Ken is the ideal person to fill this role because of his extensive Sedona involvement and his mastery of the subject matter, judicial and library insights, and strong and warm relationships with the Sedona headquarters staff.”

Prior to joining The Sedona Conference, Withers served as a Senior Education Attorney at the Federal Judicial Center in Washington, D.C., where he developed internet-based distance learning programs for the federal judiciary concentrating on issues of technology and the administration of justice. He was the 2020 recipient of the Hon. Shira Scheindlin Lifetime Achievement Award for his work in eDiscovery and is co-

author, along with Judge Scheindlin, of the most widely used law school textbook on electronic discovery and evidence.

Ken is recognized as a pioneer in the legal technology community. After graduating from Northwestern University School of Law in 1984, he developed discovery management databases for Boston area law firms and corporate legal departments, conducting training programs on eDiscovery starting in 1989. He was one of the first to obtain a personal Web domain in the early 1990s, which he used as a clearinghouse for eDiscovery court decisions and rulemaking initiatives throughout those early years. He quit his private civil litigation practice in 1996 and went back to school, receiving a Master's in Library and Information Science, after which he produced educational programs on a variety of topics for the Social Law Library. In 1999, he received the Lord Lloyd of Kilgerran Prize from the British Irish Legal Technology Education Association for the best postgraduate paper on legal technology.

Although past his previously announced retirement date, Withers has agreed to stay on for two years while a new Executive Director is hired and has successfully transitioned into the role. He shared some of his thoughts on the future of The Sedona Conference in the following conversation.

What are your top priorities as executive director over the next 12 to 24 months?

The top priority is continuing to carry out The Sedona Conference's mission of moving the law forward in a reasoned and just way during this transition period while working to install a new Executive Director in two years' time. Part-and-parcel of that is making sure that the next Executive Director takes over a well-oiled and fully functional Sedona Conference, with a clear mission, projects and events in the pipeline, a qualified staff, and solid finances. We're fortunate that Craig was a dedicated steward of the Sedona legacy he inherited from Richard Braman and left us with a good foundation on which to build.

What do you see as the cutting-edge areas where The Sedona Conference can have its greatest impact in moving the law forward?

We've just held two conferences on AI and the Law, one focused on civil litigation and another focused on intellectual property law, and we're holding three follow-up webinars on AI and antitrust, healthcare, and global regulation. In some ways, it's reminiscent of 20 years ago, when we were the first organization to take a deep dive into eDiscovery. That was a sea change for the legal system, and now AI is a broader

topic with even greater ramifications. Some of our existing Working Groups are already tackling AI issues, but it's obvious that we need to expand our scope to encompass AI's impact in such areas as copyright law, competition law, and access to justice. As we sift through these various issues, we will be soliciting feedback from our membership as to whether Sedona and the legal community would benefit from a new working group devoted specifically to AI.

What are the greatest challenges in continuing Sedona's mission?

The greatest challenge is focus. We can't chase every new shiny object, and we need to carefully assess where we can have the greatest impact. What questions are vexing lawyers and judges, where there is a dearth of guidance? Where could we apply that special combination of scholarship and imagination to come up with solutions? What has an audience willing to listen to and support our efforts? These were the questions we asked ourselves at the beginning of the century, and now we have to take a fresh look and ask them again.

Are the contentious issues facing the legal profession more complex today than in the early days of the organization, and is reaching consensus-driven solutions more difficult?

Everything seems to be more complex today, and a lot of that is because The Sedona Conference is no longer a small group of people meeting in a desert resort town. Sedona Conference Working Group members – Sedonistas, I call them – can be found all over the world. We are a far more diverse group, with more diverse backgrounds, practicing in more diverse legal environments, and bringing more diverse viewpoints to the table. That's good; we have more material to work with. But it also presents challenges. And I'm not ignoring the fact that people are under more intense partisan pressures than they were 20 or 25 years ago, which sometimes makes consensus-building more of a challenge.

Your involvement with Sedona dates back to the early days of the organization. What are the most important lessons you learned from working with Craig Weinlein and founder Richard Braman?

The most fundamental lesson is that the Sedona Conference method actually works. When I first got involved in 2001, I thought Richard's "dialogue not debate" mantra was a well-meaning but impractical New Age philosophy. I quickly learned that listening was a more productive use of time and energy than pontificating. So now I

recite the “dialogue not debate” mantra at the start of every Sedona event, and I take it to heart when we’re organizing a Working Group, conference faculty, commentary drafting team, or even a small webinar panel. Respect experience and expertise, but also recognize that the best ideas often come from unlikely sources. Diversity, inclusion, and listening results in a better and ultimately more authoritative and impactful work product.

For more information about The Sedona Conference, visit thesedonaconference.org.