

A G E N D A

JUDICIAL NOMINATING PROCEDURES COMMITTEE

Hilton Orlando Bonnet Creek
June 15, 2018
8:00 am

- I. **WELCOME AND APPROVAL OF MINUTES** – (last meeting October 13, 2017)
- II. **GUEST SPEAKERS**
- III. **SUBCOMMITTEES FOR 2017-18**
 - A. JNPC Member Liaison with each JNC – Matthew Posgay
 - B. Diversity/Implicit Bias – Robert Vaughan
 - C. Coordination of Implicit Bias Video – Stacy Ross
 - D. Liaison Between Voluntary Bars and JNPC – Cory Person
 - a. [Florida Bar Journal Special Issue on JNCs](#)
 - E. Composition and Membership of the JNCs Demographics – Loreal Arscott
- IV. **LEGISLATIVE UPDATE** – Booter Imhof, General Counsel
- V. **NEW BUSINESS**
- VI. **NEXT MEETING** - **Fall Meeting** – October 17-19, 2018 (tentative)
Tampa Airport Marriott

MINUTES

JUDICIAL NOMINATING PROCEDURES COMMITTEE

Tampa Airport Marriott

October 13, 2017

10:30 a.m. -12:45 p.m.

Attending:

45 members

Linda Bond Edwards, Chair
Matthew Nichols Posgay, Vice Chair
Stacy Michelle Ross, Vice Chair
Robert C L Vaughan, Vice Chair
Loreal Arscott
Catalina M. Avalos
Guy David Bradstock
Richard Burton Bush
Mitzi Sommer Carr
Peter Francis Carr
Kate Cooper
Travis Jarod Coy
Yaneri Figueroa
Gary Paul Flower
Meredith A. Freeman
Craig Anthony Gibbs
Patricia Riste Gleason
Leslie Scott Jean-Bart
John Justin Kendron
Lisa Joy Kleinberg
Wendy Anne Mara
Simone Marstiller
Kerri Lauren McNulty
Cory James Person
Jennifer Vicedo Ruiz
Lilly Ann Sanchez
William Spicola
Kevin P. Tynan
Mark R. Wolfe
Richard Joseph Zaden

Guests: Lorna Brown-Burton, BOG, and Brittany Maxey-Fisher, Diversity and Inclusion Committee.

Excused: John Alpizar, Carter Anderson, Santo DiGangi, Fentrice Driskell, Yelizaveta Herman, Rebecca Ocariz, Kamilah Perry and Troy Smith.

Staff: Jennifer Krell Davis and Booter Imhof

Presiding: Linda B. Edwards, JNPC Chair

I. Welcome and Approval of Minutes

All committee members introduced themselves. A motion was made and seconded to approve the minutes from the June 2017 meeting. Motion passed – minutes are approved by acclamation.

The committee heard brief remarks from President Michael Higer.

As BOG representative, Lorna Brown-Burton detailed the Board's Strategic Plan goals regarding diversity and the JNCs. The first goal was that the Board wants to encourage and promote inclusion in all aspects of the legal profession and legal system, including educating attorneys on the JNC process and increasing outreach to voluntary bars.

Brown-Burton stated that the second goal was increasing communication and coordination between the JNPC and the Diversity/Inclusion Committee. The Bar has a lot of moving parts and they want to increase coordination. This is a three-year project, but they want to report to the BOG in May on implementation, such as a toolkit for educating attorneys about the JNC process, workshops on how to fill out the application, video assistance, liaisons to other committees/orgs etc.

Brown-Burton said she will send Chair survey link with feedback on implementation, including roadblocks. The goals were based on the Pettis Taskforce on Diversity recommendations and finding out if have they been implemented.

Chair responded that the stated goals have been a focus and our subcommittees are structured around them.

II. Subcommittees for 2017-18

Chair Edwards detailed the mission of the committee and began describing the structure of the subcommittees for the year.

The first is the Subcommittee on JNPC Liaisons for the JNCs, with chair Matthew Posgay. Posgay stated that he would like to have a liaison for each of the judicial circuits. The goal would be to increase communication between the Bar and the JNCs.

The second is the Subcommittee on the Implicit Bias Training Video, chaired by Judge Stacy Ross. The committee members encouraged the subcommittee to identify any resources that are already available, as well as how much making a new video would cost. One idea was to create a PowerPoint presentation that is less expensive and easy to update instead of a video. Brittany Maxey-Fisher added that the Diversity/Inclusion committee is working on a toolkit, but it is not specific to the JNCs.

Mitzi Carr added that JNC commissioners should be encouraged to take the [Implicit Association Tests](#) (IAT) to better learn their associations/biases.

The third is the Subcommittee on Voluntary Bars, chaired by Corey Person. Person stated that the subcommittee has been focused on how we help voluntary bars reach out to their members to apply and to demystify JNC process. After a large number of diverse applicants came in after the Pettis survey, many were denied, and there was a chilling effect.

The Subcommittee is working on Journal issue on JNCs with John Kendron, and Person detailed the planned articles.

Chair Edwards stated that she wanted the committee to monitor the JNC and judicial statistics, so there is a new Subcommittee on Data for JNC Demographics with Loreal Arscott, Chair. The committee is tasked with collecting judicial applicants vs. those elected; JNC applicants vs. nominated by Bar vs. selected. The committee also suggested looking at judicial demographics broken down by county, circuit, DCA, and Supreme Court.

III. CRC Update

Will Spicola, director for the Constitution Revision Commission provided an update on CRC. The public proposal deadline was last week, 1,700 unique public proposals - previous CRC got 300. The 750 proposals on the website are ones filed through the website, others were delivered via mail, email, Facebook etc.

The next meeting of the full commission Tuesday, Oct 17, is in Tallahassee. Rules state that it takes vote of 10 to get a committee assignment for public proposals. Commissioners have their opportunity to file their proposals by the end of the month. A commissioner can take an idea from the public proposals and file their own. 13 commissioner proposals posted. Deadline May 10 for filing with the Florida Secretary of State for the 2018 ballot.

IV. Old Business

The Chair raised the issue of the process of the Bar working better with the Governor's Office on having more diverse JNCs. Judge Flower stated that we need to develop a program that can be replicated around the state that helps the applicants through the process - help with applications, mock interviews, etc., and mentioned the 4th Circuit as an example.

Leslie Jean-Bart described the progress as resulting from an increased sense of collaboration with 4th Circuit JNC (who are now proud of the quality of the applicants that they are sending.) They had to really recruit, help with applications and even with the applicants' photos. Also, they recommended different cases to highlight, expressed that the applicants need to make sure the application is authentic. They also critique the interviews, we will give the JNC our top candidates. Then if the applicant makes it to the interviews at Governor's office level, we ask common questions from the Governor's office, and collect questions after the interviews. The locals need to attend JNC interviews. It is also helpful to have ambassadors from the majority demanding diversity, not just minorities.

V. Legislative Update

Booter Imhof gave an update on the Legislature, stating that interim committee weeks have begun and that the 2018 Legislative Session starts early, in January.

He called the committee's attention to SB 240, filed by Senator Bracy, on JNC Composition, which he will be monitoring and will update the committee on its status throughout the legislative process.

VI. Adjournment

The meeting adjourned at 12:45p.m.

State Courts System Demographics for Judicial Officers 05/01/2018											
By Gender and Race	Male					Female					Grand TOTAL
	White Not Hispanic	Black Not Hispanic	Asian/Pacific Islander	Hispanic	Subtotal Male	White Not Hispanic	Black Not Hispanic	Asian/Pacific Islander	Hispanic	Subtotal Female	
Supreme Court	4	0	0	1	5	1	1	0	0	2	7
First District Court of Appeal	10	1	0	0	11	4	0	0	0	4	15
Second District Court of Appeal	12	0	0	0	12	3	1	0	0	4	16
Third District Court of Appeal	6	0	0	1	7	2	0	0	1	3	10
Fourth District Court of Appeal	9	0	0	0	9	2	1	0	0	3	12
Fifth District Court of Appeal	10	0	0	0	10	1	0	0	0	1	11
1st Circuit	22	0	0	1	23	10	2	0	0	12	35
2nd Circuit	17	2	0	0	19	4	3	0	0	7	26
3rd Circuit	12	0	0	0	12	1	0	0	1	2	14
4th Circuit	35	3	0	1	39	13	2	0	1	16	55
5th Circuit	30	0	0	0	30	12	0	0	0	12	42
6th Circuit	34	2	0	1	37	27	4	0	1	32	69
7th Circuit	24	0	0	1	25	16	1	0	0	17	42
8th Circuit	14	1	0	1	16	6	0	0	1	7	23
9th Circuit	29	1	0	3	33	26	3	1	2	32	65
10th Circuit	28	0	0	2	30	9	0	0	0	9	39
11th Circuit	27	8	0	17	52	33	3	0	31	67	119
12th Circuit	16	1	0	0	17	13	1	0	0	14	31
13th Circuit	27	3	0	4	34	17	3	0	7	27	61
14th Circuit	17	1	0	0	18	1	0	0	1	2	20
15th Circuit	26	2	0	2	30	15	4	1	3	23	53
16th Circuit	3	0	0	1	4	4	0	0	0	4	8
17th Circuit	36	4	2	8	50	31	3	0	4	38	88
18th Circuit	21	0	0	0	21	18	1	0	3	22	43
19th Circuit	20	0	0	0	20	8	0	0	0	8	28
20th Circuit	30	2	0	1	33	15	0	0	1	16	49
					597					0	981
					60.9%					0	

By Race	White Not Hispanic	Black Not Hispanic	Asian/Pacific Islander	Hispanic	Grand TOTAL
Supreme Court	5	1	0	1	7
First District Court of Appeal	14	1	0	0	15
Second District Court of Appeal	15	1	0	0	16
Third District Court of Appeal	8	0	0	2	10
Fourth District Court of Appeal	11	1	0	0	12
Fifth District Court of Appeal	11	0	0	0	11
1st Circuit	32	2	0	1	35
2nd Circuit	21	5	0	0	26
3rd Circuit	13	0	0	1	14
4th Circuit	48	5	0	2	55
5th Circuit	42	0	0	0	42
6th Circuit	61	6	0	2	69
7th Circuit	40	1	0	1	42
8th Circuit	20	1	0	2	23
9th Circuit	55	4	1	5	65
10th Circuit	37	0	0	2	39
11th Circuit	60	11	0	48	119
12th Circuit	29	2	0	0	31
13th Circuit	44	6	0	11	61
14th Circuit	18	1	0	1	20
15th Circuit	41	6	1	5	53
16th Circuit	7	0	0	1	8
17th Circuit	67	7	2	12	88
18th Circuit	39	1	0	3	43
19th Circuit	28	0	0	0	28
20th Circuit	45	2	0	2	49
Totals	811	64	4	102	981
	82.7%	6.5%	0.4%	10.4%	

Note: 11 total vacancies; 4 in Circuit Court / 7 in County Court