

## **FOR IMMEDIATE RELEASE**

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### **Bench and Bar Diversity Committee Issues Report and Recommendations to the Delaware Supreme Court**

Report recommends creating school pipelines for future attorneys, changes to the bar exam, and suggestions for the bench and the bar to increase diversity

Delaware Supreme Court Chief Justice Collins J. Seitz, Jr. and Justice Tamika R. Montgomery-Reeves today released the “Improving Diversity in the Delaware Bench and Bar Strategic Plan.” The court announced the study on May 17, 2021, a date that marked the 67<sup>th</sup> anniversary of the landmark U.S. Supreme Court decision in *Brown v. Board of Education*.

“The Committee has done an outstanding job with the report. Some of the recommendations are already taking place. We’re excited to study all of the recommendations and to make lasting changes to improve the diversity of the Delaware bench and bar,” said Chief Justice Seitz. As the report explains, the lack of diversity can be traced to several interrelated issues, starting with how the law and the legal profession is taught in schools to bar readiness, professional retention, and the judicial nominating process. “This detailed strategic plan – that as far as we know is one of the first of its kind in the nation for a court system – gives us 50 recommendations and concrete steps to consider to make the Delaware bench and bar more representative of the diversity of our great State,” said Justice Montgomery-Reeves.

The National Center for State Courts and the non-profit AccessLex Institute worked on the 101-page report along with a steering committee that included representatives from each of Delaware’s state courts, Delaware legal aid groups, the Board of Bar Examiners, the Department of Justice, the Office of Defense Services, the Governor’s Office, private law firms, Widener University Delaware Law School, the University of Delaware, Delaware State University and community and technical colleges. Dozens more from across the state were involved in subcommittee working groups or participated in interviews.

“As officers of the court we play a tremendous role in the history of, and solution to, Delaware’s equity challenges – and so it is of paramount importance that Delaware’s Bar fully represents the community it serves,” said Attorney General Kathy Jennings. “I’m grateful to Chief Justice Seitz and the steering committee for the leadership and effort that produced this comprehensive report. These recommendations outline a thoughtful, concrete, and actionable path to change for the bar. Now it’s on all of us to make it a reality.”

“The Strategic Plan provides tangible steps that will have a real and lasting impact,” said Delaware State Bar Association President Kathleen Miller. “Improving diversity, equity, and inclusion is not a quick fix. This is a comprehensive action plan to effectuate change with a commitment from the bench and the bar at the highest levels, which provides for both immediate and long-term approaches to achieving inclusion for everyone.”

The National Center, which represents state courts across the country, and AccessLex, which is affiliated with bar associations and law schools across the nation, were brought in to provide subject matter expertise, data analysis, national resources, and to help facilitate the work of the committee. The report and recommendations are intended to serve as a model for other states to follow.

Some of the report's recommendations can be acted on immediately while others require new programs or additional studies to better craft solutions. In terms of immediate steps, the Delaware Judiciary has requested funds in this year's state budget for a Diversity, Equity, and Inclusion Coordinator (DEI Coordinator), who will spearhead efforts to carry out the strategic plan. The Delaware Judiciary is hopeful this request will be approved and diversity coordinator positions will be created for the other state courts in the coming years.

"The strategic plan is a practical and progressive model in pursuit of addressing the diversity challenges in the Delaware legal community," said Dr. Christopher Alan Bullock, Pastor of Canaan Baptist Church, who worked on the pre-college subcommittee. "It's long overdue but right on time."

The report's steering committee divided its work into five subject areas – pre-college education, college and law school, the bar exam and attorney admission, diversity of the Delaware Bar, and diversity of the Delaware Bench. In theory, improving each area will lead to improvement in the next. For example, if students of diverse backgrounds are exposed to law-related education and have positive experiences with the legal system in elementary and high school (such as the High School Mock Trial program or improved civics instruction), they might consider a career in law. In turn, if college and law school programs are put in place that support diverse students' success, it will increase the number of diverse candidates that seek admission to the Delaware Bar, which in turn should lead to a greater diversity of practicing attorneys and a greater pool of qualified, diverse candidates for the bench.

"Diversity, equity, and inclusion are not simple words to espouse when they impact social constructs like race, class, and gender," said Delaware State University President Tony Allen, whose university participated in the study. "They engulf every aspect of our public life. Nowhere is that more important than in our legal system. In that vein, I am very impressed with Delaware Supreme Court's focus on creating a more representative legal community that can serve as a national model across the country. At Delaware State University, we are proud to be a part of the conversation and, more importantly, to work together toward tangible solutions for the many talented young people in our community."

Chief Justice Seitz said the full Supreme Court will consider the report and develop an action plan to work on the recommendations.

The [full report](https://courts.delaware.gov/aoc/publications.aspx) can be found on the Administrative Office of the Courts website under reports <https://courts.delaware.gov/aoc/publications.aspx>.