



**HNBA 2019 RESOLUTION IN SUPPORT OF TIMELY CONFIRMATION OF  
DIVERSE JUDGES TO THE FEDERAL BENCH**

**WHEREAS**, the Hispanic National Bar Association (“HNBA”) is an association created to represent the interests of Hispanic legal professionals and the Hispanic community, acting as a collective voice for issues of common concern to its members; and

**WHEREAS**, the HNBA is the national voice of its legal community and Hispanics in the United States and its territories and possessions; and

**WHEREAS**, there are currently approximately 121 judicial vacancies, of which 28 have been rated “judicial emergencies,” and these vacancies have caused extraordinary caseloads for federal courts;

**WHEREAS**, there are at least 8 future federal judicial vacancies that will continue to exacerbate the judicial emergency crisis; and

**WHEREAS**, the system of justice in the United States cannot function effectively without a fully staffed judiciary because these vacancies impede access to justice; cause delays in criminal defendants’ Constitutional right to speedy trials; increase the number of pleas taken by defendants to avoid longer detention; increase legal costs; slow resolution of all civil and criminal disputes; and

**WHEREAS**, the federal appointments process should be an apolitical process involving the selection of the brightest legal minds reflecting the people and communities served by the federal courts, including diversity of gender, racial and ethnic background, law practice experience, educational background, and socio-economic background to sustain the confidence of the people in the fairness and integrity of the justice system; and

**WHEREAS**, the federal appointments process should be an apolitical process involving the selection of the brightest legal minds, and the current composition of the federal bench; and

**WHEREAS**, nearly 80% of the current members of the federal judiciary are white and 73% are male;

**WHEREAS**, as of February 2019, 92% of individuals that the current President of the United States has nominated for Article III judicial appointments and have been confirmed by the Senate are white, and 76% are male; and

**WHEREAS**, as of February 2019, 74% of the pending nominees the current President of the United States has nominated for Article III judicial appointments are white, and 85% are male; and

**WHEREAS**, approximately 18.1% of the total U.S. population is Latino, but only 1.2% of the individuals that the current President of the United States has successfully appointed for Article III judicial appointments are Latino (as compared to 10.9% of President Barack Obama's appointees and 9.1% of President George W. Bush's appointees); and

**WHEREAS**, approximately 50.8% of the total U.S. population is female, but only 23.5% of the individuals that the current President of the United States has successfully appointed for Article III judicial appointments are female (as compared to 42.3% of President Obama's appointees and 21.8% of President Bush's appointees);

**WHEREAS**, approximately 13.4% of the total U.S. population is African-American, but only 1.2% of the individuals that the current President of the United States has successfully appointed for an Article III judicial appointment are African-American (as compared to 18.7% of President Obama's appointees and 7.3% of President Bush's appointees); and

**WHEREAS**, approximately 6.0% of the total U.S. population is Asian-Pacific American, and 5.9% of the individuals that the current President of the United States has successfully appointed for Article III judicial appointments are Asian-Pacific American (as compared to 6.7% of President Obama's appointees and 1.2% of President Bush's appointees); and

**WHEREAS**, approximately 1.3% of the total U.S. population is Native American, but none of the individuals that the current President of the United States has nominated for Article III judicial appointment are Native American (as compared to one Native American appointee by President Obama and no Native American appointees from President Bush); and

**WHEREAS**, the HNBA has a strict vetting and endorsements process available to any and all candidates for a position on the federal bench or the Federal Executive Branch; and

**WHEREAS**, the HNBA has worked vigorously to identify, vet, and endorse qualified judicial nominees to fill the numerous vacancies in the federal court system and has endorsed and provided the current administration and U.S. Senators with a number of endorsed diverse candidates for federal judicial vacancies; and

**WHEREAS**, the HNBA supports the nomination and confirmation of many of the highly-qualified, diverse judicial candidates endorsed by the American Bar Association (ABA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), the National LGBT Bar Association and the National Native American Bar Association (NNABA), because the confirmation of these individuals as Article III judges would demonstrate

respect for diverse individuals who reflect the changing demographics of our country and the rich tapestry of backgrounds, ethnicities, cultures, experiences and interests that characterize the American population, and inspire the confidence of minority populations in our justice system; and

**WHEREAS**, including Asians, African Americans, Latinos, and Native Americans at all levels of the federal workforce enables our government to better understand, relate to and execute policies that will effectively reach and serve Asian, African American, Latino, LGBT community and Native American citizens;

**NOW THEREFORE BE IT RESOLVED**, that the HNBA will continue to seek out and promote talented Asian, African American, Latino, and Native American attorneys for positions on the federal bench and the federal Executive Branch and is committed to working with Senators and the Trump Administration in order to bring them a slate of talented Asian, African American, Latino, LGBT community and Native American attorney candidates for judicial and executive branch appointments; and

**NOW THEREFORE BE IT RESOLVED**, that the HNBA calls on the President of the United States to timely identify and nominate a greater number of Latino, Asian, Native American and African American attorneys to fill judicial vacancies and for the U.S. Senate and the President of the United States to fully support the confirmation of Asian, African American, Latino, LGBT community and Native American judicial candidates in a number that shows greater parity with the total U.S. Asian, African American, Latino, LGBT community and Native American populations; and

**NOW THEREFORE BE IT RESOLVED**, that the HNBA stands ready to assist in identifying and supporting diverse candidates for the federal bench because a more diverse bench ensures and fosters better decision-making and a richer jurisprudence that reflects the entire population, and further, a full complement of judges from diverse backgrounds increases the public's trust and confidence and ensures both access to justice and citizen confidence in the justice system; and

**NOW THEREFORE BE IT RESOLVED** that the HNBA also supports other efforts and laws that are consistent with this resolution.

**BE IT FURTHER RESOLVED** that the HNBA authorizes its officers and staff to communicate this resolution's content to other bar associations, members of the U.S. Congress, judicial nominating committees nationally and locally, the press, and to whomever else is suited to receive the information in order to effect this resolution.

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

**CERTIFICATION**

**I, Jennifer Salinas**, National President of the Hispanic National Bar Association, hereby certify that the foregoing resolution was duly enacted by the Executive Committee pursuant to the authority delegated to it by a duly-noticed meeting of the Board of Governors.

\_\_\_\_\_  
Jennifer Salinas,  
HNBA National President