



NEW YORK STATE SENATOR

Malcolm Smith

## Senate Minority Hosts Hearing On Judicial Diversity Forum At St. John's Second In A Series On Issue

MALCOLM A. SMITH January 17, 2007

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The Senate Minority hosted a public hearing at St. John's University Law School today, taking testimony from judicial experts on how to increase diversity in the State's court system and make it more reflective of the people of New York State. Experts included respected former judges, attorneys and law professors.

The Senate Democratic Leader Malcolm Smith (D-Queens) a strong and vocal proponent of

judicial diversity, appointed Senators Diane Savino (D-Staten Island/ Brooklyn) and Martin Malave Dilan (D-Brooklyn) to serve as co-chairs of the hearing.

"Meaningful diversity in our State courts is essential to a strong and healthy judiciary," Smith said. "And it will help to increase public confidence and trust in our judicial system, ensuring that justice is not only blind, but colorblind."

Smith has discussed the issue with Governor Eliot Spitzer, and congratulated the new Governor for nominating Judge Theodore Jones Jr., an African-American, to the Court of Appeals. Jones's appointment will have to be confirmed by the State Senate.

"Under the Governor's leadership, New York's judicial system has taken a huge step forward," Smith said. "He has not only increased diversity on the bench, but has strengthened the State's judiciary by adding a highly-qualified jurist who is prepared to focus on the most pressing legal issues in our state."

Senator Dilan said, "We need to ensure that we select judges that are representative of the public they serve. We are being presented with a unique opportunity to begin to restore the public's faith in our judicial system because of the Governor's future appointments. I look forward to hearing fresh new ideas from our panelists that will help us to ensure we accomplish these very important goals."

Senator Savino stated, "Our justice system takes great pains to make sure that fairness is applied to cases that come before the courts. Fair trials, a jury of one's peers and unbiased judges are important cornerstones of that system. The last category is especially important. There is a diverse collection of brilliant legal minds in every corner of this state, and they deserve a chance to be considered for service on the state bench."

Reflective of the day's theme, a diverse list of presenters testified on the issue, including John D. Feerick, Sidney C. Norris Chair of Law in Public Service/Fordham University and The Honorable Sol Wachtler, former chief justice of the New York State Court of Appeals who said, "No matter how qualified the members of an appellate bench are, by way of learning or judicial skills, an appellate bench without diversity is severely handicapped and unworthy of New York State."

Steve Zeidman, Associate Professor at the CUNY School of Law said, "New York's judiciary, from the trial level up to the highest court, is disproportionately and inexcusably comprised of white males. The existing methods of judicial selection - election and appointment - have failed to produce the best and the brightest judiciary possible and one that inspires the trust and confidence of all New Yorkers."

The forum, the second in an ongoing series of hearings, is part of the Conference's "Blueprint For Judicial Diversity," which was originally initiated in September of 2006 to address the lack of racial, gender and geographic balance in the state's appointive courts.

Over the next few months Smith and his Democratic colleagues will continue to travel the state taking testimony from various legal experts on how to bring increased diversity to the state bench.

"Change has been a watchword in Albany," said Smith. "Just as we push for transparency in the legislative branch, we should also be just as diligent in pushing for that same openness when it comes to filling vacancies on the Court of Appeals. There are many qualified jurists of various backgrounds waiting for an opportunity to serve. That's why my colleagues and I are working to find ways to make sure that they get that chance."

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