

Photography by Michael M. Smith



Racial and Ethnic Fairness

The First Michigan Conference on Racial and Ethnic Fairness in the Legal System was held in conjunction with the 15th Annual Meeting of the National Consortium on Racial and Ethnic Fairness in the Courts, April 9–12, 2003 in Detroit.

BY NASEEM STECKER

The Detroit Marriott Renaissance Center was the hub of an important conference that featured over 20 substantive programs on a range of topics that focused on racial and ethnic fairness in the legal system. Over 275 national and state representatives from ten states and the Mariana Islands gathered to exchange views, discuss challenges and opportunities, and to learn from each other. At plenary sessions and in smaller breakout groups, participants were fully immersed in earnest efforts to develop effective strategies that would assure fairness within the legal and judicial system.

More than 80 speakers covered issues that included: the impact of race and culture on court services and determinations; homeland security: the significance of race and culture in post 9/11 America; racial and ethnic issues in jury participation and selection; underfunding the delivery of legal services in criminal cases and its impact on case outcome; minority over-representation in the juvenile justice system; the constitution and law school admissions; networking strategies for minority counsel and innovative programs for the delivery of legal services for special populations.

A highlight of the conference was a banquet dinner dance on April 10th honoring Dennis Archer, president-elect of the American Bar Association for his commitment to community service and to issues of fairness and equality. Archer was a former Mayor of Detroit and Justice of the Michigan Supreme Court. Current Detroit Mayor Kwame Kilpatrick joined the conference as a luncheon speaker on the 11th. Cultural events featuring a Native American drummer, an Asian dance

troupe, Latino players and a flutist from the Detroit Traditional Arabic Ensemble provided variety, and entertainment during the course of the three-day event. The State Bar of Michigan's Open Justice Commission hosted the conference. The Michigan State Bar Foundation, the National Center for State Courts, and Whirlpool Corporation Foundation provided generous backing. Many other individuals and organizations also helped to sponsor, support, and endorse this event.

"In diversity we find strength. Diversity is the heart, the soul, the genius of our constitutional form of government—of our very way of life... Greater diversity in the judiciary will positively contribute to the development of the law, enhance administration of justice, and diminish actual bias as well as the perception of bias. It will promote confidence in the legitimacy of the legal system particularly for people of color."

Hon. Patricio M. Serna
Moderator, National Consortium on
Racial and Ethnic Fairness in the Courts
Justice, New Mexico Supreme Court

"The reality of the nation's changing demographics is that we are, more and more, finding ourselves living and working with diverse groups of people. Thus, it is imperative that we each take stock of our own attitudes about those whom we may view as 'different.' As importantly, we need to develop a mutual understanding and respect by taking the time to learn about the culture, customs, and traditions of other ethnic groups and also by sharing the uniqueness of our own respective rich cultural heritage."

Hon. Ronald T. Y. Moon
Supreme Court of Hawaii

"If we want to make sure that we get rid of racial and ethnic bias, and bias against those who have a different sexual orientation, we need to be able to demonstrate respect. We need it in the halls of our law firms. I was speaking in San Diego, and someone said, 'well, when do you think this will be over, when we don't have to be concerned about diversity in our

law firms?' I said when the law firm looks like the community in which you live and there's no longer a first this or first that, but everybody is given an equal opportunity to succeed."

Dennis W. Archer
Presidentelect, American Bar Association

"Our country is marked by conversation and debate. The affirmative action issue permeates this conference. What is fair and how can fairness be achieved? We are free to have a debate. Questions are addressed in a court of law, not at gunpoint... Your conversations and your debate are a living example of fairness."

Maura Corrigan
Chief Justice, Michigan Supreme Court



Judge Harold Hood, former Chief Judge Pro Tem of the Michigan Court of Appeals (on the extreme left) and Justice Charles Z. Smith of the Washington State Supreme Court were both honored on the occasion of their retirement after many years of dedicated and exemplary service by Justice Marilyn Kelly of the Michigan Supreme Court [right] and Lorraine Weber, Open Justice Consultant, State Bar of Michigan [second from left]. Both men are founding members of the National Consortium on Racial and Ethnic Fairness in the Courts. Judge Hood has spent over 30 years on the bench and has been the recipient of many honors and awards including the State Bar of Michigan Champions of Justice Award, the Wolverine Bar Association Distinguished Jurist Award, and the Women's Hall of Fame Phillip A. Hart Award. He currently serves as the co-chair of the State Bar of Michigan Open Justice Commission. Justice Smith has received numerous service awards for his work in local, national, and international organizations concerned with religion, law, health, children and families, human rights, and cultural diversity. He co-chairs the Washington State Minority and Justice Commission and served ten years as moderator of the National Consortium on Racial and Ethnic Fairness in the Courts. Justice Kelly and Lorraine Weber were recently appointed to the governing Board of the National Consortium on Racial and Ethnic Fairness in the Courts.

"Historically, the judges and lawyers of Michigan have stood at the forefront of initiatives designed to insure the fair and equal application of the law and access to all rights and benefits afforded by our system of justice. As officers of the courts, guardians of the law, advocates for the under-represented, and teachers of fairness, it is both our privilege and our obligation to continue these efforts."

Marilyn Kelly
Open Justice Commission Co-chair
Justice, Michigan Supreme Court

"The conference was a resounding success. It was a wonderful opportunity for state and federal judges from across the nation to share ideas with lawyers, court administrators, and corporate leaders on the need for increased appreciation and tolerance of our nation's rich diversity. The State Bar of Michigan is proud of the work of our Open Justice Commission in hosting the event, and we congratulate Justice Marilyn Kelly and Judge Harold Hood on their stellar leadership."

Reginald M. Turner
President, State Bar of Michigan



"Building Cultural Competency" was the title of a daylong workshop April 11, to enhance participants understanding of five major cultural groups—African American, American Indian, Arab American, Asian American, and Latino American. Staff from the Michigan Department of Civil Rights presented the program that dealt with the complexity and challenges of various issues within a multi cultural society, as well as within the work environment. Later that day the department celebrated its 40th anniversary with a reception at the Renaissance Club.

"People often ask how do I want to change the culture of a city like Detroit. I want it just to be a place for people of all races. All ethnicities can come and compete, can participate. But in order for that to happen, 82 percent of the African Americans living inside the city have to be able to compete too. It's that simple."

Kwame M. Kilpatrick
Mayor, City of Detroit