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The Nebraska Minority Justice Committee Progress Report 2008

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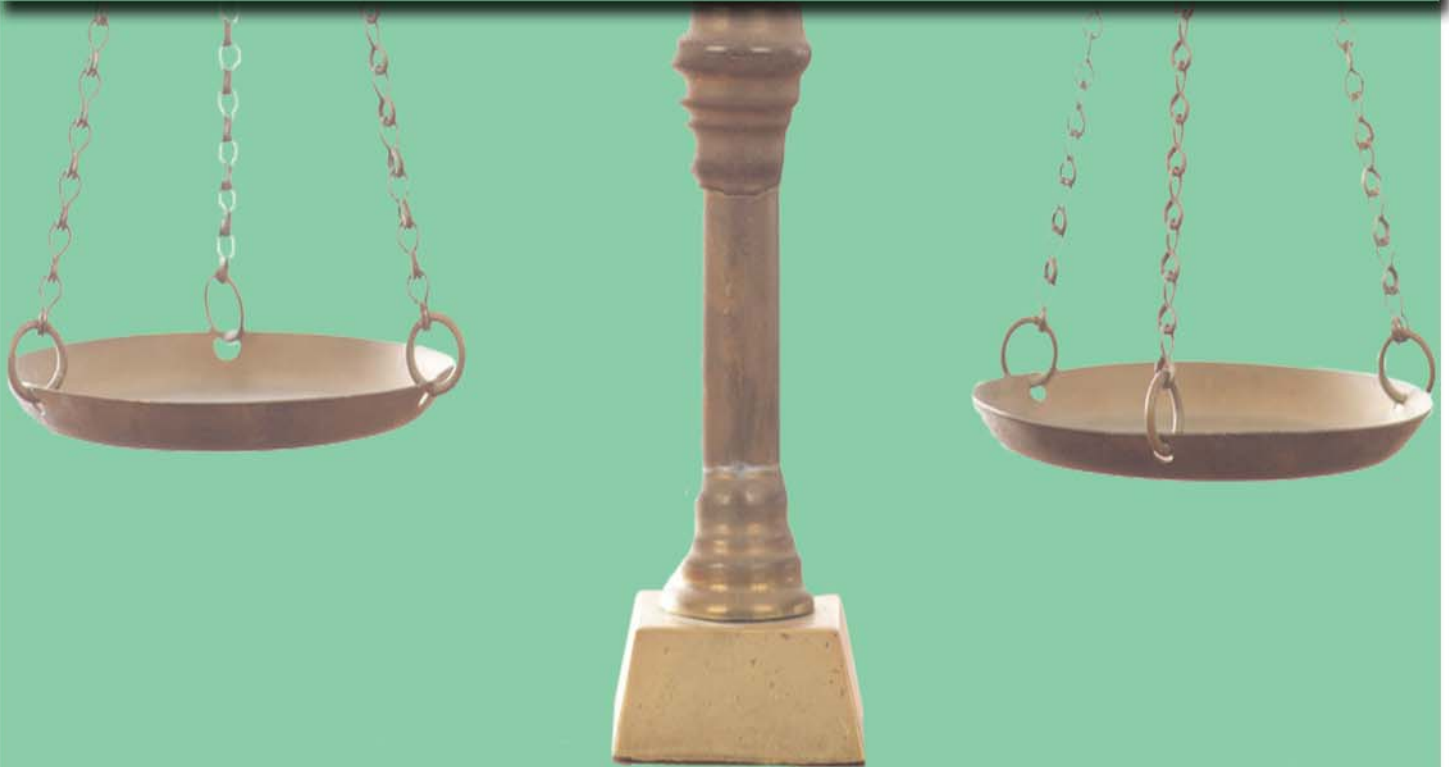
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THE NEBRASKA MINORITY JUSTICE COMMITTEE

PROGRESS REPORT 2008

— *EQUAL JUSTICE BEFORE THE COURTS* —



History and Mission



Chairs and staff of the MJC: *From left to right:* Jane Schoenike, Executive Director of the Nebraska State Bar Association; Hon. John Gerrard, Nebraska Supreme Court and Co-Chair of the MJC; Linda Crump, Office of Equity Access and Diversity UNL and Co-Chair of the MJC; Liz Neeley, PhD, Project Director of the MJC; and Judy Beutler, Nebraska Administrative Office of the Courts.

The Nebraska Minority Justice Committee (MJC) is a unique statewide collaboration that works to develop and implement just and sustainable policy reforms that will not only improve the system of justice but will also strengthen public trust and confidence in our laws and court system. The Committee is a joint effort of the Nebraska State Bar Association and the Nebraska Supreme Court, appointed by the Supreme Court in May of 2003 in response to a Task Force's two-year investigation into whether racial and ethnic bias and discrimination exists in Nebraska's justice system.

The mission of the Committee is to achieve three primary aims:

- address racial disparities in both the juvenile and adult justice systems
- ensure equal access to justice
- increase the diversity of Nebraska's judicial workforces and legal profession

The Committee is pleased to share these brief descriptions of the progress it made in 2008.

Access to Justice

Translation Grant

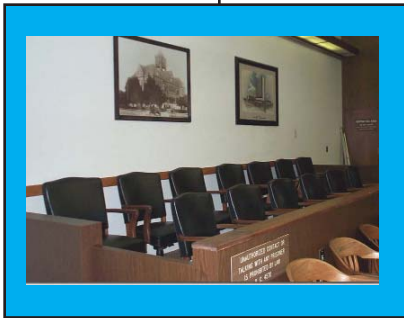
The MJC received a grant for \$25,000 from Woods Charitable Fund to have all appropriate civil and pro se court forms translated into a bilingual format (for the most commonly requested languages: Spanish, Vietnamese and Arabic). The objective of this initiative is to improve the justice system's capacity to serve limited and non-English speakers in civil and pro se matters. Bilingual forms are available on the Nebraska Judicial Branch website: <http://www.supremecourt.ne.gov/>

Research on Representative Juries

The MJC is undertaking a study of the juror compilation process to determine to what extent racial and ethnic minorities may systematically be excluded. Over 90,000 juror qualification forms have been received and analyzed. The study includes an analysis of each stage of the jury compilation process, from the compilation of the initial pool to the final impaneled jury and a process evaluation to determine variations in local practices. Results of this examination will be used to explain why the composition of our jury pools may or may not be reflective of the diversity of our counties and to formulate any recommendations necessary to rectify systemic bias.

Seminar on Increasing Cultural Understanding

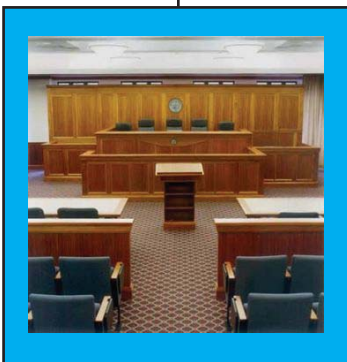
In 2008, the MJC sponsored an educational seminar for justice system practitioners at the Nebraska State Bar Association's Annual Meeting. The seminar, conducted by Dr. Mary Willis, an anthropologist at the University of Nebraska-Lincoln, provided insight into: the Sudanese culture, the resettlement of Sudanese refugees to Nebraska; and the legal issues faced by the Sudanese population.



Criminal and Juvenile Justice

Failure to Appear Project

The MJC received a \$200,000 grant from the National Institute of Justice to pilot a policy designed to reduce failures to appear for misdemeanor defendants. Failure to appear for court causes increased work loads for court staff, issuance of misdemeanor arrest warrants, incarceration on minor offenses for the non-compliant defendant, and longer detention stays for those defendants in connection with the present offense or future offenses. Because preliminary data indicate that non-whites fail to appear at higher rates, the MJC is hopeful that the policy will reduce disproportionate confinement of minorities in Nebraska jails. The policy will be piloted in seven Nebraska counties and will begin in January of 2009.



Improvement of Race/Ethnicity Data Collection

In conjunction with the Nebraska State Patrol and the Department of Motor Vehicles, the MJC helped to develop legislation (LB 911) that will over time improve the justice system's capacity to examine racial and ethnic disparities by providing the justice system with defendant information transferred electronically via the bar code.

Racial Impact Statements & Collateral Consequences

The MJC is exploring the utility of two initiatives currently being promoted nationally. In an attempt to address disproportionate minority confinement, the first initiative would require information on the predicted impact of minority populations to be considered by the legislature when considering new criminal laws or enhancements to sanctions. The second proposal attempts to address the many collateral consequences of conviction by developing a process which notifies defendants of the collateral consequences of a conviction.

Translation Grant

The MJC received a grant for \$15,000 from the Nebraska Crime Commission to have all appropriate juvenile court and juvenile probation forms translated into a bilingual format (for the most commonly requested languages: Spanish, Vietnamese and Arabic). The objective of this initiative is to improve the justice system's capacity to serve limited- and non-English speakers. Bilingual forms will be available in 2009.

Diversity in the Legal Profession and Court System

LSAT Prep Scholarship Program

In an effort to expand the pipeline for a diverse legal profession, the MJC established a LSAT Prep Scholarship Program. The program provides a scholarship for a Kaplan LSAT Prep Course and covers the costs of registering for the LSAT exam. To be eligible for a LSAT Prep Scholarship, applicants must reside in Nebraska, demonstrate economic need, and be a racial/ethnic minority. Six LSAT Preps scholarships were awarded in 2008. To donate to the LSAT Prep Scholarship Fund or to apply for a scholarship visit: <http://www.nelegaldiversity.org> for more information.



Call to Action Initiative

In an effort to promote diversity in Nebraska's legal profession, the MJC coordinated a Call to Action Initiative. Modeled after successful initiatives in other cities, the Call to Action Initiative encourages law firms and corporations to sign on to a basic statement of diversity principles and agree to participate in Nebraska State Bar Association programs in pursuit of these principles. In essence, the Call to Action Initiative creates a network of firms and corporations that can work collaboratively and innovatively to promote diversity in the legal profession. To date, 57 firms and organizations have signed on to the initiative. The Initiative has assisted with awarding 6 LSAT Prep Scholarships, coordinated several youth outreach initiatives, provided input into the development of the 4th Annual Legal Diversity Summit, and is helping to establish a Nebraska Minority Corporate Counsel Program.



Fourth Annual Legal Diversity Summit

The MJC hosted its fourth annual Legal Diversity Summit on September 5th in Omaha. The Summit featured W.H. Knight, former dean of the University of Washington School of Law, who discussed the threat that anti-affirmative action bans pose to a diverse legal profession. The Summit provided law students of color from the region with new knowledge, contacts and interview opportunities. The Summit also provided Nebraska's legal employers with new ways of understanding the value of a diverse workforce and strategies for recruiting and retaining attorneys of color.

EEO Policies

During the original Minority Justice Task Force examination, we learned that the majority of district courts either: 1) did not have an EEO policy in place; or 2) they were unaware if they had an EEO policy in place. The MJC contacted each county, describing the protection that EEO policies afford and offering assistance for counties interested in developing or improving upon their existing EEO policy. The MJC, in partnership with the Nebraska Equal Opportunity Commission, then established a model EEO policy which was disseminated statewide.

Upcoming Priorities

The Minority Justice Committee's future priorities include:

- Establishing a Minority Corporate Counsel Program
- Designing a study to examine disparities in bail bond.
- Establishing mock trial programs in high schools with significant minority populations.
- Continuing research on representative juries.

Raising Awareness

The Committee hopes that continual media coverage and community outreach will bring broad public exposure to these important issues. Members of the MJC have met with and made presentations to numerous groups in 2008 and has also reached out to the community through the media via radio interviews, newspaper articles, and magazines and journals for a complete list of publications visit: www.nebar.com/publicinfo/minority_justice.htm



Feedback and Questions

For more information on the Nebraska Minority Justice Committee visit www.nebar.com/publicinfo/minority_justice.htm or call (402) 475-7091. The MJC is at the beginning stages of a long-term effort. While it may take years to fully implement many of the recommendations, the Committee is developing long-term plans to promote change. Interest in the Minority Justice Committee's mission and activities is appreciated and encouraged.



W.H. Knight addresses participants of the Legal Diversity Summit.



Regional law students interview with Nebraska legal employers at the 2008 Legal Diversity Summit.



Volunteers representing the courts, the legal profession, probation, law schools and law enforcement talk with youth at the Clyde Malone Community Center about careers in the justice system.



MJC Co-Chair, Linda Crump congratulates three of the 2008 LSAT Prep Scholarship Recipients.

Members of the Minority Justice Committee

Co-Chairs:

Linda Crump, Equity, Access & Diversity Programs UNL
Hon. John Gerrard, Nebraska Supreme Court

Committee:

Daphne Aronson, Kutak Rock
Hon. Edna Atkins, Douglas County Court
Valorie Bendixen, Clerk of the District Court for Hall County
Judy Beutler, Administrative Office of the Courts
Riko Bishop, Attorney at Law
Ellen Fabian Brokofsky, State Probation Administrator
Dean Eric Chiappinelli, Creighton University School of Law
Hon. Vernon Daniels, Separate Juvenile Court Douglas County
Judi gaiashkibos, Nebraska Commission on Indian Affairs
Becky Gould, Nebraska Appleseed
John Grant, Attorney at Law
Anne Hobbs, Nebraska Equal Opportunity Commission
Cecilia Huerta, Nebraska Mexican American Commission
Hon. John Irwin, Nebraska Court of Appeals
Dennis Keefe, Lancaster County Public Defender
Don Kleine, Douglas County Attorney
Kate Mahern, Milton Abrahams Legal Clinic
Monica Miles-Steffens, Judicial Branch Education
Andrea Miller, Attorney at Law
Carlos Monzón, Attorney at Law
Liz Neeley, University of Nebraska Public Policy Center

Hon. Marlon Polk, Douglas County District Court
Jim Rembolt, Attorney at Law
Kimberley Taylor Riley, Nebraska Attorney General's Office
Tom Riley, Douglas County Public Defender
Harold Rock, Attorney at Law
Mohammed Sadden, Attorney at Law
David Sankey, Nebraska State Patrol
Susan Sapp, Attorney at Law
Jane Schoenike, Nebraska State Bar Association
Anna Williams Shavers, University of Nebraska College of Law
Shawntal Smith, Attorney at Law
José Soto, Southeast Community College
Hon. Robert Steinke, Platte County District Court
David Stickman, Federal Public Defender
Alan Tomkins, NU Public Policy Center
Hon. Ken Vampola, Dodge County Court
Terry Waite, Attorney at Law
Janice Walker, State Court Administrator
Thomas Warren, Omaha Police Department
Linda Willard, Nebraska Attorney Generals Office
Dean Steven Willborn, University of Nebraska College of Law
Sherman Willis, Attorney at Law
Mark Young, Hall County Attorney

— Equal Justice Before the Courts —

Support the Nebraska Minority Justice Committee

The Nebraska Minority Justice Committee is supported in part by the Nebraska Lawyers Foundation. For more information about the Foundation, visit: www.nebar.com/nsbainfo/otherorgs/cfi/events.htm

The Nebraska Lawyers Foundation
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Lincoln, NE 68501-1809



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