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## Striving for inclusion in the halls of justice

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*Facing broad demographic changes, Hennepin County courts spearhead diversity effort.*

The Hennepin County court system in Minneapolis (District 4), the state's largest and most ethnically diverse district, is spearheading an effort within the Minnesota Judicial Branch (MJB) to reflect the broader community through and through.

### Conclusion of a two-part story. [First part](#)

In light of major demographic changes that are sweeping across the state, which has a mostly White population, some MJB representatives and diversity experts, among others, say it's now more important than ever to know how to serve customers from all walks of life.

Among minorities there is a profound mistrust of the courts, some insiders admit, in part because of the difference between those who work behind the counter — who are predominantly White — and those who arrive every day as customers, including a large number of people of color. To help build trust in the community, diversity proponents say the courtroom, where employees are most visible, is the place to start.

On the district's website at [courts.state.mn.us/district4/](http://courts.state.mn.us/district4/), its mission is stated, "to provide a system of justice that assures equal access for the fair and timely resolution of cases and controversies." It also cites several guiding principles, including community, creativity and collaboration (the three C's).

Unfortunately, there's no quick fix for closing the gap across MJB. To begin with, dollars for programs come and go, while interpreter and other individual legal needs mount. For example, some people visiting the Hennepin County courthouse for the first time have never seen an escalator before, at least one employee testified.

Still, services are being adjusted to fit with the times. In Hennepin County courts that handle nearly 800,000 cases every year, the number of litigants moving forward without any kind of legal representation is growing. That means allocating more staff to the various self-help centers where customers can go for assistance with filling out forms (not legal advice).

The self-help centers served 33,000 customers in 2006, up from 3,000 when they opened in 1997, according to information from Hennepin County courts communications specialist Nancy Peters. Legal advice clinics have also expanded.

Also telling is the number of bilingual requests: Last year there were 937 requests for Hmong interpretation, 1,959 requests for Somali and 10,103 requests for Spanish translation, while conciliation court has a monthly Spanish calendar. Handling these types of developments through the years has been accomplished by "a creative shift of resources, not always funding," said Peters, adding that officials are trying to offer more services online as well.

Additionally, traffic court hearings are regularly hosted out in the community, rather than in the stuffy spaces inside the courthouse, to accommodate those who are without transportation.

Recently, Fourth District judges underwent a retreat centering on diversity and cultural competency. Also showcasing its priorities, candidates are given an optional essay question that asks them to share their experience with diversity when applying for court jobs.

Marsha Unthank, a supervisor in District 4, is hopeful about turning around negative impressions that some minorities may have about the court system. "They need to view the courts as a place that's trying to help them with their life issues," she said.

One way to accomplish that, of course, is through word-of-mouth. "I feel like every employee owns part of how we're perceived. Hopefully, we'll have people doing their own recruiting for the court system. That's one of our sources for getting good people, having those people tell other people it's a good place to work," she said.

### Putting principles into action

Currently, Human Resources Manager Chris Matimba, along with other colleagues, is re-examining the district's policies related to its fundamental principles of fair and equal access to the justice system, in addition to developing a long-range plan to tackle other diversity issues. Matimba is also the district's diversity specialist.

A big part of her focus is on employees, contemplating what the makeup of the workforce should ideally be. One top priority is to secure more bilingual workers. In the past, those interviewing job hopefuls upheld the "rule of 20," meaning that an application pool included as many as 20 candidates — a boon for diversity — as opposed to today's much smaller pool due to shrinking budgets, she said.

Soon, a new group called the Employee Diversity Action Council will form with employees from all departments to provide feedback on training, recruitment and retention.

Right now, judges serve on district-level Equal Justice Committees, striving for fairness and justice for the larger community. By contrast, the Diversity Action Council is envisioned to "focus on strategies and prepare for the existing and growing changes in the workforce and community... Its key objectives will be to revisit and firm up the prior initiatives and diversity plan adopted," as stated in a preliminary plan that Matimba wrote.

Employee input is valuable. Efforts to attract diverse people by placing advertisements in ethnic newspapers, or with community organizations, including minority bar associations, or by attending all manner of resource fairs, for example, have often proven lackluster. So, the question is, "What are we doing to create a comfortable workplace, to make people thrive and want to stay?" Matimba posed.

Soon, new marketing materials such as posters will be developed and placed in prime spots to better advertise jobs strategically. An emerging leaders network internal to the courthouse will offer extra training that includes cultural competency for certain employees who want to rise through the ranks (who are chosen through an application process).

Also in the works is a revised performance review that incorporates expectations around respect and diversity, which Matimba said is always in flux. "Diversity is about people, and it's something that we need to stay on top of all the time... There's so much to learn and change and make better."

One office that has taken diversity to task is the Hennepin County Public Defender's office, wherein 30 percent of staffers are people of color and over half are women, according to administrator Michelle Thom. It has become more and more diverse in the past several years thanks to the nonstop efforts of its leadership, who cast a wide net by attending all kinds of community events and posting jobs with numerous organizations. Additionally, diverse panels interview candidates for attorney positions, she said.

Improved retention is a testimony to diversity. "I think that as our staff has become more diverse, it has led to greater retention. That makes it a more open and supportive environment. I don't think we've experienced the same turnover that we once did," Thom said.

Still, there are many obstacles to overcome. Somah Yarney, a two-year attorney who works in the same office and is Black, says she has observed an increasing presence of diverse personnel, especially among younger staffers. But, she cautioned that there are still too few people of color working in the courthouse.

That scarcity leads to a lack of communication and understanding. For example, she has encountered some pushback among some colleagues when bringing up a client who had a bad racial experience.

"I've been in situations where there's some resistance on the part of some individuals about addressing issues dealing with race," she said. "If there were more people of color, they would be more comfortable. It would lead to a willingness from all people to discuss issues without being defensive and resistant."

#### Tomorrow's workforce

In Hennepin County courts, slightly more than 15 percent of the 600 employees belong to communities of color, compared with Ramsey County courts that hover around 14 percent (it is less than half the size of Hennepin).

Hennepin County courts employ nine American Indian/Alaska natives, 15 Asian/Pacific Islanders, 52 Black/African Americans, and 12 Hispanic/Latinos, while four didn't specify their race, according to a recent MJB demographic analysis. Statewide, the judicial branch employs roughly 81 percent White people.

Even though only about 11 percent of Minnesotans are minorities, according to the U.S. Census Bureau statistics from 2000, demographers from the State Demographer Center anticipate a surge of 38 percent non-Whites between 2005-10, and by 2025-30 non-Whites will account for half of the state's population increase.

More people of color are attending law school, according to information from NALP, the association for legal career professionals, but it has had little effect on the workforce, according to information on its website at nalp.org. Out of the thousands of law school graduates acquiring judicial clerkships at the local, state and federal levels, minority representation hasn't increased much.

But the Twin Cities typically offered more government or clerkship opportunities than other cities where more positions in private practice were available. Elizabeth Wefel, who leads career services aimed at boosting multiculturalism in the legal system at the University of St. Thomas Law School in Minneapolis, vouched that Hennepin County court officials aggressively recruit people of color. She lauded the efforts of Hennepin County judges in particular.

She pointed to organizations such as the Minnesota Minority Clerkship program, which is in its second year, among other similar efforts that match students of color from local law schools with employers to help them gain a taste for the real world, while also promoting diversity in the legal arena.

"Most students really enjoy it. It's a good opportunity to get a better understanding of the legal system because it gives them a bird's-eye view," she said.

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