

Judicial Division

The Judicial Division has been reporting on minority participation in leadership positions within its Council and individual Conferences only since 2006-07. However, there is useful information to be gleaned from the data produced during the last three years regarding both positive and negative trends in minority participation in leadership.

The Judicial Division is unquestionably committed to diversity, as evidenced by its adoption of a Diversity Plan in 2004. The Division's efforts include the hiring of a full-time Diversity/Outreach manager responsible for the development and implementation of its diversity initiatives. Other Division efforts include, outreach to Native Americans through its Tribal Courts Council Committee; the establishment of its Judicial Mentor and Judicial Clerkship programs; the development of a diversity database, which has established the Division as a national resource on diversity in the judiciary. The Division's Standing Committee on Minorities in the Judiciary publishes *The Directory of Minority Judges in the United States* and sponsors a variety of programming to encourage minority law students to consider the law as a career. The Standing Committee partnered with the National Association for Law Placement to distribute a pamphlet entitled, "The Courts: An Excellent Place for Attorneys of Color to Launch their Careers." The pamphlet was sent to federal judges encouraging them to consider minority law students for judicial clerkships.

The Division comprises individual Conferences related to specific judicial practice areas. We understand that the pool of minorities is greater in some Conferences than in others and that some Conferences have made greater headway than others in the diversity leadership process. We recommend that the Conferences work together and share strategies and best practices to strengthen minority leadership Division-wide.

2000-2001		Judicial Division					
African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total	Percentage
36	4	9	2	51	304	355	14.37%



2007-2008	Judicial Division						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	2	3
Executive Committee	0	0	0	0	0	0	0
Council Members	1	0	0	0	1	11	12
Committees	5	1	0	1	7	14	21
Other Leadership	0	0	0	0	0	1	1
Nominating Committee	1	0	0	0	1	6	7
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
Total	8	1	0	1	10	35	45



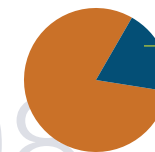
2008-2009	Judicial Division						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	1	0	0	1	0	1
Council or Forum Governing Committee	1	0	2	0	3	10	13
Committee Chairs or Forum Division Chairs	3	0	0	1	4	15	19
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	0	0	1	5	6
Programming Faculty	2	1	0	0	3	12	15
Publication Authors	7	0	1	1	9	56	65
House of Delegates	0	0	0	0	0	1	1
Total	14	2	3	2	21	99	120

Judicial Division—Appellate Judges Conference

The Appellate Judges Conference experienced modest growth in minority participation in its leadership activities between 2006-07 and 2007-08. However, it appears that the number of minority participants has declined, perhaps partially due to the overall decline in leadership opportunities. The total number of minorities in leadership positions in 2008-09 is three, a 50% decrease from 2007-08 and a 40% decrease from 2006-07. Minorities currently make up 15.79% of the total number of judges in leadership roles in the Conference. Though still a strong number, this does represent a significant percentage decrease from 22.73% in 2006-07 and 24% in 2007-08.

In 2006-07 and 2007-08, minority judges participated at the highest levels of the Conference, serving in Primary Leadership, on the Executive Committee in the House of Delegates. This is no longer the case; minority judges from this Conference no longer serve in these areas. One of the three remaining minority members is a woman of color who serves as Vice-Chair of the Conference. We hope to see minority members of the Conference regain some footing in upper level leadership positions within the Division.

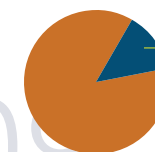
2007-2008



24.00%
Minority Participation

2007-2008	Appellate Judges Conference						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	3	4
Executive Committee	2	0	1	0	3	7	10
Council Members	0	0	1	0	0	0	0
Committees	0	0	0	0	1	5	6
Other Leadership	0	0	0	0	0	1	1
Nominating Committee	0	0	0	0	0	3	3
House of Delegates	1	0	0	0	1	0	1
Total	4	0	2	0	6	19	25

2008-2009



15.79%
Minority Participation

2008-2009	Appellate Judges Conference						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	1	1
Council or Forum Governing Committee	1	0	1	0	2	5	7
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	3	3
Programming Faculty	1	0	0	0	1	6	7
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
Total	2	0	1	0	3	16	19

Judicial Division—Appellate Judges Conference

COUNCIL OF APPELLATE LAWYERS

The Council of Appellate Lawyers has made no measurable progress with regard to minority participation at the leadership level. The total number of minorities in leadership positions in the Division in 2008-09 is one, which represents no change from the two previous years. Minorities currently make up 6.67% of the total number of appellate lawyers in leadership roles in the Division. This number represents a three-year percentage increase from 5% in 2006-07 and 5.56% in 2007-08, which, at first glance, looks like a modest, positive trend toward growth. Unfortunately, this higher percentage is due solely to a decrease in Caucasian leadership and a reduction in the number of available leadership opportunities, not an increase in minority participation.

The sole minority in a leadership position is in the Council Members category. This is the first year that minority participation in this particular leadership position has been reported. In 2006-07, the sole minority involved in Division leadership was on the Nominating Committee. In 2007-08, the sole minority participant in a leadership role was on the Executive Committee. The Division began reporting this data only three years ago; therefore, we cannot ascertain the level of past minority involvement in this category prior to 2006-07.

The Council of Appellate Lawyers Conference has maintained the same limited level of minority participation in its leadership for at least the last three years. The good news is that it hasn't dropped to zero minority participation levels. The Conference must find ways to move more minorities into Division leadership. Change is a good thing.



2007-2008	Council of Appellate Lawyers						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	4	4
Executive Committee	0	1	0	0	1	13	14
Council Members	0	0	0	0	0	0	0
Committees	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	0	0
Total	0	1	0	0	1	17	18



2008-2009	Council of Appellate Lawyers						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	2	2
Council or Forum Governing Committee	1	0	0	0	1	12	13
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	0	0
Total	1	0	0	0	1	14	15

Judicial Division—Appellate Judges Conference

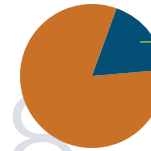
COUNCIL OF APPELLATE STAFF ATTORNEYS

There are five appellate staff attorneys in leadership positions in the Division this year, none of whom are minority. This represents a drop in minority participation from the two previous years. In 2006-07 and 2007-08, the Conference had two minorities serving in Division leadership roles. In these two preceding years, minorities comprised 18.18% and 22%, respectively, of the total leadership in the Division. In 2008-09, minority participation dropped to 0%.

In 2006-07, both minority members served on the Executive Committee. In 2007-08, one minority served on the Executive Committee; the other served in Primary Leadership. The Division began reporting this data only three years ago; therefore, we cannot ascertain the level of past minority involvement in these categories prior to 2006-07.

The lack of any minority Appellate Staff Attorney participation at leadership levels in the Division is unfortunate. The good news is that this Conference has had minority participation in the past, which bodes well for its ability to rebound in this area. However, the Conference should engage in meaningful outreach to recruit more minorities for leadership service. The Conference has no where to go but up.

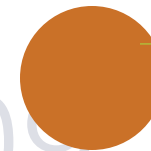
2007-2008



22.22%
Minority Participation

2007-2008	Council of Appellate Staff Attorneys						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	3	4
Executive Committee	1	0	0	0	1	4	5
Council Members	0	0	0	0	0	0	0
Committees	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	0	0
Total	2	0	0	0	2	7	9

2008-2009



0.00%
Minority Participation

2008-2009	Council of Appellate Staff Attorneys						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	1	1
Council or Forum Governing Committee	0	0	0	0	0	4	4
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	0	0
Total	0	0	0	0	0	5	5

Judicial Division—Lawyers Conference

The Lawyers Conference is headed in the right direction with regard to minority participation in Division leadership. The number of minority lawyers from this Conference serving in leadership roles in the Division this year is nine, up from seven in 2007-08. Percentage minority leadership involvement is also up for the third consecutive year. Caucasian involvement is down slightly this year, but the number of leadership opportunities remained the same as last year, which resulted in more opportunities for minorities to move into positions of influence. African American Conference lawyers showed strong growth, jumping from three to seven in number within a year. The other minority sub-groups either lost ground or remained unchanged during this same period. The minority lawyers representing this Conference are involved in Primary Leadership, Council, Committee Leadership and the Nominating Committee. Much to the Lawyer’s Conference’s credit, three of its seven Committee Chairs are minority. The Lawyer’s Conference, Standing Committee on Minorities in the Judiciary and Young Lawyers Division presented a CLE teleconference entitled, “Achieving a Diverse Judiciary.” The teleconference addressed issues related to the public’s perception of a non-diverse judicial system. We commend the Lawyer’s Conference on its diversity efforts and wish it well as it seeks a fourth consecutive year of percentage minority leadership growth.



2007-2008	Lawyers Conference						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	3	4
Executive Committee	2	1	1	0	4	7	11
Council Members	0	0	0	0	0	0	0
Committees	0	1	1	0	2	7	9
Other Leadership	0	0	0	0	0	1	1
Nominating Committee	0	0	0	0	0	5	5
House of Delegates	0	0	0	0	0	1	1
Total	3	2	2	0	7	24	31



2008-2009	Lawyers Conference						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	1	0	1	3	4
Council or Forum Governing Committee	3	0	0	0	3	8	11
Committee Chairs or Forum Division Chairs	2	0	1	0	3	7	10
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	2	0	0	0	2	3	5
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
Total	7	0	2	0	9	22	31

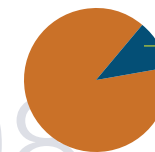
Judicial Division—National Conference of

ADMINISTRATIVE LAW JUDGES

We are extremely pleased with the progress made by the National Conference of Administrative Law Judges in the area of diversity leadership. The Conference has demonstrated three consecutive years of increased minority involvement in Conference leadership. The number of minority administrative law judges participating in leadership is 19, up from 13 in 2007-08. The percentage of minority judges involved in Division leadership activities this year is the highest it has ever been since the Division began recording such data.

While the number of leadership positions available remained about the same, there was a drop in the number of Caucasians in leadership this year. Increased minority participation helped to fill the gap. African American and Native American judges made excellent gains in obtaining leadership positions, particularly in Council and Committee work. We are pleased to see a minority presence on the Nominating Committee, as well, this year. Unfortunately, Hispanic Conference judges lost ground and Asian Pacific Conference judges have yet to gain representation in Division leadership. Hopefully, these will be areas of future development for the Conference.

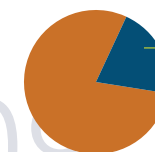
2007-2008



17.57%
Minority Participation

2007-2008	Administrative Law Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	4	4
Executive Committee	2	0	0	0	2	7	9
Council Members	0	0	0	0	0	0	0
Committees	7	0	1	3	11	43	54
Other Leadership	0	0	0	0	0	1	1
Nominating Committee	0	0	0	0	0	5	5
House of Delegates	0	0	0	0	0	1	1
Total	9	0	1	3	13	61	74

2008-2009



26.03%
Minority Participation

2008-2009	Administrative Law Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	4	4
Council or Forum Governing Committee	1	0	0	1	2	6	8
Committee Chairs or Forum Division Chairs	11	0	0	5	16	38	54
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	0	0	1	5	6
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
Total	13	0	0	6	19	54	73

Judicial Division—National Conference of

FEDERAL TRIAL JUDGES

The National Conference of Federal Trial Judges is on the right track with regard to promoting leadership opportunities for diverse members. Minorities currently make up 12.50% of the total number of federal trial judges in leadership roles in the Division. This number represents a three-year percentage increase from 7.41% in 2006-07 and 11.54% in 2007-08. The Conference experienced modest growth between 2006-07 and 2007-08, and has been able to maintain 2007-08 minority participation levels in 2008-09.

Minorities currently serve as Council Members, Committee Chairs and on the Programming Faculty. In 2006-07, minority members served on the Executive Committee. In 2007-08, two African Americans served on the Executive Committee; a third African American served as a Committee Chair. The Division began reporting this data only three years ago; therefore, we cannot ascertain the level of past minority involvement in any of these categories prior to 2006-07.

The Federal Trial Judges Conference is to be commended for the modest growth it achieved in generating minority participation in the Division from 2006-07 to 2007-08, as well as its ability to maintain participation levels in 2008-09. We are encouraged by this incremental progress in minority involvement.



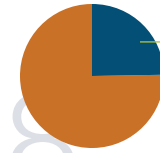
Judicial Division—National Conference of

SPECIALIZED COURT JUDGES

The National Conference of Specialized Court Judges lost some ground with regard to minority leadership participation, but remains in a very strong position. This year, there are a total of nine minority Specialized Court judges in positions of leadership within the Division. This is down from 14 in 2007-08. The percentage of minority involvement this year is 19.15%, much less than the extraordinarily high numbers of 33.33% in 2007-08 and 31.71% in 2006-07.

Despite an increase in the number of leadership positions available, the number of minority judges representing this Conference dropped a bit this year. On the bright side, the remaining minority judges representing this Conference serve in upper level Division leadership positions, such as Primary Leadership, Council, Committee Chairs and Nominating Committee.

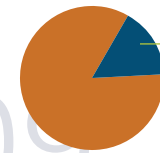
2007-2008



33.33%
Minority Participation

2007-2008	Specialized Court Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	1	0	2	2	4
Executive Committee	2	0	1	0	3	10	13
Council Members	4	0	0	0	0	0	0
Committees	0	1	1	0	6	10	16
Other Leadership	1	0	0	0	0	1	1
Nominating Committee	0	1	1	0	3	4	7
House of Delegates	0	0	0	0	0	1	1
Total	8	2	4	0	14	28	42

2008-2009



19.15%
Minority Participation

2008-2009	Specialized Court Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	1	0	2	1	3
Council or Forum Governing Committee	2	0	1	0	3	11	14
Committee Chairs or Forum Division Chairs	1	0	1	0	2	19	21
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	0	0	1	3	4
Programming Faculty	1	0	0	0	1	3	4
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
Total	6	0	3	0	9	38	47

Judicial Division—National Conference of

STATE TRIAL JUDGES

The National Conference of State Trial Judges has much to be proud of with regard to its progress on minority participation in Division leadership. The number of minority judges in positions of leadership has jumped from 11 to 17 in the last year. Minorities now comprise 31.48% of the leadership positions, up from 26.83% in 2007-08 and 28.26% in 2006-07.

African American judges made significant gains and have a viable presence in the Division’s upper echelon leadership quarters, including the House of Delegates, Council and Nominating Committee. They also have a strong Programming Faculty presence. However, because the Division only began reporting data for this category in 2008-09, we cannot gauge minority involvement in this area for prior years. Asian Pacific judges also made good inroads into upper level Division leadership with service in Primary Leadership, the Council and the Nominating Committee. There is no Hispanic or Native American presence among the state trial judges this year. This is unfortunate given that there was one Hispanic and two Native American judges in leadership service in 2007-08.

We congratulate the Conference on its diversity efforts and ask that it continue to build on the strong foundation that it has already established.



2007-2008	State Trial Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	3	4
Executive Committee	0	1	1	1	3	7	10
Council Members	0	0	0	0	0	0	0
Committees	4	1	0	1	6	12	18
Other Leadership	0	0	0	0	0	1	1
Nominating Committee	1	0	0	0	1	6	7
House of Delegates	0	0	0	0	0	1	1
Total	6	2	1	2	11	30	41



2008-2009	State Trial Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	1	0	0	1	4	5
Council or Forum Governing Committee	3	1	0	0	4	6	10
Committee Chairs or Forum Division Chairs	4	0	0	0	4	16	20
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	1	0	0	2	3	5
Programming Faculty	5	0	0	0	5	8	13
Publication Authors	0	0	0	0	0	0	0
House of Delegates	1	0	0	0	1	0	1
Total	14	3	0	0	17	37	54

Divisions

- **General Practice, Solo and Small Firm**

The Division continues its long-standing Diversity Fellows Program, which annually, provides leadership development opportunities to four diverse members of the Division. The fellows serve on the Leadership Diversity Committee and receive funding to attend two annual meetings.

- **Judicial Division**

The Division has recently instituted a program dedicated solely to addressing the needs of Native Americans. As part of that focus, at the 2008 Annual Meeting, the Division's Tribal Courts Council Committee presented *Maze of Injustice*, a program that educated attendees about the system's failure to protect indigenous women from sexual violence. Another new Division program, the Judicial Mentor Program, matches attorneys and judges for one-on-one mentoring. The program is open to non-Judicial Division members and non-ABA members. The Division's Standing Committee on Minorities in the Judiciary recently released *The Directory of the Minority Judges in the United States, 4th Edition*. For the eighth consecutive year, the Judicial Division is cosponsoring the

Judicial Clerkship Program, which offers diverse law school students a mock clerkship experience with judges at the ABA Midyear Meeting. The Judicial Division and the Standing Committee on Judicial Independence completed the first online, fully searchable web-based Diversity Database, which provides the current composition of minority judges on the state bench, by level of court and the method of judicial selection used by the states (<http://www.abanet.org/judind/>).

- **Law Student Division**

The Division hosts an annual "Diversity Day" celebration, which will be March 2 in 2009. On Diversity Day and the preceding weekend, the Division encourages law schools across the country to make a collective statement to the nation. To help students cultivate Diversity Day, the Division has a special website to assist law school students in planning Diversity Day activities. Additionally, the Division provides Diversity Grants to law student organizations and sponsors diversity receptions at many of its events.

- **Young Lawyers Division**

The Division conducted a Diversity Summit at its 2008 Spring Conference, entitled "Diversity:

The Next Generation." In conjunction with the Summit, the Division launched an online Diversity Toolkit and enhanced its already-comprehensive diversity webpage. At the 2009 Midyear Meeting, the Division continues its popular Diversity Dialogue Series, which provides a forum for YLD members to learn more about opportunities to participate in other ABA entities. Each year the YLD also awards a number of scholarships to encourage the participation of minority, solo/small firm, government, private sector, and military service attorneys in the Young Lawyers Division.

Forums

- **Affordable Housing and Community Development**

The Forum has an initiative to develop a minority database of individuals of color in the field of affordable housing and community economic development.

- **Communications Law**

The Forum recently launched a First Amendment and Media Law Moot Court Competition designed to expose minority law students to the Forum and media law practice.

- **Franchising**

As part of its diversity efforts the Forum's Diversity Committee identifies diverse Forum members with immediate and long-term leadership potential. The members of the Forum's Governing Committee will then serve as "leadership liaisons" to these diverse professionals to guide them into writing, speaking, networking, and committee appointment opportunities. The Forum's Committee has also established a relationship with the Young Lawyers Division to coordinate the selection of minority YLD liaisons to the Forum.