

L.A. County judges lack diversity of community

Jurists of color exceed the percentage of minority lawyers but lag their proportion of the public, bar leaders say.

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Although the percentage of Latinos, African Americans and Asian Americans serving as judges in Los Angeles County dramatically exceeds their number in the legal community as a whole, true diversity on the bench remains a long way off, local bar leaders said at a downtown conference Saturday.

Los Angeles County "has a greater proportion of judges who are members of minority groups than any other court in California with the exception of Alameda County," according to a report by the Los Angeles Superior Court that was released at the Diversity Summit.

Currently, 116 of Los Angeles' 429 Superior Court judges — 27% — are people of color, 10 percentage points higher than the statewide figure.

In Los Angeles, 8.9% of judges are black and 8.2% are Asian American or Pacific Islander. That's more than six times as many Asian Americans, blacks or Pacific Islanders who are partners in local law firms.

The share of Latino judges is even higher: 10%, more than any other court in the state and dramatically higher than the 2.1% of Los Angeles law firm partners who are Latino.

Still, it is slightly lower than the percentage of Latinos in the district attorney's office — 12% — and dramatically lower than the 20% of public defenders who are Latinos, according to figures provided by Dist. Atty. Steve Cooley and Public Defender Michael Judge.

And Latinos are a far greater presence in the general population — making up 46.8% of those living in Los Angeles County.

About 29% of the judges here are women, but no woman has been the presiding judge in the court system, which was created in 1880.

"I don't think any of us wants to hang a banner in the courtroom saying 'Mission Accomplished,' " said Peter Espinoza, assistant supervising judge for criminal cases, who moderated one of the panels at the conference in the civil courthouse.

"We are in a funny position, the receipt of a lot of criticism" for not being more diverse, but with limited power to change the situation, Espinoza said.

Presiding Judge J. Stephen Czulger concurred. "No court has the power to name its own judges," he said. But the court can exercise leadership. Saturday's conference was organized to provide a progress report and to encourage "as diverse a pool as possible of applicants for appointment by the governor or candidacy to election to judicial positions," he said.

To become a judge in California, an attorney must have been admitted to the State Bar and have practiced law for at least 10 years. About 90% of Los Angeles judges gain their position through gubernatorial appointment, with the remainder chosen in countywide elections.

Los Angeles needs a diverse bench because "we live in the most diverse county in the country" and "the strength of the community" lies in utilizing that diversity, Czulger said.

Timothy Simon, a San Francisco attorney who is the first African American appointments secretary to a California governor, read a message from Gov. Arnold Schwarzenegger saying he was proud that the percentage of minority appointments to the bench in California jumped to 31% last year, up from 17% the year before.

Still, Simon sounded a cautionary note. "A diverse bench begins with diverse law schools and a diverse bar," he said, adding that, when it comes to African Americans, "we're in a crisis."

When Schwarzenegger took office 38 months ago, 2.5% of the state's lawyers were black; now only 1.7% are, he said.

Simon said the drop is attributable, at least partly, to decreased enrollment of African Americans in law school, in part as a consequence of Proposition 209, the 1996 initiative that banned the use of race as a factor in hiring or admissions at state institutions. In 1997, the year after the measure passed, only one black student enrolled at UC Berkeley's Boalt Hall out of a class of 250. Currently in the four UC law schools, only 3% of students are black — half the 1996 percentage — and 8% are Latinos, down from 12% in 1996.

Sheldon Sloan, president of the state Bar Assn., said the bar has created a Diversity Pipeline Task Force to develop long-term strategies. One of its goals is to identify promising minority students at an early age.

Sloan said that although this endeavor could take many years to bear fruit, he thought it was the most important initiative the state bar had undertaken in some time.

Four Southern California law school deans said the power of the rating system of U.S. News & World Report, which emphasizes high scores on the Law School Admission Test and not diversity, has a "pernicious" effect on their goal of increasing diversity.

That rating system "is the bane of my existence," said UCLA Law School Dean Michael Schill. He said UCLA has created a special outreach program to help promising undergraduates who are economically disadvantaged gain admission to law school — offering, among other assistance, scholarships for LSAT prep courses.

California Chief Justice Ronald M. George has long emphasized the importance of increasing diversity on the bench.

"We have to have a judiciary that reflects the public in a general way or there won't be trust in the system," George said in an interview over the weekend.

He said he hoped that a new state law, passed last year, would help. It adds 50 judgeships and requires that the ethnic background of those applying, being nominated and being chosen for judgeships be made a matter of public record.

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