

Supreme Court of Florida

No. AOSC10-36

IN RE: STANDING COMMITTEE ON FAIRNESS AND DIVERSITY

ADMINISTRATIVE ORDER

The Standing Committee on Fairness and Diversity was established to help advance the State Courts System's efforts to eliminate from court operations bias that is based on race, gender, ethnicity, age, disability, financial status, or any characteristic that is without legal relevance.

Court committees are a vital component in the governance of the judicial branch. Committees established by the Supreme Court assist in the development of policies and operating procedures that enhance the administration of justice. In recent years, as a result of the global recession and the subsequent decline in state financial resources, the Florida State Courts System has sustained significant reductions in operating funds and staff positions. Even given the demanding fiscal times we are in, work of the Standing Committee on Fairness and Diversity must proceed. Accordingly, the term of the Standing Committee is hereby extended until June 30, 2012. The Standing Committee must, however, be cognizant of the limitations on the resources available to support its efforts as it develops a work

plan that will accomplish, to the best of the committee's abilities, the important tasks assigned in this administrative order. Accordingly, the chair should use discretion in the establishment of subcommittees that require operating funds and staff support. With regard to meetings, the Standing Committee should strive to utilize the most economical means appropriate to the type of work being accomplished.

On March 14, 2008, the Standing Committee submitted a report entitled Perceptions of Fairness in the Florida Court System.¹ That report indicates the overall perception of those with long-standing experience in the Florida court system is that significant improvements in reducing discrimination have been made over the years. At the same time, however, there are perceptions among court participants that disparate treatment continues to occur.

There are a number of activities that might be undertaken to continue advancing the Florida court system's efforts to eliminate from court operations bias that is based on race, gender, ethnicity, age, disability, financial status, sexual orientation, gender identity, or any characteristic that is without legal relevance. However, the current economic challenges require that the Florida court system embark upon a practical and realistic course with respect to addressing the perceptions of disparate treatment documented in its report. As such, the Standing

¹ The report is available on the Florida Courts website at http://www.flcourts.org/gen_public/family/diversity/index.shtml.

Committee is hereby directed to concentrate its efforts on two of the themes that emerged in the report – namely Procedural Justice and Inappropriate Conduct and Expressions of Bias.

Specifically, during the next two years, the Standing Committee shall perform the following tasks:

1. Identify and explore various opportunities to encourage and support continuous learning and development on fairness and diversity topics. This should include the Standing Committee continuing to provide input to the Florida Court Education Council as it works to identify and recommend resources for implementing permanent fairness and diversity training on the local and state levels for both judges and court personnel.
2. In collaboration with the Diversity Teams that were re-established in each trial and appellate court during the Standing Committee's 2008-10 term, engage in public education about the Florida court system. This might be achieved through the development of educational materials and their dissemination, and/or by building education networks. Examples include, but are not limited to, developing descriptive materials about court best practices for distribution to inform the public about courts operations; developing model curricula

for presenting education programs on fairness and diversity topics; developing brochures on fairness and diversity for use at meetings and conferences involving The Florida Bar, local bar associations, Florida law schools, and other organizations that are also striving to eliminate bias from the Florida legal profession; identifying resources for developing short media spots to counter popular misconceptions about the courts. The Standing Committee should consult with the Publications Committee of the Florida Court Education Council about effective and efficient methods to deliver and distribute these materials, such as inclusion in court education programs, handbooks or bench guides, or the Florida Courts website, as may be appropriate.

3. Continue to build on the momentum generated by the Standing Committee during the 2008–2010 term by identifying programs and seeking partnerships with The Florida Bar Commission on Professionalism, local bar associations, community organizations, and Florida law schools to discuss and advance fairness and diversity initiatives within the legal profession. Examples of such efforts might include, but are not limited to, working with Florida law schools to design and implement diversity education programs that can be used for pipeline outreach efforts by the bench and bar; speaking out on the

importance of fairness and diversity in the legal profession by participating in local bar association programs, community meetings, and law school events; working with local bar associations to develop strategies to ensure that the public perceives the highest standards for fairness and quality treatment in court procedures; and, coordinating activities to increase public awareness and perceptions of fairness and diversity in the courts system.

The Standing Committee should submit its reports to the Chief Justice through the State Courts Administrator.

The following individuals are appointed to the Standing Committee for a term to expire on June 30, 2012:

The Honorable Scott M. Bernstein
Circuit Judge, Eleventh Judicial Circuit

The Honorable Peter F. Estrada
Circuit Judge, Tenth Judicial Circuit

The Honorable Kevin Blazs
County Court Judge, Duval County

The Honorable Pat Frank
Clerk of Court, Hillsborough County

The Honorable Gill S. Freeman
Circuit Judge, Eleventh Judicial Circuit

Ms. Pamela Guerrier
Attorney at Law, West Palm Beach

Mr. Tom Genung
Court Administrator, Nineteenth Judicial Circuit

Ms. Michelle Ku
Attorney at Law, Orlando

Ms. Raquel Matas
University of Miami, School of Law

The Honorable June C. McKinney
Administrative Law Judge, Division of Administrative Hearings

Ms. Rachelle Munson
Attorney at Law, Apopka

The Honorable Tonya B. Rainwater
Circuit Judge, Eighteenth Judicial Circuit

Mr. Robert C. L. Vaughan
Attorney at Law, Miami

The Honorable Marva Crenshaw
Appellate Judge, Second District Court of Appeal

The Honorable Claudia Isom
Circuit Judge, Thirteenth Judicial Circuit

The Honorable Walter M. Green
County Court Judge, Alachua County

Ms. Shelia Sims
Senior Deputy Trial Court Administrator
First Judicial Circuit

Ms. Muslima Lewis
Attorney at Law, ACLU of Florida

Mr. Carl Zahner, Director
The Henry Latimer Center for Professionalism

Judge Scott Bernstein shall serve as chair of the Standing Committee through June 30, 2012. Justice Peggy A. Quince will serve as the Court's liaison to the Standing Committee. Staff support shall be provided by the Office of the State Courts Administrator.

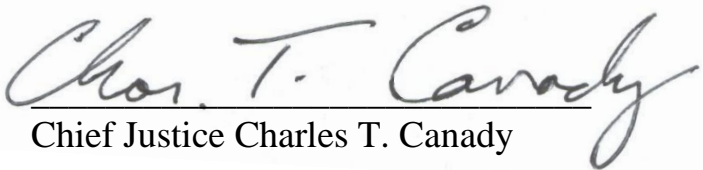
As indicated above, should the Standing Committee on Fairness and Diversity make recommendations about the education and training needs of judges and court staff, the committee is directed to establish the necessary liaison relationships with the Florida Court Education Council. At a minimum, the Standing Committee shall provide the Chair of the Florida Court Education Council with copies of its reports and recommendations that reference court education, prior to the finalization of those reports.

Should the Standing Committee on Fairness and Diversity make recommendations that require additional funding or resources to implement, the Standing Committee is directed to establish the necessary liaison relationship with the District Court of Appeal Budget Commission or the Trial Court Budget Commission, as appropriate. At a minimum, the Standing Committee shall provide the chair of the respective budget commission with copies of its reports and recommendations that reference the need for additional court funding or resources, prior to the finalization of those reports.

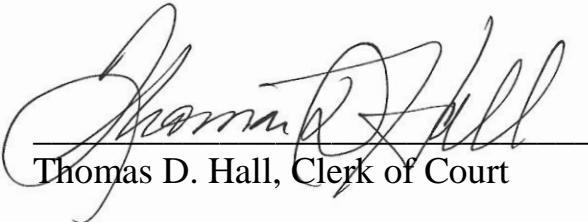
Should the Standing Committee on Fairness and Diversity make recommendations that impact on court technology, the Standing Committee is directed to establish the necessary liaison relationship with the Florida Courts Technology Commission. At a minimum, the Standing Committee shall provide the Chair of the Florida Courts Technology Commission with copies of its reports and recommendations that reference court technology, prior to the finalization of those reports.

The Judicial Branch Governance Study Group was established in the fall of 2009 and directed by the Supreme Court to undertake an in-depth study of the current governance system of the judicial branch of Florida. There is a possibility the results of that initiative may necessitate a re-evaluation of this administrative order, at a future date.

DONE AND ORDERED at Tallahassee, Florida, on July 1, 2010.


Chief Justice Charles T. Canady

ATTEST:


Thomas D. Hall, Clerk of Court

