



July 25, 2012

The Honorable Tani Cantil-Sakauye
Chief Justice, California Supreme Court and
Chair, Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102

Attn: Invitations to Comment
Administrative Office of the Courts

RE: **Item SP 12-05**
Strategic Evaluation Committee Report
Comments from the Filipino Bar Association of Northern California (FBANC)

Dear Chief Justice Cantil-Sakauye and Members of the Judicial Council:

The Filipino Bar Association of Northern California (FBANC) is submitting these comments in response to the Strategic Evaluation Committee (SEC) Report on the Administrative Office of the Courts (AOC) presented to the Judicial Council of California on June 21, 2012.

One of the major goals of our association is to build, promote and support a more diverse profession, which, of course, includes a more diverse judiciary. In a state that is almost sixty percent (60%) people of color, the number of ethnic minority lawyers is shockingly low at twenty percent (20%) of our legal profession. The numbers for the judiciary (at 27.7% minority) and women in the profession (at 39.4%) are equally shocking.

Another of our goals is to ensure access and fairness and impartial treatment for all court users, in particular those from diverse backgrounds and communities. It is this belief in access and fairness and the commitment to a diverse profession that is the reason for this letter. A failure to have a diverse profession and judiciary severely impacts the credibility and faith in our legal system by the public that we serve.

We recognize that the SEC's charge was to conduct a "thorough and objective examination of the role, functions, organizational structure and staffing of the AOC." We further understand that the SEC necessarily focused on areas of concern and provided recommendations to address those concerns and that a failure to comment on particular issues or programs indicated that these were not areas of concern. As the Judicial Council reviews the SEC Report and determines what needs to be restructured at the AOC, we urge the Council to be mindful of the positive work that has been ongoing in the area of diversity in the legal profession and in the judiciary in the past few years by the State Bar and by organizations such as ours.



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We commend the Judicial Council's Access and Fairness Advisory Committee for its ongoing efforts to assist the Council in implementing and supporting Goal 1 of your Strategic Plan focusing on diversity, access and fairness in the courts and justice system. We also support the ongoing CJER education and training on fairness for judges, attorneys and the State Bar Commission on Judicial Nominees Evaluation (JNE). This ongoing support through the AOC entities is critical for the continuation of our collective efforts.

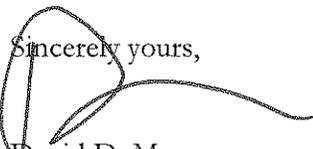
As a policy matter, it is incumbent that the Judicial Council focuses on Goal 1, as well as extends Goal 1 as part of your new strategic plan, and supports the allocation of ongoing resources and qualified staff to ensure the effective implementation of diversity programs and initiatives. If the bench and bar are to maintain the public's trust and confidence in the judicial system, we must strive to do all we can to utilize the best talent in a diverse population and to build that pipeline into the profession.

As former Chief Justice George commented at the first Diversity Judicial Summit held in collaboration with the State Bar of California in 2006:

In my view, a diverse bench not only will maintain and enhance our state's tradition of having an excellent judiciary, but will also serve to reinforce our guiding principle – that we are committed to making our justice system fair and accessible to all.”

Thank you for this opportunity to comment in response to the SEC report. We have full confidence that the Judicial Council will continue to live and act the mantra that is on the Judicial Branch home page: *“Welcome to the California Judicial Branch -- Committed to providing fair and equal access to justice for all Californians.”*

We commend the Judicial Council and the AOC for the positive work it has done to promote and ensure support for and implementation of Goal 1 and we offer our assistance to build a diverse organization that will go far to foster public trust and confidence and the perception of fairness in our judicial system.

Sincerely yours,

David D. Mesa
President

cc: Justice Douglas Miller, Chair, Judicial Council Executive & Planning Committee
Jody Patel, Interim Administrative Director, Administrative Office of the Courts