

Resolution 28 In Support of State Courts' Responsibility to Address Issues of Racial and Ethnic Fairness

WHEREAS, despite significant progress in combating racial and ethnic prejudice in the United States, such bias persists in society, including government institutions, the courts and the justice system; and

WHEREAS, the public looks to the courts above other governmental institutions for fairness and neutrality and must have confidence in the courts and the judicial process; and

WHEREAS, sizeable segments of society continue to believe that minorities are treated unfairly by the courts and that racial and ethnic prejudice impedes fair and equal access to the courts; and

WHEREAS, bias, either actual or perceived, cannot be tolerated in the courts; and

WHEREAS, the courts occupy a unique position within the justice system as the neutral arbiter of society's disputes, and the public holds the courts accountable for the actions of the entire justice system; and

WHEREAS, the courts have an important responsibility to take the lead role in eliminating racial and ethnic bias in the courts and throughout the entire justice system; and

WHEREAS, many states already pursue various effective strategies to address bias-related issues, including the following measures:

- appointing state or local task forces to promote racial and ethnic fairness;
- promoting a representative workforce;
- conducting educational awareness programs for all court personnel;
- providing adequate interpreter services and multilingual court forms; and
- setting and enforcing court policy and procedures for reporting and handling bias incidents.

NOW, THEREFORE, BE IT RESOLVED, that the Conference of Chief Justices:

1. Endorses the principles and strategies set forth in the COSCA White Paper on State Courts' Responsibility to Address Issues of Racial and Ethnic Fairness;
2. Urges state judiciaries to work actively to address bias, both actual and perceived, within the court system, and to take a leadership role in addressing bias in the justice system; and
3. Urges state courts to be guided by the following principles in their efforts to eliminate bias:
 - Engage in outreach and improve access to justice;
 - Initiate inter-branch dialogue and cooperation at all levels of government;
 - Share strategies and information among jurisdictions;
 - Maintain issue visibility in court leadership; and

4. Strongly encourages each Chief Justice and Judge to make a personal commitment to be at the forefront of his or her state's efforts to ensure racial and ethnic fairness in the justice system.

Adopted as proposed by the Access to and Fairness in the Courts Committee of the Conference of Chief Justices in Rockport, Maine at its 54th Annual Meeting on August 1, 2002.