

AGENDA ITEM

MARCH 165

Diversity Pipeline Task Force
Courts Working Group --
Proposed Report and
Recommendations

DATE: February 7, 2007

TO: Members, Board of Governors
Members, Committee on Stakeholder Relations

FROM: Hon. Brenda Harbin-Forte, Chair, Courts Working Group
Diversity Pipeline Task Force

Patricia Lee, Director,
Office of Legal Services, Access & Fairness Programs

SUBJECT: Diversity Pipeline Task Force, Courts Working Group --
Proposed Report and Recommendations

EXECUTIVE SUMMARY

In September 2006, the State Bar created the Diversity Pipeline Task Force, a broad-based group of stakeholders committed to furthering the State Bar's diversity goals. The Task Force was comprised of representatives from the bench and bar, law firms, corporate counsel, educational institutions and the government/public sector. The work of the Task Force was performed by various working groups, with the Courts Working Group being one such entity.

As part of the Task Force activity, the Courts Working Group held a Judicial Summit in conjunction with the State Bar Diversity Summit in June 2006 for the purpose of convening judges, bar leaders and representatives from the Governor's Office, Legislature, and Judicial Council, to discuss the current state of diversity in the judiciary and to develop recommendations to encourage a more diverse bench.

After considering the comments from the members of the judiciary and other participants of the Judicial Summit, and based on subsequent legislative events, the Courts Working Group has developed the attached report and recommendations for receipt by the Board of Governor and for referral to the newly created Council on Access & Fairness for follow up.

BACKGROUND

In September 2006, the State Bar created the Diversity Pipeline Task Force, a broad-based group of stakeholders committed to furthering the State Bar's diversity goals.

The Task Force was comprised of representatives from the bench and bar, law firms, corporate counsel, educational institutions and the government/public sector. The pipeline model is intended to serve as a resource model and guide to fostering collaborative activities and efforts along the career pipeline, pre-school to law school, resulting in entry and advancement into the legal profession. Its main goal is to develop student aspirations and to generate and provide support to increase the number of diverse lawyers in the legal profession.

The work of the Task Force was performed by various work groups, with the Courts Working Group being one such entity. The Honorable Brenda Harbin-Forte, a judge of the Alameda County Superior Court, chaired the Court's Working Group.

The term of the Diversity Pipeline Task Force has ended, but the work of certain working groups was extended to allow for completion of discreet tasks. The Courts Working Group continued its work to complete its report and recommendations.

DISCUSSION:

As part of its Task Force activity, the Courts Working Group held a Judicial Summit in conjunction with the State Bar Diversity Summit in June 2006. The summit, titled "Continuing a Legacy of Excellence: A Summit On Diversity In The Judiciary" was called for the purpose of convening judges and other key participants, including representatives from the Governor's Office, Legislature, Judicial Council and bar leaders, to discuss the current state of diversity in the judiciary and to develop recommendations to encourage a more diverse bench.

After considering the comments from the members of the judiciary and other participants at the Judicial Summit, and based on legislative events that occurred thereafter, the Courts Working Group has developed the attached Report and Recommendations presenting concerns and recommendations in the areas of Data Collection and Accessibility, Overcoming Barriers, Recruitment, and Outreach and Education, and Conclusions. (see Attachment 1)

NOTE: Text of Footnote 4 Courts Working Group Report and Recommendations

⁴ "It is notable and cause for substantial concern that the majority of every major ethnic group perceive "worse results" in outcomes for African-Americans, low-income people, and non-English speakers." 2005 Trust and Confidence in the Courts, A Survey of the Public and Attorneys, Commissioned by the Administrative Office of the Courts and on behalf of the Judicial Council of California, September 2005, Part I: Findings and Recommendations, pages 29- 30.

PERSONNEL/BUDGET IMPLICATIONS

There are no additional anticipated budget implications, nor are there any additional anticipated personnel costs. The Diversity Pipeline Task Force and working group activities were funded through a grant from the Foundation of the State Bar of California and approved budget allocations from the Elimination of Bias/Bar Relations Fund. The approved 2007 Center for Access & Fairness budget includes the projected costs for the printing and distribution of this report. The approved 2007 Council on Access & Fairness budget includes projected costs for further review and follow up.

BOARD BOOK/ADMINISTRATIVE MANUAL IMPACT: None

RECOMMENDED RESOLUTION

Should the Board Committee on Stakeholder Relations agree to approve the request from of the Courts Working Group of the Diversity Pipeline Task Force, it would be appropriate to adopt the following resolution:

RESOLVED, the Board Committee on Stakeholder Relations recommends the receipt of the final draft of the Report and Recommendations from the Diversity Pipeline Task Force Courts Working Group and further recommends that the report be forwarded to the Council on Access & Fairness for further review and follow up.

PROPOSED BOARD RESOLUTION

Should the Board of Governors concur with the recommendation of the Board Committee on Stakeholder Relations, adoption of the following resolution would be appropriate:

RESOLVED, that upon the recommendation of the Board Committee on Stakeholder Relations, the Board of Governors of the State Bar of California hereby receives the Report and Recommendations from the Diversity Pipeline Task Force Courts Working Group and approves forwarding the report and recommendations to the Council on Access & Fairness for further review and follow up.