



c/o Hon. Lourdes M. Ventura, 89-17 Sutphin Boulevard, Room 361, Jamaica, New York 11435

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November 1, 2023

New York State Commission on Legislative,
Judicial, and Executive Compensation
64 Beaver Street, Box 454
New York, New York 1004

Dear Commissioners:

Kindly allow this letter to serve as a follow-up to yesterday's hearing held at the New York State Bar Association's headquarters in Albany.

Thank you for inviting our organization to the hearing and allowing us to address the importance of restoring pay parity with the Federal judiciary, including annual cost of living increases, for all members of the New York State Judiciary to take effect April 1, 2024. As testified to yesterday, declining to award appropriate compensation will likely negatively impact the diversity of our judiciary.

Attached please find a copy of the written testimony provided at yesterday's hearing as well as the cited report prepared by the Latino Judges Association, titled "Overview of Latinos / Hispanics in the New York State Court System."

We thank you for your service and for your consideration of our recommendation. Please feel free to contact us should you need any additional information.

Sincerely,

Hon. Lourdes M. Ventura
President

Enclosures



New York State Commission on Legislative, Judicial,
Executive Compensation Hearing
October 31, 2023
1:30 p.m.
Albany, NY

Testimony of Hon. Lourdes M. Ventura, LJA President

Good afternoon, Chairman Fahey, and commissioners.

I am Lourdes Ventura, Associate Justice of the Appellate Division Second Department and President of the Latino Judges Association in our great state of New York.

Thank you for inviting the Latino Judges Association to provide testimony before you, here, today. Like the Office of Court Administration and fellow judicial associations whose representatives have already testified before you, the Latino Judges Association supports the restoration of pay parity with the Federal judiciary, including annual cost of living increases, for all members of the NYS Judiciary to take effect in April 2024. and hard

The Latino Judges Association was founded in 1985 with one of its primary goals to increase and promote diversity within the judiciary. And, to date, we are now over 100 members strong, serving on every level and in nearly every type of court throughout the State of New York.

Collectively, we maintain as our highest priority increased diversity and true equity in all our courts throughout the State. As a result, please bear with me as I explain that at the core of our mission, we consider the compensation issue to be not only solely about the money, but about the impact the lack of proper compensation will have on diversity.



In recent years, the New York State judiciary has made gains with regard to Latino representation. In late 2021, the Appellate Division, First Department, made history with an all-Latino bench presiding over an oral argument sit for the first time in that court's history. The Appellate Division, Second Department, followed suit just a few months ago, and I was proud to be part of that historic bench. Despite these gains, a significant representation deficit still exists in our judiciary when compared to the growing Latino population of our State. According to estimates from the U.S. Census Bureau,¹ in 2022, Hispanics and Latinos comprised nearly 20% of the population of our State, or almost 4 million people in a state of nearly 20 million. But, according to data compiled by the Unified Court System,² Hispanics and Latinos comprised just 10% of the statewide judiciary last year, not including town and village justices which Latinos represent (.051 - half of a percent) as there are more town and village justices than state paid judges. Within the First Department, which includes Manhattan and the Bronx, Hispanics and Latinos comprised 20% of the judiciary in 2022, yet they made up 40% of the combined population of those two counties – another deficit of roughly 50%. The Fourth Department includes counties in Western New York, among other areas. While Hispanics and Latinos comprised only approximately 6.3% of the population of those counties in 2022, that percentage amounts to nearly a quarter-million people. Yet only about 2% of the judiciary in the Fourth Department was Hispanic or Latino last year. In the 8th Judicial District, which is part of the Fourth Department, only one Latino judge sat on the bench in 2022 in an area that included over 85,000 Latinos and Hispanics in the general population. Not a single elected Supreme Court Justice within the Fourth Department is Hispanic or Latino, making it impossible for the Governor to potentially appoint a Hispanic or Latino to that department's Appellate Division.

A recent report prepared by the Latino Judges Association, titled "Overview of Latinos / Hispanics in the New York State Court System," contains more

¹ *QuickFacts: New York*, U.S. Census Bureau, <https://www.census.gov/quickfacts/fact/table/NY/RHI725222> (last accessed Oct. 30, 2023).

² *Self-Reported Statewide Judicial Demographics*, New York State Unified Court System, <https://app.powerbigov.us/view?r=eyJrIjoiYmE4NWl0YmQtNjdIMS00ZGRjLTkzODktMWRiMjYyM2E4ZTdlIiwidCI6IjMONTZmZTKyLWNiZDEtNDA2ZC1iNWZzLTUzNjRiZWwYTgzMyJ9&pageName=ReportSection3c9979d9de791c912650> (last accessed Oct. 30, 2023).



demographic data regarding Latino representation in our State's judiciary. Despite the steady increase in the Latino population statewide, our representation in the judiciary fails to keep pace with the ever growing population, and since 1997 has maintained a double-digit deficit. The judiciary should be reflective of the population in our State, but it is not. Our report can be found on our website, www.latinojudgesassociation.org.

The judiciary is one of the professions where diversity and representation matters the most. Within the confines of law, we have the power to determine critically important matters in a person's life, such as the removal of children, eviction from home, loss of liberty, access to education and employment, immigration status, criminal sentencing – in short, most of the things that are central to a person's life, liberty and usually impacting communities of color. A judiciary that is reflective of its population is best able to understand the life experiences of the people it serves and the lives upon which it rules. A judiciary that does not reflect the population it serves fundamentally undermines trust in the justice system.

A justice system loses fundamental trust when its judiciary fails to mirror the diversity of the population it serves. The absence of representation within the judiciary corresponding to the varied demographics of the community erodes confidence in the fairness and impartiality of the legal process. A judiciary that does not reflect the diversity of its constituents risks perpetuating systemic biases and diminishing the public's faith in the equitable application of the law.

This representation deficit in our judiciary is directly linked to the pay issues that this Commission is focused on. How are we to retain our judges on the bench and attract new judges to the bench? And how are we to specifically retain existing Hispanic and Latino judges to the bench, or attract new ones? Attrition, retention, and recruitment are vital issues to the Latino Judges Association, particularly considering the existing deficit when it comes to representation in our courts. If pay parity with our Federal counterparts is not restored, the Hispanic and Latino representation deficit might only worsen. It has been nearly 5 years without a pay or



COLA increase. This would extend to 8 years should this commission not recommend a pay increase. This would inevitably have a significant impact on the make-up of our judiciary, and whether it is truly reflective of New York's population.

The everyday person hears the word "judge" and immediately forms certain opinions about who we are, how much money we make, how many properties we may own, how many luxury vacations we may take, and other unfounded stereotypes. But most of the Latino Judges Association membership consists of immigrants and 1st generation individuals. Due to this status, many of us start our careers with more debt, we not only support ourselves, but we assist our families within and outside of the United States, we support and maintain households, we support and help care for our children, aging parents, and even extended family members. Judges are similar to all hard-working people in our great State.

Over a decade ago, this Commission recognized in only the second sentence of its 2011 report, it is of the utmost importance that we "attract top talent to the bench"³ by providing members of the state judiciary pay parity with our Federal counterparts. But doing so will also support the specific goal of recruiting Hispanic and Latino candidates. In New York, Latinos are disproportionately represented in the ranks of those living in poverty and, on average, they earn less than the median income. In order to help convince the brightest young Hispanic and Latino minds in our law schools and among the ranks of young lawyers to pursue a career in our State's judiciary and put themselves on the right career track, we must ensure pay parity with our Federal counterparts.

Like everyone else, judges pay mortgages, bills, and school tuition for their children. Many have their own student loans. They also expend money on transportation, mileage, and fuel to get to and from work. One of our members relayed having to travel approximately 108 miles round trip each day to get to and from work yet is not fully reimbursed for those expenses. That's over 2000 miles per month with

³ 2011 report is at appendix B of UCS's submission, page 32 of the PDF



added service costs on the vehicle due to wear and tear; \$60 to \$70 every 2 ½ days to fill up the gas tank; and close to \$500 per month in tolls. And, once congestion pricing takes effect in May 2024, judges will be charged up to \$20 or so if their courts are located below 60th Street in Manhattan. Additionally, judges must deal with the rising costs of our medical health plans. These costs add up.

The recent increase by the Social Security Administration of an additional 3.2% in benefits demonstrates the rise in cost of living for everyone, and the judiciary is not exempt from similar cost of living adjustments.

The enduring stagnation of judicial salaries over an extended period is inherently inequitable on multiple fronts, particularly when the compensation advancements achieved by other state employees through mechanisms such as collective bargaining and other salary negotiations.

At the end of this year, I will be completing my 5th year of service on the bench. Prior to being on the bench, I served 20 years in the private sector and government sector, including work in the New York State Legislature. From my experience as a judge and counsel in the Legislature, I personally observed how hard our judges and State employees work to serve the people of this State. In fact, I was serving the Legislature in 2010 when this Commission was created. Shortly thereafter, this Commission voted in favor of pay parity with the Federal judiciary and I can only hope that it does so again now. It is essential to equitably compensate our judges, aligning with practices observed in other states nationwide, to ensure the retention and recruitment of highly qualified and independent jurists in our state. Again, the Latino Judges Association supports the restoration of pay parity with the Federal judiciary, including annual cost of living increases, for all members of the bench to take effect in April 2024.



**OVERVIEW OF LATINOS/HISPANICS
IN THE NEW YORK STATE COURT SYSTEM**

***BY
HON. SALLIE MANZANET-DANIELS
ASSOCIATE JUSTICE
APPELLATE DIVISION, FIRST DEPT.***

LJA PRESIDENT

PREAMBLE

As the current President of the Latino Judges Association, I along with every judicial association in this state, was thrust into the debate concerning the Chief Judges Court Merger (Court Consolidation) Proposal (2019).

As an association we embarked on analyzing the merits of the proposal. It was obvious to me that to meaningfully conduct such analysis we required statistical data regarding the judicial breakdown of the courts by gender and race/ethnicity. To that end, I authored a letter to Chief Administrative Judge Larry Marks requesting 10 years of statistical data in a multitude of categories. As that information was not readily available, OCA had to undertake to review and compile their data and then reduce into report form. That information was ultimately provided by Judge Marks and disseminated widely to all the interested stakeholders in the spring of 2020.

In the interim, I testified on behalf of the Latino Judges Association at the joint public hearing of the Senate & Assembly Standing Committee's on the Judiciary considering the concept of consolidating the New York State Courts, expressing our concerns about the disparate impact the proposal would have on communities of color. Numerous judicial, bar, civic and community organizations, likewise testified.

Thereafter, and in response to both the killing of George Floyd and the racial incident involving the New York Court Officer - Sgt. Napolitano, the Chief Judge appointed former Secretary Jeh Johnson as Special Advisor on Equal Justice in the Courts in June 2020. His mandate was to conduct an independent evaluation of the Unified Court System's response to issues of institutional racism. Our association was amongst the first to be interviewed and to share our concerns with Secretary Johnson. He made clear during our meeting that his analysis would not include the Court Merger proposal or its impact on diversity.

In preparation for my participation in the CUNY's School of Law – Center on Latinx Rights & Equality and the Franklin H. Williams Judicial Commission joint program on “*The Importance of Judicial Diversity in our Courts*”, I undertook to author a comprehensive report that analyzed the demographic statistical data regarding the state of Latino representation in the New York State court system. I want to thank my colleague and fellow board member, *the Hon. Bianka Perez*, for her research assistance in compiling statistics regarding the current racial and ethnic make-up in New York State and her creation of graphics to illustrate the numbers.

The final product is thus my analysis of the available data and assessment of the current state of Latinos in the New York State Court System as of October 2020 when I published it as my submission for the joint program “The Importance of Judicial Diversity in our Courts”. The report has been updated twice to reflect attrition due to retirement and increases due to elections and new appointments. As such, I will continue to update my analysis and issue successive versions of my report on behalf, and for the benefit of, the Latino Judges Association and my esteemed colleagues.

Hon. Sallie Manzanet-Daniels
Associate Justice
Appellate Division, First Dept.
LJA President 2019-2021

OVERVIEW OF LATINOS/HISPANICS IN THE NEW YORK STATE COURT SYSTEM

I. LATINO/HISPANIC REPRESENTATION IN THE JUDICIARY

The current ethnic breakdown of the 1275¹ members of the NYS Judiciary is as follows:

- Native American – **1**, or .1%;
- Asian – **34**, or 2.7%;
- Latino – currently 105; after January retirements total of **102** or 8% statewide;
- African American – **173**, or 13.5%;
- members self-identifying as 2 or more races -2, or 2%; and
- White (or unspecified) – **975**, or 76.4%.

Note: 46 judges will be lost as of December 31, 2020 due to budget cuts and the inability to re-certificate those judges beyond the mandatory retirement age.

These statistics were confirmed by OCA, following our letter to Judge Larry Marks on Nov. 4, 2019 (prior to my November 13, 2019 public hearing testimony) officially requesting 10 years of statistics on judicial diversity across the state. Judge Larry Marks in response generated and provided the 10 years of statistics which OCA then shared and made publicly available in early March 2020. Those statistics are annexed to the Judicial Friends Report.

The statistics clearly establish that Latino Judges have fared better through the elected process than the appointive one. Currently, based on our information from the most recent election, there are approximately 71 elected, versus the 28 appointed Latino judges in our court system.

By way of illustration, our representation when dissected court by court is shockingly inadequate:

Of the 50 **Appellate Division Justices** (not certificated) - 7 are Latinos:

First Dept.: Hon. Rolando Acosta (NYC), Hon. Sallie Manzanet-Daniels (BX),
Hon. Lizbeth Gonzalez (BX), Hon. Manuel Mendez (NYC)

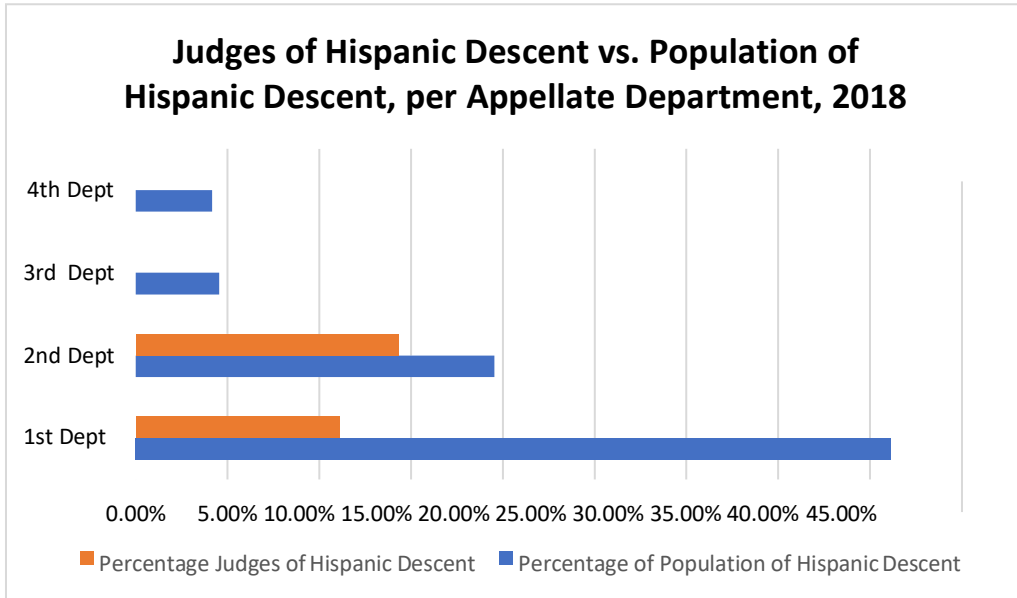
Second Dept.: Hon. Reinaldo Rivera (Kings), Hon. Betsy Barros (Kings),
Hon. Hector D. LaSalle (Suffolk)

¹ Above figures are based on data provided by OCA.

Third & Fourth Dept: HAVE NO LATINO JUDGES and only one African American in each

Third Dept. - Hon. Sharon Aarons (Bronx Judge)

Fourth Dept. - Hon. Shirley Troutman

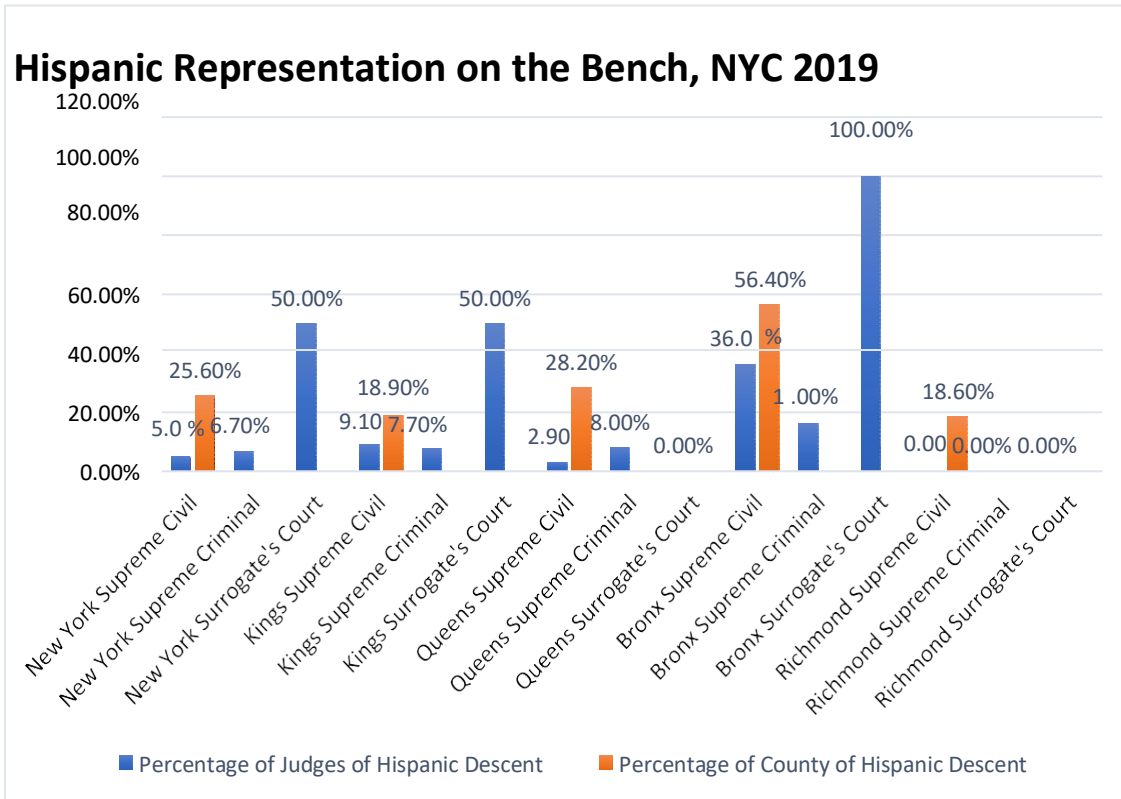


- Ironically, it is the highest court of our state, the Court of Appeals which has the highest percentage of Latino representation with 2 of the 7 Justices, or 28.57%:
 - Hon. Jenny Rivera &
 - Hon. Michael Garcia

- Of the 84 **Court of Claims Judges**, 7 are Latinos

- Hon. Fernando Camacho (Suffolk)
- Hon. Gregory Carro (NYC)
- Hon. Juan Merchan (NYC)
- Hon. Walter Rivera (White Plains)
- Hon. Jeanette Rodriguez-Morick (NYC)
- Hon. Carmen St. George (Suffolk)
- Hon. Faviola Soto (NYC)

- Of the 143 Supreme Court Justices (outside NYC), **3** are Latinos
 - Hon. Maria Vasquez-Doles – Orange County
 - Hon. Helen Voutsinas - Nassau County
 - Hon. Manuel Cuevas – Schenectady, NY – 4th JD – (*elected Nov. 2019*)



- Of the 134 Supreme Court Justices (in NYC), **24** are Latinos.

Bronx: (currently 14, as of Jan. 2021 - 12)

Hon. Maryann Brigantti, Hon. Joseph Capella, Hon. Ruben Franco, Hon. Doris Gonzalez (AJ Bronx Civil Supreme), Hon. Wilma Guzman, Hon. Bianka Perez (*elected Nov. 2020*), Hon. Brenda Rivera, Hon. Julia Rodriguez, Hon. Julio Rodriguez (AJ - Bronx Criminal Supreme), Hon. Llinet Rosado, *Hon. Norma Ruiz* (ret. 2020), Hon. Lucindo Suarez, Hon. Fernando Tapia (ret. 2020), *Hon. Robert Torres* (ret. 2020) and Hon. George Villegas.

Brooklyn: (currently 4, as of Jan. 2021 - 5)

Hon. Lizette Colon (*elected Nov. 2020*), Hon. Dawn Jimenez-Salta, Hon. Evelyn J. Laporte, Hon. Francois Rivera and Hon. Richard Velasquez

New York: (1)

Hon. Mary Rosado

Queens: (currently 5, as of Jan. 2021 - 6)

Hon. Karina Alomar, Hon. Diccia Pineda-Kirwan (assigned to Nassau),
Hon. Leslie Purificacion, Hon. Carmen Velasquez, Hon. Lourdes Ventura
and Hon. Joseph Zayas

Staten Island: (0) No Latinos elected.

Supreme Court - Outside of NYC: (3)

Hon. Maria Vasquez-Doles, Orange County
Hon. Helen Voutsinas, Nassau County
Hon. Manuel Cuevas, Schenectady, NY

- Of the 24 **Surrogate Court Judges** (outside NYC), all are white.
- Of the 7 **Surrogate Court Judges in NYC: 3** are Latino,
 - Bronx – Hon. Nelida Malave-Gonzalez
 - Brooklyn – Hon. Margarita Torres-Lopez
 - NYC – Hon. Rita Mella
- Of the 119 **County Court Judges**, 1 is Latino,
Hon. Philip Goglas (AFCJ - Suffolk)
- Of the 26 **District Court Judges in Nassau**, none are Latino
- Of the 23 **District Court Judges in Suffolk**, none are Latino
- Of the 92 **Family Court Judges (outside NYC)**, 3 are Latino
 - Hon. Nilda Morales- Horowitz, Westchester County
 - Hon. Linda Mejias, Nassau County;
 - Hon. Richard Rivera, Albany County
- Of the **56 Family Court Judges (in NYC) - 11** are Latino
 - Hon. Maria Arias (NYC), Hon. Jessica Bourbon (NYC-elected Civil, Bx), Hon. Alicea Elloras (Bklyn),
 - Hon. Alma Gomez (Bx), Hon. Connie Gonzalez (Queens) , Hon. Mildred Negron (Queens), Hon.
 - Fiordaliza Rodriguez (Bx), Hon. Javier Vargas (Bklyn), Hon. Leticia Ramirez (Bronx), Hon. Jeanette
 - Ruiz (Admin Judge of NYC Family Court) and Hon. Jacqueline Williams (Bklyn, elected Civil Ct.
 - *bi-racial/ Panamanian)
- Of the **137 Acting Justices of the Supreme Court designated by OCA in the 1st, 2nd, 11th, 12th and 13th Judicial Districts** - currently only 16 are Latino
 - 1st JD – Hon. Gregory Carro, Hon. Juan Merchan, Hon. Jeanette Ruiz;
 - 2nd JD – Hon. Frederick Arriaga, Hon. Lizette Colón, Hon. Joanne Quiñones, Hon. Raymond

Rodriguez and Hon. Jacqueline Williams;

11th JD – Hon. Connie Gonzalez, Hon. Gene Lopez, Hon. Michelle Johnson and Hon. Suzanne Melendez;

12th JD – Hon. Efrain Alvarado, Hon. Patsy Gouldborne, Hon. Leticia Ramirez and Hon. Jeanette Rodriguez-Morrisk

There are also 2 additional Latino AJSC judges, one in the 9th JD – Hon. Walter Rivera and one in the 10th JD – Hon. Carmen Victoria St. George.

Note: *Cannot ascertain from the UCS website how many total ASCJ have been designated statewide, and whether there are other Latino judges so designated outside of the above JD's.*

- **1 Matrimonial Judge** - Hon. Patsy Gouldbourne, (ASCJ, elected Bronx Civil)

Note: *Cannot ascertain from the website how many total Matrimonial judges currently exist*

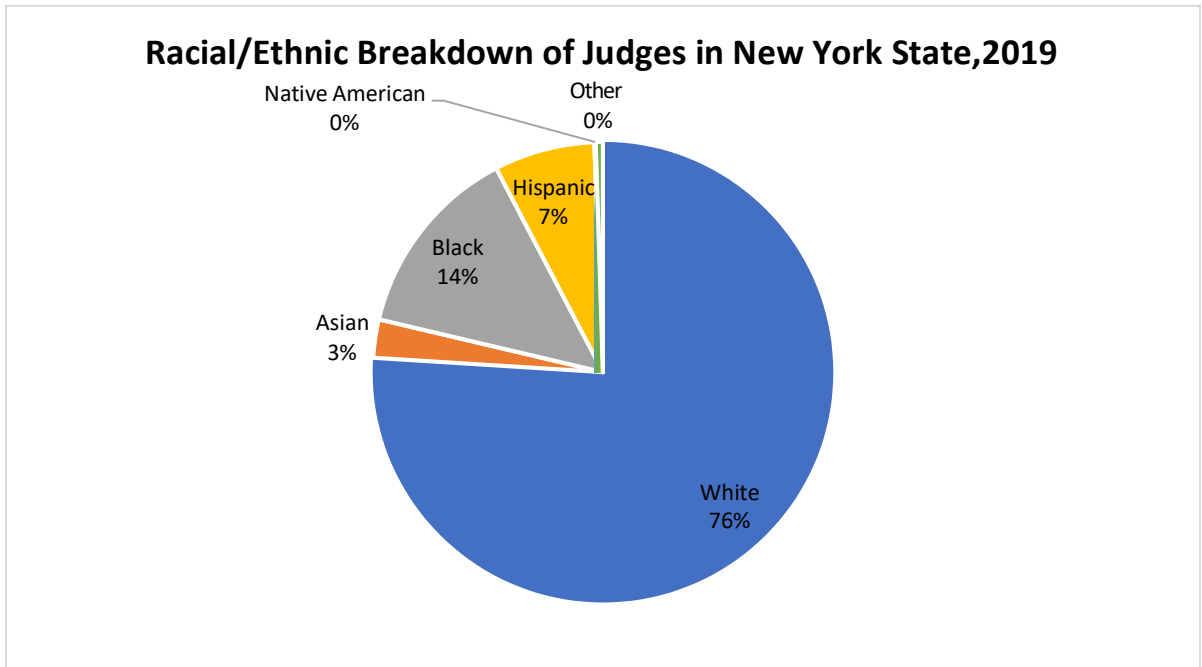
- Of the **119 NYC Civil Court Judges** - (currently 14, as of Jan. 2021 - **13** are Latino)
Hon. John Howard Alegrin, Hon. Patria Frias-Colón, Hon. Nestor Diaz (Queens - *elected Nov. 2020*), Hon. Denise Dominquez, Hon. Fidel Gomez, Hon. Consuelo Mallafré Meléndez, Hon. Emily Morales-Minerva, Hon. Wanda Negron (Bronx - *elected Nov. 2020*), Hon. Jose Padilla, Hon. Leticia Ramirez, Hon. Myrna Socorro (Supv. Judge Bronx Civil Court) and Hon. Marissa Soto²
- Of the **106 NYC Criminal Court Judges** - **11** are Latino
Hon. Efrain Alvarado (ASCJ), Hon. Frederick Arriaga (ASCJ), Hon. Mary Bejarano, Hon. Keshia Espinal, Hon. Gene Lopez (ASCJ), Hon. Joanne Quiñones (ASCJ), Hon. Lumarie Maldonado-Cruz (elected Civil Queens), Hon. Connie Morales (elected Civil Bronx), Hon. Raymond Rodriguez (ASCJ), Hon. Michelle Johnson (identifies as bi-racial, Supv. Judge of Queens Criminal Court and nominated for Supreme 2020).
- Of the **50 Housing Court Judges** - **4** are Latinos
Hon. Sergio Jimenez (Queens), Hon. Frances Ortiz (NYC), Hon. Enedina Pilar Sanchez (Queens), and Hon. Bryant Tovar (Bronx),
- Of the **167 City Court Judges** - **6** are Latinos
Hon. Betty Calvo-Torres (Buffalo) Hon. Elena Goldberg-Velasquez (Yonkers), Hon. Nichelle Johnson (Mt. Vernon), Hon. Thomas Quiñones (Yonkers), Hon. Michael Carlos Lopez (Rochester) & Hon. Lissette Fernandez (Peekskill)
- Two **Town Judges** – Hon. Maritza Fugaro-Morton (Cortlandt) & Hon. Ivonne S. Santos (Haverstraw)
- Five **Village Court Judges** – Hon. Joaquin F. Alemany (Scarsdale); Hon. Jose O. Casteneda (Port Chester); Hon. Roselina Serrano (West Haverstraw); Hon. Joseph E. Suarez (Chestnut Ridge); and Hon. Andres Valdespino (Sleepy Hollow Village Court).

Note: Unable to ascertain total number of Town & Village Court Judges throughout the state. Exact number of judges per court is fluid in view of intermittent reassignments. Above totals are derived from OCA stats and available information on the official NYS website.

² Hon. Karina Alomar (Queens), Hon. Lizette Colón (Kings) & Hon. Bianka Perez (Bronx) were all elevated to the Supreme Court from their previously elected Civil Court post.

II. LATINO/HISPANIC REPRESENTATION IN CORRELATION TO NYS POPULATION

However, this is not the end of the analysis. In order to fully assess this data, one must consider their import as it correlates to the overall ethnic demographic make-up of New York State. An examination of that data demonstrates that Latino representation in the judiciary has stagnated for the last decade and has not kept up with our rise in population.



- According to the *American Community Survey*, a demographics survey program conducted by the **U.S. Census Bureau**, the population data for New York State in 2019 was broken down as follows (Note: all population data is sourced from this website: http://data.censusgov/cedsci/map?t=Hispanic%20or%20atino&tid=ACSDP1Y2019.DPO5&hidePreview=false&vintage=2019&layer=VT_2019_040_00_PP_D1&cid=DP05_0001E&mode=thematic)

Population by Race	vs.	NYS Judicial Diversity	% Differential
<i>White</i>	63.20%	76.30%	+ 13.1
<i>Asian</i>	8.60%	2.70%	- 5.9
<i>Black</i>	15.90%	13.70%	- 2.2
<i>Native-American</i>	.40%	0.10%	- .30
<i>Other</i>	11.90%	0.50%	- 11.40
<i>Latino/Hispanic</i>	19.30%	7.10%	- 12.20

As the data demonstrates, all ethnic minorities are underrepresented as compared to the state population. And Latinos have the greatest disparity of all groups. Presently, although we represent over 19% of the NYS population we are only 8% of the judiciary.

- A review of these statistics in New York City reveals consistent patterns.
- Latinos/Hispanics constitute 29.54% of the **city-wide** population; yet represent only 19.48% of the judiciary in that region, a deficit of 10.06%.
- Some counties, like Kings and the Bronx, more closely represent their communities, whereas counties like New York, Queens and Richmond lag significantly behind in reflecting the communities they serve.

NYC - % of Latino = **25.60%** BUT constitute - **5%** of NY Sup. Civil & **6.7%** of NY Sup. Criminal
Kings County = **18.90%** BUT constitute – **9.10%** - Kings Sup. Civil & **7.70%** of Criminal
Queens County = **28.20%** BUT constitute – **2.90%** - Queens Sup. Civil & **8.00%** of Criminal
Bronx County = **56.40%** BUT constitute – **36.00%** - Bronx Sup. Civil & **16.00%** of Criminal
Richmond (S.I.) = **18.60%** BUT constitute - **0%** in all courts.

REPRESENTATION OUTSIDE OF NYC

Simply stated, the statistics for Hispanic/Latino representation outside of NYC is abysmal.

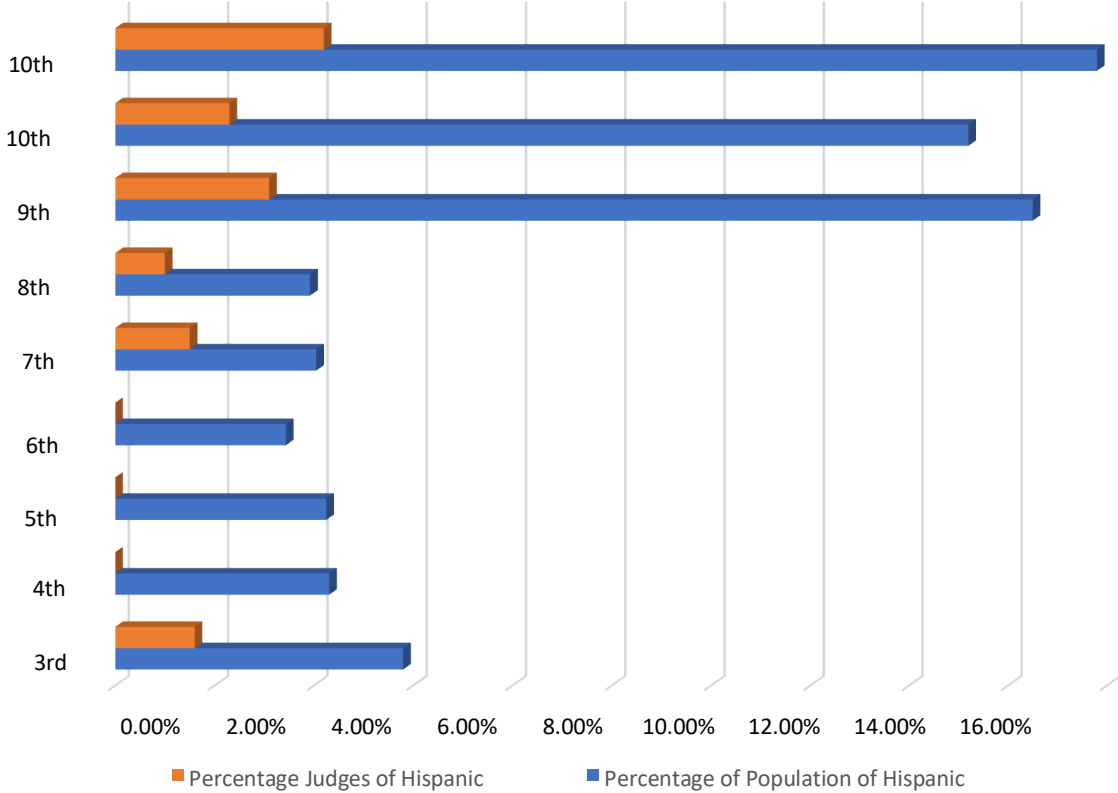
Attempts were made to acquire the statistics for 2019. Unfortunately, there is no 2019 quantitative data on judicial demographics available by county, outside of NYC and Long Island, because 24 of the 57 counties did not provide information for their area.

Review therefore is based on the data reported for 2018.

- Of the 57 counties in NYS, excluding the 5 counties of NYC, 10 have Hispanic/Latino populations exceeding 10%.
- Those counties include: Dutchess at 12.50%, Montgomery at 13.70%, Nassau at 17.20%, Orange at 21.00%, Putnam at 15.80%, Rockland at 18.10%, Suffolk at 19.80%, Sullivan at 16.60%, Ulster at 10.50%, Westchester at 25.10%.

Despite the growing population of Latinos throughout the upstate regions of our state, our representation is almost non-existent, currently we constitute only 1.9% of judges in the northern regions of the state.

Judges of Hispanic Descent vs. Population of Hispanic Descent, per Judicial District 2018



A breakdown by Judicial District is illustrative:

Judicial District	% of population of Hispanic Descent	% of Judges of Hispanic Descent
1 st (New York)	25.90%	7.80%
2 nd (Kings)	19.10%	7.50%
3 ^d (Albany, Columbia, Greene, Rensselaer, Schoharie, Sullivan and Ulster)	5.80%	1.60%
4 (Clinton, Essex, Franklin Fulton, Hamilton, Montgomery Saratoga, Schenectady, St. Lawrence, Warren & Washington)	4.31%	0%

Judicial District	% of population of Hispanic Descent	% of Judges of Hispanic Descent
5 th (Herkimer, Jefferson, Lewis, Oneida, Onondaga & Oswego)	4.25%	0%
6 th (Broome, Chemung, Chenango, Cortland, Delaware, Madison, Ostego, Schuyler, Tioga & Tompkins)	3.44%	0%
7 th (Cayuga, Livingston, Monroe, Ontario, Rochester, Seneca, Schenectady, Steuben, Wayne & Yates)	4.05%	1.50%
8 th (Allegany, Buffalo, Cattaraugus, Chautaugua, Erie, Genesee, Niagara Orleans & Wyoming)	3.93%	1.00%
9 th (Dutchess, Orange, Putnam, Rockland and Westchester.	18.50%	3.10%
10 th (Nassau)	17.20%	2.30%
10 th (Suffolk)	19.80%	4.20%
11 th (Queens)	28.10%	6.35%
12 th (Bronx)	56.40%	27.65%
13 th (Richmond)	18.70%	0%

III. OCA Executive Officers, Administrative & Supervising Judges

- Amongst OCA Executive Officers, Administrative & Supervising Judges the lack of representation is likewise evident:
 - There are zero *Executive Officers* of Hispanic/Latino descent.
 - Of the 14 *NYC Administrative Judges* – 4 are Latino
Hon. Joseph Zayas – Queens Supreme, Criminal;
Hon. Doris Gonzalez – Bronx Supreme, Civil;
Hon. Julio Rodriguez – Bronx Supreme, Criminal;
Hon. Jeanette Ruiz – NYC Family Court
 - Of the 20 Supervising Judges in NYC – 2 are Latina
Hon. Myrna Socorro – Bronx Civil Court &
Hon. Michelle Johnson – Queens Criminal Court
 - Of the 10 Administrative Judges outside NYC – Zero are Hispanic/Latino
 - Of the 21 Supervising Judges outside NYC – Zero are Hispanic/Latino
 - Of the four Presiding Justices of the Appellate Divisions of NYS, the Hon. Rolando Acosta of the First Dept. is Latino and the only person of color.

IV. OCA Committee & Task Force Appointments

While there have been recent additions, Latino/Hispanic representation on these various Committees and Task Forces, is similarly underrepresented.

- ***Equal Justice in the Courts – Independent Review of Court System, Policies, Practices and Initiatives*** (led by Secretary Jeh Johnson. Evaluation will include judicial officials, the co-chairs of the Franklin H. Williams Commission - Hon. Troy Webber & Hon. Shirley Troutman, and others not publicly named, Latinos unknown)

The following list as it appears on the NYS Courts website page, within the menu for Court Administration:

- ***OCA's Permanent Commission on Access to Justice*** (36 Members and Ex Officio Members, 2 Latinos) (Hon. Rolando Acosta & Hon. Carmen Beauchamp-Ciparick, [retired])
- ***Disability Access Committee*** (27 Members, No Latinos)
- ***Advisory Council on Immigration Issues in Family Court*** (21 Members, 3 Latinos – *one of which is a Latina Judge- Hon. Mildred Negron*)
- ***NYS Commission on the Future of Indigent Defense Services*** - (29 Members, 3 Latinos) (*Hon. Joe Zayas, Hon. Sallie Manzanet-Daniels & Hon. Charles Tejada [now deceased]*)
*This committee is no longer active, final report issued 2006
- ***NYS Permanent Commission on Justice for Children*** (23 Members, 2 Latinos) (Hon. *Jeanette Ruiz & parent member Jeannette Vega*)
- ***Ethics Commission*** (5 members, no Latinos)
- ***New York State Justice Task Force*** (25 Members and Ex Officio Members, 2 Latinos – Hon. Carmen Beauchamp Ciparick (retired) & *recent addition Hon. Hector D. LaSalle*)
- ***LGBTQ Commission, The Richard C. Failla*** (23 members, No Latinos)
- ***Matrimonial Practice Advisory and Rules Committee*** (32 Members, 1 Latino)
- ***Commission on Parental Legal Representation*** (20 members, 2 Latino)
- ***Partners in Justice Colloquium*** (49 judicial members, 3 are Latino; 47 practitioner members, 4 are Latino and of 41 Law Professors, 1 is Latino)
- ***Task Force on the Future of Probation in NYS*** (23 Members, 1 Latino – Hon. *GregoryCarro*)
- ***Professionalism in the Law*** (22 members, 2 Latino – Hon. *Carmen Beauchamp Ciparick (retired) & Hon. Jenny Rivera*)
- ***Franklin H. Williams Judicial Commission on Racial and Ethnic Fairness*** - (23 active Members, 6 Latino) (Hon. *Joanne Quinones, Hon. Richard Rivera, Hon. Robert Torres, Sandra Rivera, Esq. & recent additions –Hon. Llinet Rosado and Hon. Michael C. Lopez*)
- ***NYS Permanent Commission on Sentencing*** (23 Members and Ex Officio, 1 Latino) (Hon. *Efrain Alvarado*)
- ***Women in the Courts*** (24 members, 0 Latinos)

The following is a list of additional OCA Committee's which do not appear on the above website page.

Advisory Committee on Judicial Ethics (37 Members and Faculty Members, 2 Latinos – Hon. Nelida Malave & Hon. Joanne Quinones)

- **Advisory Committee on Local Courts** (16 Members, No Latinos)
- **Advisory Committee on Civil Practice** (42 Members, No Latinos)
- **Advisory Committee on Criminal Law and Procedure** (22 Members, 2 Latinos)
- **Surrogate's Court Advisory Committee** (21 Members, 1 Latino)
- **NY UCS CJI and MC Committee** (41 Members and Former Members, 1 Latino)
- **NY Evidence Committee** (17 Members, 1 Latino)
- **Family Court Advisory and Rules Committee** (30 Members, 2 Latinos)
- **Family Violence Task Force** (19 Members, No Latinos)
- **Commission to Develop Comprehensive Vision for the Court System of the Future** (24 members, 2 Latinos – Hon. Ariel Belen (retired) & Roger Maldonado)

*Note: Above data was obtained from the NYS Courts official website and official press releases. The website does not have a central page with a comprehensive list of **all** of the committees, commissions and task forces, nor their respective members list, within the NYS Court system.*

V. Judicial Court Assignments –

Hispanic/Latino Judges do not have equal access to specialized court assignment opportunities. Throughout the court system there are specialized parts (i.e. Commercial Division, Medical Malpractice Parts, Major Crimes & Homicide Parts, to name a few). These coveted assignments are by and large not occupied by Judges of color. Nor are we typically assigned the “high profile” and “complex” trials.

VI. Future objectives

The Latino/Hispanic community wants and deserves a seat at the table in reviewing, assessing and developing the solutions that can improve the NYS court system. Our collective voices are necessary to solve the shortcomings of our system and to improve its efficiency.

Suggestions/Strategies for greater diversity and a bias free work environment:

- Re-introduce the *Inspector General for Bias related conduct and disseminate information about the office and process.*
- **Mandatory, system-wide Racial Bias Training**
 - *Explicit Bias & Sensitivity training –specifically focusing on issues relating to racial, ethnic & sexual identity*
 - *Implicit Bias Training – educating our work force of the phenomenon of unconscious bias. Gradually leading to the implementation of active workshops, with the goal of fostering open and honest dialogue.*
- **Obtain permanent representation on these Commissions and Task Forces** by representatives chosen by their respective minority bar & judicial associations, as well as other indigent representation stakeholders.
- Conduct a **Diversity Impact Study** on the **Proposed Court Consolidation plan**. An assessment of the proposed plan’s impact on diversity is essential to ameliorate any unintended negative consequences of its implementation on the diversity of the court system.
- Create a **Commission to examine how to amend, alter or re-invent the upstate judicial selection process** in order to achieve greater diversity. Population composition across the region does not afford members of the Latino community and other underrepresented minority groups equal access to ascend to the bench.
- Appoint **Latino Judges from the Village, Town and City Courts** to countywide and statewide judicial commissions, committees and task forces.
- Invite Latino Judges from the Village, Town and City Courts to serve as presenters at countywide and statewide forums.
- **Public Hearings** should be held throughout the state to ensure that communities of color are included, especially in the 10 counties outside of NYC with populations of Latinos in excess of 10%.
- *Increase the diversity of members on the Judicial Screening Panels* of bar associations throughout the state.

Equal justice requires equal representation. Hence, we seek a transformation in the racial, ethnic and cultural diversity of all facets of the New York State Court System.

THE LATINO JUDGES ASSOCIATION

HON. SALLIE MANZANET-DANIELS

PRESIDENT

Updated November 2020