

FMJA Diversity Committee in Action by Thérèse Wiley Dancks, USMJ, NDNY

On April 21, 2015, the Diversity Committee of the Federal Magistrate Judges Association presented a panel discussion entitled “Increasing Diversity Among Federal Magistrate Judges.” The program was held at the United States Courthouse in Seattle, Washington, in conjunction with the April 2015 Magistrate Judges educational conference organized by the Federal Judicial Center. Over 60 lawyers from the Seattle area and approximately 20 Federal Magistrate Judges from across the country attended the program which was supported by the U.S. District Court, Western District of Washington, and the Federal Bar Association of the Western District of Washington.

Panel members included moderator Hon. Leo Brisbois, USMJ from the District of Minnesota; and panelists Hon. Ricardo Martinez, USDJ (former MJ) from the Western District of Washington; Hon. Linda Walker, USMJ from the Northern District of Georgia; Ms. Nancy Dunham, Fair Employment Practices Officer from the Administrative Office of the U.S. Courts, Office of Fair Employment Practices; and Mr. Bruce Rifkin, Retired Chief Clerk and Chair of the Magistrate Judge Merit Selection Committee for the Western District of Washington. Mr. Brad Smith, Esq., General Counsel and Executive Vice President of Legal and Corporate Affairs for Microsoft Corporation, was a special guest panelist.

Judge Brisbois led a discussion on why diversity on the bench is important both philosophically and in practice. Panelist Nancy Dunham provided information from her office on the current status of diversity as reflected on the federal bench at all levels, as well as efforts and initiatives of the federal courts to further address the issue of diversity in the courts. Each of the judges discussed their day to day work as Magistrate Judges, and attendees learned that district courts utilize their magistrate judges in different ways. Judge Martinez also discussed his work as a District Judge, and how that differs from the work of a Magistrate Judge. The judicial panel members discussed their educational and professional backgrounds prior to taking the bench, and gave tips to attendees on what to do to position themselves for judicial post consideration. Bruce Rifkin discussed his observations of the professional paths of qualified applicants he and the other Merit Selection Committee members have found make applicants more appealing to the committee and how diversity issues are factored into the decision process. Panelists also discussed how the Judicial Conference Committees on Judicial Resources and the Administration of the Magistrate Judges System encourages district courts and their established merit selection committees to consider diversity issues in making magistrate judge appointments. Panelists also reviewed the nuts and bolts of the statutory appointment process, and gave career advice to attorneys interested in appointment as a Magistrate Judge so that they could best position themselves to be an attractive candidate for appointment. Common themes included a demonstrated strong work ethic, civil and ethical behavior as attorneys, and service to the community, the courts, and bar associations.

Special guest panelist Brad Smith captured the audience with his remarks regarding the importance of diversity on the federal bench from the perspective of a consumer of court services. He is currently the chair of the Leadership Council on Legal Diversity, an organization of corporate chief legal officers and law firm managing partners who have dedicated themselves

to creating a truly diverse U.S. legal profession. He presented the business case for diversity on the bench and noted how diversity and inclusion help drive Microsoft's business and bottom line. Microsoft's customers are as diverse as the people of the world, and its workforce should reflect the diversity of the world. He noted that an organization with employees who have diverse backgrounds, perspectives, skills, and experiences will be better able to understand the customer's needs, and promote the designing of better products and successful systems. Like Microsoft, Mr. Smith explained that the courts will be better able to serve the needs of the community if its workforce reflects the diversity of the lawyers and litigants who use the courts to resolve problems.

The program was well received by the listeners. One lawyer in the audience commented that the panel was well thought out with diverse experiences represented. Another noted that the program was beneficial in discussing the process of becoming a Magistrate Judge. Another attendee made the observation that the advice from the panel was relevant to all careers, and that outreach of this kind is incredibly important.

A reception sponsored by the U.S. District Court, Western District of Washington, and the Federal Bar Association of the Western District of Washington followed the program in the lobby of the Courthouse. Audience members mingled with Magistrate Judges from the panel and throughout the country.

Co-chairs of the program were Alicia Otazo-Reyes, USMJ from the Southern District of Florida and Thérèse Wiley Dancks, USMJ from the Northern District of New York. Panelists Judge Brisbois and Judge Walker served on the planning committee as well which also included Brian Tsuchida, USMJ from the Western District of Washington, and Guillermo Garcia, USMJ from the Southern District of Texas. Tessa Gorman, Esq., President of the Federal Bar Association of the Western District of Washington, also served on the planning committee tirelessly providing valuable local assistance. The FMJA Diversity Committee is grateful to all who made this program a success.