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The Resource Page

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The Resource Page

RACIAL EQUITY RESOURCES

Judges all over the country are besieged with cases and issues related to racial tension, either directly or indirectly. State court leaders have been working to build a foundation of resources and material for judges to learn, process, and develop some necessary background skills to fairly approach courtroom evidence and situations. Below are some handy examples of video content that will expand the sensibilities of jurists (and non-jurists) of all races.

HIP HOP, GRIT AND ACADEMIC SUCCESS

<https://www.youtube.com/watch?v=tkZqP-Mzgvzg&t=108s>

Dr. Bettina Love is a chaired professor at the University of Georgia. She is a national leader in the thinking and discussion of education reform, including enlarging civic engagement to connect schools with their communities, and bridge “abolitionist” teaching with racial harmony. In this TED talk, Dr. Love outlines the full aspects of hip-hop as an extremely adept way to measure culture and academic success among young students. Dr. Love shows how youth interpretation of the world through hip-hop sensibilities is a direct link to character strength.

HOW DO YOU HANDLE A RACIST JOKE

<https://www.youtube.com/watch?v=Bgl1aTLsS69Y>

Franchesca Ramsey is a television/online celebrity and writer. She first became famous from a 2012 YouTube video about racism, after which she started a YouTube channel of socially conscious comedy sketches. She most notably hosted an MTV web series called “Decoded,” joined a Comedy Central series, wrote books, and recorded podcasts. This short video is a “Decoded” feature that adroitly addresses the nature and effects of racist humor in an engaging manner. It seems light, but gets right to the point in a number of helpful ways.

HOW TO DECONSTRUCT RACISM, ONE HEADLINE AT A TIME

<https://www.youtube.com/watch?v=RZgk-jEdMbSw>

Baratunde Thurston is a writer, comedian, and commentator. A Harvard graduate, his 2012 book *How to Be Black* was a *New York Times* best-seller. He has covered political conventions, hosted a Science Channel series, and restarted *The Daily Show* with Trevor Noah. This is a TED talk that mixes wonderful humor/satire, social criticism, and serious commentary. Although he makes fun of all of us (even his own name), he concentrates on how mainstream media affects society’s assumptions and stereotypes about African-Americans.

I, TOO, AM HARVARD

<https://www.youtube.com/watch?v=uAMTSPGZRiI>

Ashante is a young woman who works as a creative director, video-maker, and producer. She developed a YouTube channel called Ashante the Artist in which she presents stories about personal growth and social awareness. This short YouTube video from her channel shows a variety of Harvard students who put forth their feelings and experiences as African-Americans at Harvard, and society in general. It is a great discussion of commonplace racial treatment.

GREAT BOOKS FOR JUDGES

Last year, the National Judicial College surveyed judges regarding their recommended books. Some of them, like *To Kill a Mockingbird*, are no surprise. But the one most commonly identified was *Caste: The Origins of Our Discontents*, by Isabel Wilkerson. It was written in 2020 by a non-lawyer journalist about specific features of society that enable inequality, particularly between races. Others include:

Just Mercy by Bryan Stevenson: 2014 memoir by a lawyer representing disadvantaged clients.

Eulogy of Judges by Piero Calamandrei: a 1936 collection of anecdotes and observations about the legal system from an Italian lawyer “with quiet wit.”

Reflections on Judging by Richard Posner: 2013 diatribe against purported needless complexities of the U.S. legal system, including legal jargon, judicial opinion formalism, even the *Bluebook* itself.

The Undoing Project by Michael Lewis: this 2016 book, from the author of *Moneyball*, *Blind Side*, and other notable non-fiction works, recounts the story of two scientists who earned worldwide recognition for their studies of how human brains solve complex problems—recommended for judges and lawyers by some critics.

Catch-22 by Joseph Heller: famous 1961 novel about the inherent contradictions of bureaucracies, rules, and regimen.

Ten Lessons For A Post-Pandemic World by Fareed Zakaria: the well-known CNN host/journalist expounds his ideas in this 2020 work about how we should view the immediate future and its obvious challenges—critics found it to be original and optimistic.

ZOOM MISCHIEF

“When hearings are conducted by Zoom, it’s easy for mischief to occur,” said a former Connecticut state trial judge. The *New Jersey Law Journal* published an article about case judgments being overturned due to witnesses being coached off-camera, and other irregularities related to the use of Zoom for trials. In the New Jersey matter, a hearing on a domestic restraining order was conducted for two pro se parties on Zoom. The mother of one party, also a witness, was later found to be in the room during the testimony. It was overturned. The article also recounts a Michigan Zoom criminal trial of a domestic matter in which the defendant and the victim were found to be in the same room, thus affecting the victim’s testimony. See <https://www.law.com/njlawjournal/2021/05/17/zoom-verdict-overturned-was-witness-coached-off-camera-during-remote-hearing/?slreturn=20210808161457>.

In Law Technology Today, an ABA resource site, “Legal Issues in Zoom Meetings” was recently published, listing a wide range of relevant topics, including Zoom bombing, general security and privacy, problems with what’s visible in the background (leading to personal or HIPPA exposure), and due-process issues for those who do not have access to Zoom. See <https://www.lawtechnologytoday.org/2021/08/legal-issues-in-zoom-meetings/>.