

# Supreme Court of Florida

No. AOSC08-91

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.

As a result of the economic challenges currently facing the nation and the State of Florida, our state government has experienced a substantial revenue shortfall. As a result of the decline in state financial resources, the Florida State Courts System has sustained significant reductions in operating funds and staff positions during Fiscal Years 2007/08 and 2008/09. The State of Florida may face additional reductions in state government, which may impact the courts as well.

During these demanding fiscal times, there is still a need for the important work of the Standing Committee to proceed. Accordingly, the term of the Standing Committee is extended until June 30, 2010.

The progress of the Standing Committee's work will, however, be impacted by the reduced operational funds and staffing that are available. The Standing Committee is therefore directed to make every effort to conserve resources by prioritizing its work and considering a gradual, phased-in approach within available resources; using discretion in the establishment of subcommittees that require operating funds and staff support; limiting the number of in-person meetings; and utilizing such options as telephone conference calls, videoconferencing, and other electronic meeting options as appropriate.

On March 14, 2008, the Standing Committee submitted a report entitled Perceptions of Fairness in the Florida Court System.<sup>1</sup> 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 past two decades. At the same time, there are perceptions among court participants that disparate treatment continues to occur, albeit in more isolated instances than was reported to Supreme Court study commissions in the early 1990's. The Court appreciates the Standing Committee's diligent efforts to document and analyze the extensive input it received on the current perceptions of fairness.

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<sup>1</sup> The report is available on the Florida Courts website at [http://www.flcourts.org/gen\\_public/family/diversity/index.shtml](http://www.flcourts.org/gen_public/family/diversity/index.shtml).

The Supreme Court of Florida has a deep and enduring commitment to addressing fairness and diversity in the justice system, and that commitment extends to the issues described in the report Perceptions of Fairness in the Florida Court System. Accordingly, that report has been distributed to persons in leadership positions within the Florida justice system, including those persons involved in educational leadership, along with a request that those leaders give serious consideration to the matters discussed in the report that could be addressed within their respective scope of responsibility. The Court acknowledges that there are a multitude of worthwhile activities that might be undertaken to address the perceptions of disparate treatment documented in the report. At the same time, the Florida court system is in the midst of a dire financial situation that includes significant reductions in operating funds and staff positions.

In order to embark upon a practical and realistic course with respect to addressing the perceptions of disparate treatment documented in its report, the Standing Committee is hereby directed to concentrate its efforts this term on the first two chapters of the report that discuss perceptions of disparate treatment; that is, Chapter Two: Perceptions of Racial and Ethnic Bias, and Chapter Three: Perceptions of Socioeconomic Bias. Specifically, during the next two years, the Standing Committee shall perform the following tasks:

1. In collaboration with the Diversity Teams that were established in each trial and appellate court during the Standing Committee's 2006-08 term, identify, explore, and share information about various opportunities for building relationships between the court and the community that will facilitate a dialogue on fairness and diversity topics and thereby lead to increased trust and confidence in the courts among all Floridians, with particular emphasis on minority groups and socioeconomically disadvantaged groups. This effort should include consideration of Law Day activities as well as successful community outreach projects in Florida courts and other states, and publication of information about model programs on the Florida Courts website or through other means, as appropriate.
2. Develop materials that provide practical advice for judges, court staff, and attorneys on recognizing and responding to bias in the court environment; recognizing the principles of procedural fairness; understanding each participant's role in eliminating bias in the courtroom; and demonstrating respect, neutrality, and fairness. 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. Provide input to the Florida Court Education Council as it works to identify and recommend resources and begin implementation of permanent fairness and diversity training on the local and state levels, for both judges and other court personnel.
4. In order to promote a more coordinated statewide approach, the Standing Committee should seek out and liaise with The Florida Bar Commission on Professionalism, Florida law schools, and other organizations that are striving to eliminate racial, ethnic, and socioeconomic bias from the Florida legal profession.

The following individuals are appointed to the Standing Committee for a term to expire on June 30, 2010:

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

The Honorable Kevin Blazs  
County Court Judge, Duval County

The Honorable Sheree Cunningham  
County Court Judge, Palm Beach County

The Honorable Dorian Damoorgian  
Appellate Judge, Fourth District Court of Appeal

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

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

Ms. Adora obi Nweze  
Miami

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

Mr. Grant Slayden  
Trial Court Administrator, Second Judicial Circuit

Mr. Kent Spuhler  
Executive Director, Florida Legal Services, Inc.

Ms. Mary Vanden Brook  
Attorney at Law, Summerland Key

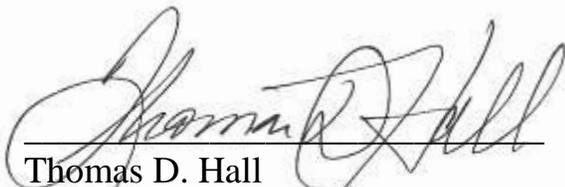
Mr. Robert C. L. Vaughan  
Attorney at Law, Miami

Judge Scott Bernstein shall serve as chair of the Standing Committee through June 30, 2010. Staff support shall be provided by the Office of the State Courts Administrator.

DONE AND ORDERED at Tallahassee, Florida, on December 3, 2008.

  
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Chief Justice Peggy A. Quince

ATTEST:

  
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Thomas D. Hall  
Clerk, Supreme Court

