



Coalition of Bar Associations of Color

## **RESOLUTION SUPPORTING DIVERSITY IN THE FEDERAL JUDICIARY**

Endorsed March 2016

**WHEREAS**, the Coalition of Bar Associations of Color (CBAC), organized in 1992, is a coalition created to act as a collective voice for issues of common concern to its member organizations; and

**WHEREAS**, the member organizations of CBAC are the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA); and

**WHEREAS**, the member organizations of CBAC are the national voices of their respective legal communities in the United States and its territories and possessions; and

**WHEREAS**, the member organizations of CBAC have led advocacy efforts for decades in support of diverse representation on the federal bench, including the United States Supreme Court; and

**WHEREAS**, the member organizations of CBAC are invested in promoting a fair, independent and diverse judiciary that reflects the rich tapestry of backgrounds, ethnicities, cultures, experiences, and interest that characterize the American population; and

**WHEREAS**, communities of color have been under-represented and have historically faced barriers to equal opportunity in the legal profession; and

**WHEREAS**, a diverse court system representative of all Americans, including women, people of color, and people of modest economic means and backgrounds, is critical to the fair and impartial administration of justice; and

**WHEREAS**, diversity on the bench should include not only diversity of race, ethnicity, gender, sexual orientation, economic status, and disability, but also diversity of legal experience; and

**WHEREAS**, as of January 2015, there were 45 vacancies in the federal district and circuit courts;

**WHEREAS**, of these 45 vacancies, 12 constitute judicial emergencies according to the Administrative Office of the U.S. Courts because each such vacancy has resulted in judges

carrying more than 600 cases per judge or because the post has been vacant for more than 18 months and the filings are between 430 and 600 per judgeship; and

**WHEREAS**, people of color comprise over 36% of the U.S. population; and

**WHEREAS**, people of color are under-represented in the judiciary; and

**WHEREAS**, 79 active federal district and appellate court judges are Hispanic, which represents approximately 9% of all active Article III judges, although Hispanics comprise over 54 million people or 17% of the population; and

**WHEREAS**, 108 active federal district and appellate court judges are African American, which represents approximately 12% of all active Article III judges, although African Americans comprise over 44.5 million people or 14.2% of the population; and

**WHEREAS**, 26 active federal district and appellate court judges are Asian Pacific American, which represents approximately 3% of all active Article III judges, although Asian Pacific Americans comprise over 19.6 million people or 5.5% of the population; and

**WHEREAS**, 2 active federal district court judges are Native American or Native Hawaiian, which represents approximately 0.2% of all Article III judges, although Native Americans comprise over 5.2 million people or 1.2% of the population; and

**WHEREAS**, this Administration is in its final two years, and has a short period of time remaining for appointment and confirmation of judicial nominees.

**NOW THEREFORE BE IT RESOLVED**, that CBAC supports the increased diversity of the federal judiciary; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that CBAC supports the confirmation of diverse judges to the federal bench, particularly in situations where the Administrative Office of the U.S. Courts on behalf of the Federal Judiciary has deemed a vacancy a judicial emergency; and

**NOW THEREFORE BE IT RESOLVED**, that the CBAC calls upon the Senate of the United States, in particular the Senate Judiciary Committee, to actively work with the President of the United States to nominate and confirm qualified candidates of color for the federal judiciary at the U.S. District Court, U.S. Circuit Courts of Appeals, and the Supreme Court of the United States; and

**NOW THEREFORE BE IT RESOLVED**, that CBAC also supports other efforts and laws that are consistent with this resolution; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that CBAC authorizes its officers and staff to communicate the content of this resolution to other bar associations, advocacy groups, members of Congress, the Administration, the press, and to whomever else CBAC board deems suitable to receive the information; and

**NOW THEREFORE BE IT FINALLY RESOLVED**, that this resolution shall be the policy of CBAC until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

We, the duly-elected Presidents of the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA), hereby certify that the foregoing Resolution was duly enacted by a duly-noticed meeting of the Coalition Bar Associations of Color.



*Robert T. Maldonado*

Roberto Maldonado  
President, Hispanic National Bar Association

March 1, 2016  
Date

*Jim Y. Hwang*

Jim Hwang  
President, National Asian Pacific American Bar Association

March 1, 2016  
Date

*Benjamin Crump*

Benjamin Crump  
President, National Bar Association

March 1, 2016  
Date

*Linda Benally*

Linda Benally  
President, National Native American Bar Association

March 1, 2016  
Date