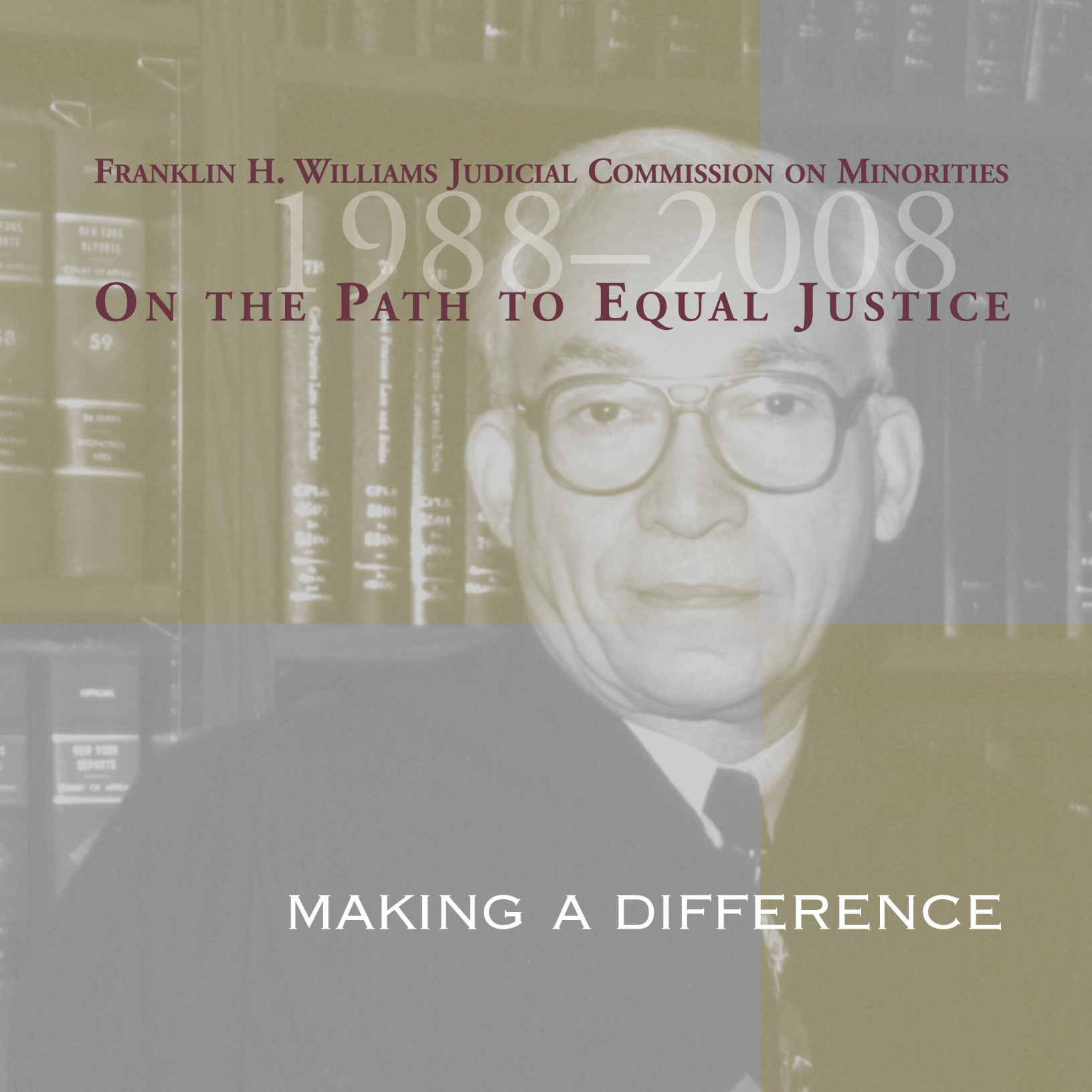


Franklin H. Williams Judicial Commission on Minorities

1988–2008

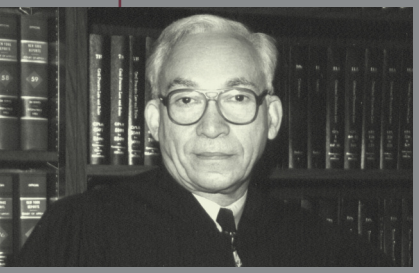
On the Path to Equal Justice

MAKING A DIFFERENCE

A MESSAGE FROM THE CHAIR

OF THE

FRANKLIN H. WILLIAMS JUDICIAL COMMISSION ON MINORITIES



Judge Lewis L. Douglass

The New York State Judicial Commission on Minorities was formed in 1988 to conduct an in-depth study on minority participation on the Unified Court System bench and nonjudicial workforce as well as perceptions regarding racial bias in the courts. Led by noted attorney-statesman Franklin H. Williams, the Commission held public hearings, met with members of the legal community and surveyed minority attorneys, litigants and others, submitting its interim report to the New York State Chief Judge in May 1990. Sadly, Mr. Williams passed away days after the report's release, with his successor, James Goodale, issuing the Commission's final report the following year. Among other findings, the 1991 report revealed a severe lack of racial diversity on the bench and in high-level court system positions and a perception among some citizens that minorities are not fairly treated in the courts.

Following the release of this landmark study, the Commission was established as a permanent entity and renamed in honor of Mr. Williams. Recommendations of the 1991 report and commission proposals put forth since then have spawned employment, training and other initiatives that have had a positive impact on the advancement of minorities in the courts, also promoting ongoing dialogue among members of the court community and legal profession on issues of concern to people of color. Today, the Commission serves as a model for other states and is regularly called upon in an advisory capacity.

I am very proud of the Commission's diligent efforts over the years and delighted to share with you some of our many achievements in this commemorative brochure, *Making A Difference: On the Path to Equal Justice (1988-2008)*. While we have made considerable strides since the Commission's early days to foster racial equity and cultural sensitivity in the courts and legal profession, I have not lost sight of the work that remains and look forward to reporting on further progress.

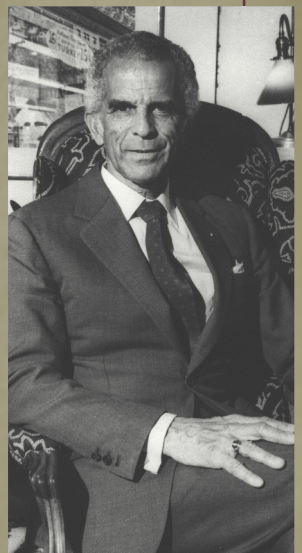
THE BEGINNINGS 1988

Created in 1988, the New York State Judicial Commission on Minorities conducted a comprehensive study on minority participation in the courts and legal profession and perceptions regarding the treatment of minorities in the courts. In 1991, the Commission released a detailed report of findings and recommendations and as a newly established permanent entity began the work of implementing its equal employment goals and other proposals.

STEPS TAKEN SINCE 1993

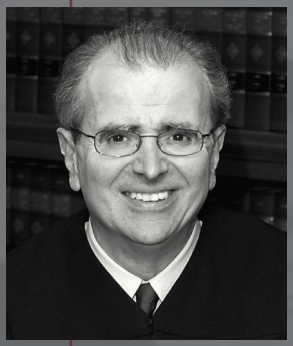
INITIATIVES GENERATED BY THE COMMISSION'S LANDMARK STUDY INCLUDE:

- Creation of the Unified Court System's Workforce Diversity Office, which strives to promote diversity and eliminate bias, conducting training and outreach programs and overseeing anti-discrimination panels that provide an informal forum for the resolution of bias-related matters
- Establishment of the position of Special Inspector General for Bias Matters (now Managing Inspector for Bias Matters) to reinforce the Unified Court System's commitment to a bias-free work environment
- Reconfiguration of judicial nominating and screening panels to include at least one individual of color and one female
- Creation of a Minority Advisory Committee to the Chief Administrative Judge, which among other measures led to the establishment of more inclusive interview panels for nonjudicial positions
- Development of a Court Interpreting Services office to assist individual courts in providing translation services to non-English speaking and hearing-impaired litigants
- Creation of a speaker's bureau comprising judges, attorneys and other professionals to address communities of color on the work of the Franklin H. Williams Judicial Commission on Minorities, the role and operations of the Unified Court System, career opportunities in the courts and other topical court- and law-related issues
- Publication and distribution of brochures about Small Claims Court in Spanish and Chinese
- Launching of a public education campaign to increase minority participation on juries, including production and dissemination of posters and brochures
- Assist with the development of an internship program (the New York Legal Education Opportunity Program) providing academic and other support to minority, low-income and educationally disadvantaged college students to ensure their success in law school



"... As we look to the new century, creation of an atmosphere without even the appearance of racial bias must be the prime objective of our courts ... we should not open the wound unless we are prepared to heal it."

Franklin H. Williams
1917 – 1990



"For the past twenty years, the Franklin H. Williams Commission on Minorities has been an integral part of the Judiciary's efforts to ensure equal justice in New York State. The Commission has become a national model for how state court systems can work effectively to address issues of concern to minority employees, litigants and communities."

– Hon. Jonathan Lippman
Chief Judge of the State of New York
Chief Administrative Judge of the Courts (1996-2007)

PROMOTING DIVERSITY ON THE BENCH AND IN THE COURT WORKFORCE

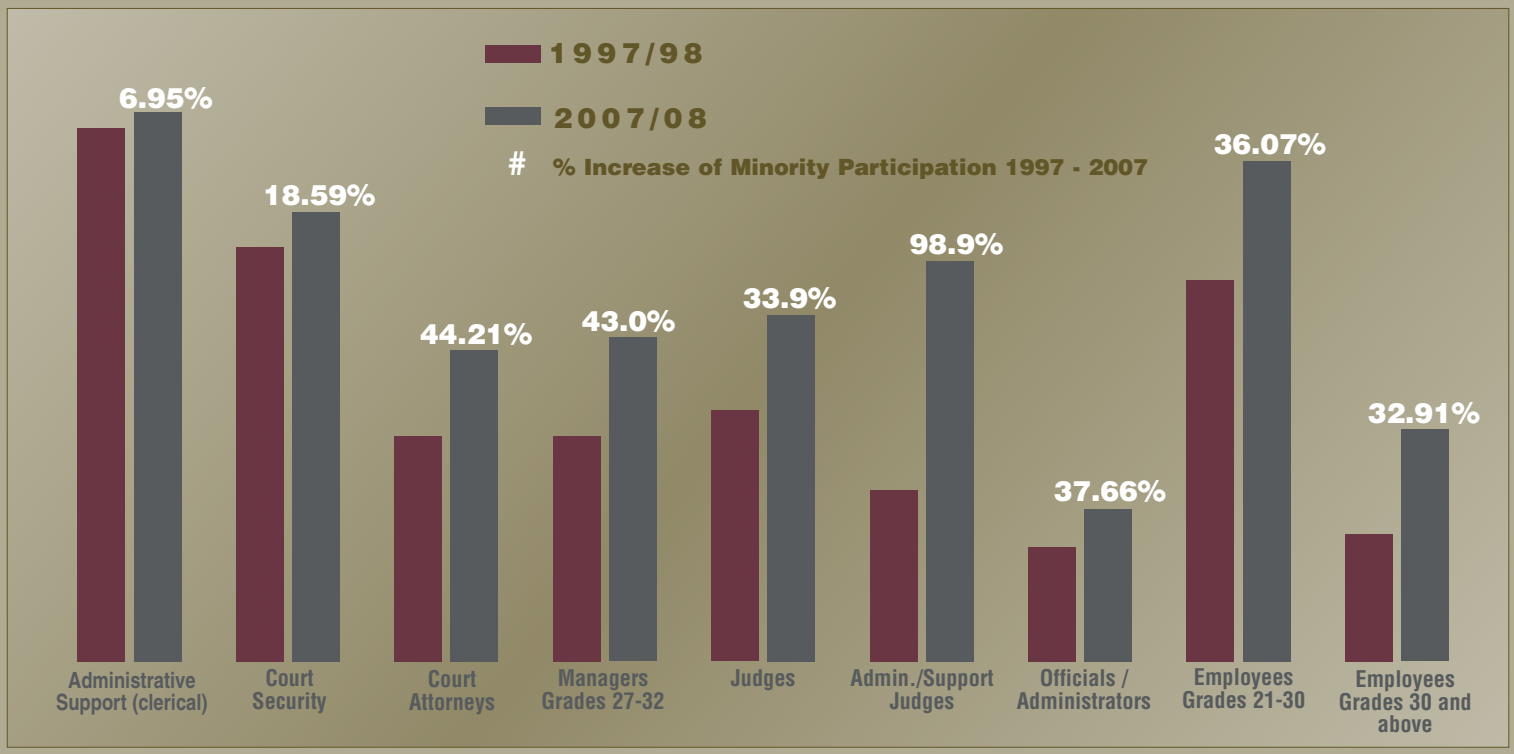
The Franklin H. Williams Judicial Commission on Minorities is actively involved in a variety of initiatives aimed at promoting diversity on the bench and in the court workforce. These range from outreach events to raise awareness about job opportunities in the courts among people of color and educate minority attorneys about the steps involved in pursuing a judgeship to professional development conferences tailored to minority court employees at varying levels. In 2003, the Commission hosted the first Unified Court System Leadership Conference in downstate New York, bringing together court administrators and court employees of color to discuss training and promotional opportunities in the courts, obstacles to promotion and other barriers historically faced by minorities as well as effective strategies for gaining a competitive edge in the workplace. The following year, a second Leadership Conference was held in Syracuse, New York, for employees of color working in New York's upstate judicial districts. Participants of each event engaged in dynamic workshops that produced recommendations leading to enhanced training programs and recruitment efforts, among other improvements.

Through these and other such efforts, minority participation on the Unified Court System bench and workforce has grown considerably over the past decade, as indicated by the adjacent graph. Though concrete progress has undoubtedly been made in this area since the Commission's inception, achieving the goal of a judicial system that is truly representative of the multiple communities it serves will require continued vigilance.

"Increasing workforce diversity helps build positive public perceptions ... I am confident that with the Commission's outstanding leadership and the court system's commitment to this goal, our achievements in this area will continue in the years to come."

– Hon. Judith S. Kaye
(Chief Judge of the State of New York, 1993-2008)

MINORITY REPRESENTATION ON THE BENCH AND IN THE NONJUDICIAL WORKFORCE



STRIVING TO ELIMINATE BARRIERS TO EQUAL JUSTICE

The Franklin H. Williams Judicial Commission on Minorities is committed to keeping at the forefront those issues pertaining to the fair and equal treatment of minorities by our justice system. A September 2006 symposium sponsored by the Commission and the Family Court Judges' Association examined strategies to reduce the disproportionately large number of young people of color in both our foster care and criminal court systems, attracting over 300 judges, attorneys, child welfare experts and other professionals. Keynote speaker Marian Wright Edelman, founding president of the Children's Defense Fund, urged attendees to join together to battle the poverty and other disparities disproportionately faced by children of color—mobilizing forces in what her organization dubs the "cradle-to-prison pipeline." Workshops exploring pathways to reform yielded numerous recommendations, including strengthening relationships with local communities, focusing on the entire family rather than just the child, enhancing cultural sensitivity training for criminal justice professionals and devoting more resources to the careful study of case-related data.

The 2006 symposium generated such interest that the discussion continued the following May at the National Consortium on Racial and Ethnic Fairness in the Courts' annual conference, hosted by the Franklin H. Williams Judicial Commission on Minorities in New York City, where attendees further examined ways to counter juvenile crime and improve the life chances of at-risk youngsters of color.

"Black children constitute about 34 percent of our adolescent population, but 62 percent of the youths in detention ... poverty really is a very important driving force and black children are twice as likely to be poor as white children, and if you are poor you are 22 times more likely to be neglected or abused."

"When looking at the chances of incarceration, the one figure I always point out is that black youths are 48 times more likely, and Latino youths are nine times more likely, to be incarcerated as white youths for comparable drug offenses, and there are ... not as large ... but still extraordinary disparities for the incarceration of black and Latino children who are arrested for violent offenses."

—Marian Wright Edelman, attorney-activist and founding president of the Children's Defense Fund in her keynote address to the September 2006 symposium, The Disproportionate Number of Minority Youth in the Family and Criminal Court Systems

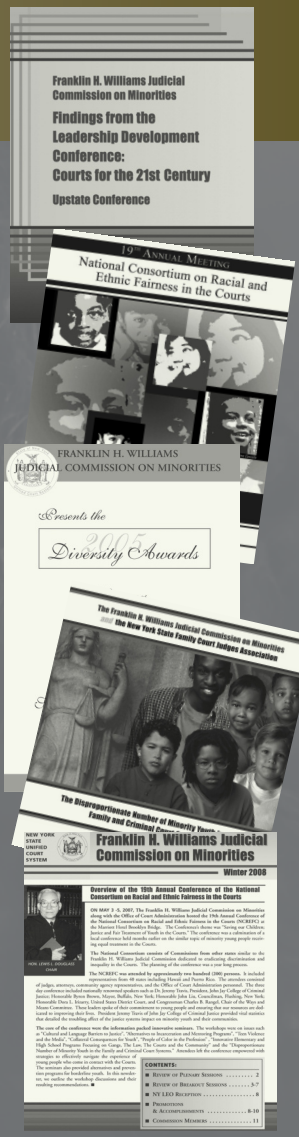
"Outreach is a key component for us to increase minority participation in the court system ...we have a list of community organizations that we send announcements of employment opportunities to encourage minority participation in the interview process ... the Eighth Judicial District has offered a civil service test preparatory training course ... We believe that this has increased the number of qualified minority applicants ..."

– Hon. Sharon Townsend
Eighth Judicial District Administrative Judge,
addressing participants of the 2004 Leadership Conference in Syracuse, New York

THE WORK CONTINUES

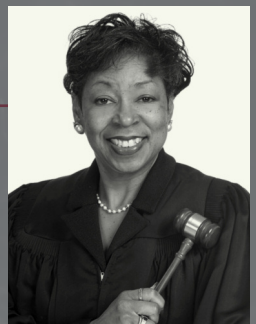
TODAY, THE COMMISSION CONTINUES ITS PURSUIT OF EQUAL JUSTICE:

- Serving as a conduit to minorities within the court system, meeting annually with the Chief Judge and court administrators to discuss issues of concern to minority court employees and matters pertaining to racial and ethnic fairness in the courts
- Collecting and publishing data on minority participation on the Unified Court System bench and nonjudicial workforce
- Presenting diversity-related workshops to judges during their annual judicial seminars, and developing sensitivity training programs for new judges and town and village justices
- Holding professional development and leadership workshops addressing the concerns of minority court employees
- Acting as a liaison to community groups, minority bar associations and judicial appointing authorities, including the Governor and New York City Mayor
- Producing and distributing various publications, including a newsletter and annual report
- Conducting outreach to minority candidates regarding civil service job examinations and promotional opportunities
- Maintaining for judges a list of qualified minority attorneys available for fiduciary appointments
- Overseeing an awards program honoring individuals for their outstanding contributions to the advancement of racial and ethnic justice, cooperation and harmony in the New York state courts and greater community
- Hosting seminars for Judges and others exploring issues affecting minority litigants, defendants, juvenile offenders and youngsters in foster care
- Serving as a model to court systems in other states, providing guidance and support as needed
- Sponsoring seminars and conferences for Judges and court personnel
- Maintaining a mentoring program for minority law students



"By ensuring diversity in the courts, we reinforce the public's confidence in an impartial justice system. For it is only through knowledge and awareness that we can defend and support the principle of justice for all..."

– Hon. Rose Sconiers
Newly Appointed Chair, Franklin H. Williams Judicial Commission on Minorities



It is the mission of the Franklin H. Williams Judicial Commission on Minorities to educate and advise decision-makers in the New York State court system on the issues affecting both minority employees and litigants and to implement recommendations to address said issues.

PICTURED FROM LEFT TO RIGHT: **Hon. Ariel E. Belen, *Vice-Chair*; Hon. Charles J. Tejada; Hon. Rose H. Sconiers; Felix C. Fernandez; Hon. Eduardo Padro; Joyce Y. Hartsfield; Hon. Lewis L. Douglass, *Chair*; Rene Myatt, Esq.; Hon. yvonne lewis; William H. Etheridge; Hon. Richard B. Lowe III, Karlene Dennis and Hon. Doris Ling-Cohan. Not pictured: Pamela D. Hayes, Esq.; Lenore Kramer, Esq.; Dr. Maria Ramirez and Hon. Troy K. Webber.**

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