Resolution Supporting the Increase of Native American Representation in the Federal Judiciary

WHEREAS, the Coalition of Bar Associations of Color (CBAC), organized in 1983, 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 the 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, given the undeniable authority that federal courts have over Native people and their lands, and that hundreds of cases are decided every year on issues of federal Indian law that effect the daily lives of American Indians, Alaska Natives and Native Hawaiians; and

WHEREAS, throughout the history of the federal courts, only two Native Americans have been appointed to the federal judiciary: Judge Frank Howell Seay, nominated in 1979 by President Carter, who assumed senior status in 2003; and Judge Billy Michael Burrage, nominated by President Clinton in 1994, who resigned his appointment in 2001; and

WHEREAS, there are 874 Article III federal judgeships in the United States—nine on the Supreme Court, 179 on the Courts of Appeals, 675 on the District Courts and nine on the Court of International Trade—and currently not one of these judgeships is held by an American Indian, Alaska Native, or Native Hawaiian judge; and

WHEREAS, despite the fact that dozens of qualified Native Americans (including some who serve or have served on tribal courts) are willing to serve on the federal bench, none have been confirmed.

NOW THEREFORE BE IT RESOLVED, that the CBAC calls upon the President of the United States to nominate and to actively work with the Senate of the United States, in particular the Senate Judiciary Committee, to confirm qualified American Indian, Alaska Native and Native Hawaiian candidates 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

THEREFORE BE IT FURTHER RESOLVED, that the CBAC authorizes the communication of the content of this resolution to members of the U.S. Senate, members of the U.S. House of Representatives, the press, and to others the CBAC deems appropriate to receive the information; and
CERTIFICATION

We, the duly elected leadership of the Hispanic National Bar Association, the National Asian Pacific American Bar Association, the National Bar Association, and the National Native American Bar Association, hereby certify that this resolution was duly enacted by the CBAC at its annual meeting on the 16th of May 2012.

Nimesh Patel
President, National Asian Pacific American Bar Association

Peter M. Reyes, Jr.
President-Elect, Hispanic National Bar Association

Daryl Parks
President, National Bar Association

Patty Ferguson-Bohnee
President, National Native American Bar Association