

A COURT SYSTEM'S GUIDE TO INCREASING DIVERSITY AND FOSTERING INCLUSION

Patrick J. Carrington

Diversity and Inclusion Coordinator,
Kentucky Administrative Office of the Courts

Diversity and inclusion are quite possibly two of the most talked about topics in the workplace today. As the United States continues to become more and more diverse, it is important that organizations take the time to understand the importance of diversity and inclusion and how both subjects impact their workforce. This is true for a variety of agencies and organizations, including our nation's state courts. Over the past few years, through the leadership of Kentucky Chief Justice John D. Minton, Jr., and Kentucky Administrative Office of the Courts Director Laurie K. Dudgeon, the Kentucky Court of Justice has carried out a variety of initiatives to help increase the diversity of its workforce and foster a work environment that is inclusive of all individuals. By sharing a few of the different actions we have taken, my hope is that individuals who read this article will leave both motivated and inspired as they continue their journey in increasing the diversity and inclusion efforts within their respective state courts.

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Diversity and inclusion are two of the most popular words in society today, but how do we put them into action? How do we carry them out in today's court systems?

ESTABLISHING POLICY

One of the most impactful decisions a court system can make is to begin the process of incorporating diversity and inclusion into the fabric of its culture. One way of accomplishing this is to create policies that revolve solely around this topic. Creating policies that focus entirely on diversity and inclusion helps show the importance an organization places on the subject. It exemplifies to staff that diversity and inclusion is not just a trend or “topic of the day” but something that an organization plans to uphold and invest in long-term. The impact that this can have on staff within an organization is immeasurable. It can help reinforce the notion that the organization is serious about its efforts to promote diversity, foster inclusion, and create a work environment where all members are equally valued, respected, and included. To the right, you’ll find an example of the diversity and inclusion policy that was created by the Kentucky Court of Justice.

RESPONDING IN TIMES OF NEED

2020 was a very challenging year for many. From the pandemic to the numerous instances of racial injustice that took place in the United States, many found themselves in a constant state of confusion, frustration, and restlessness. The state of Kentucky, in particular, was heavily affected by the Breonna Taylor incident that took place in the city of Louisville. This incident had a profound effect upon many of the individuals who serve within our court system, especially those who lived and worked in Louisville. As an organization, we felt it was necessary to create a space for staff members to share how they were feeling and discuss different ways in which we could provide support and encouragement. To accomplish this, we created what we called a virtual dialogue session. This session provided staff members the opportunity to discuss how they felt about the experiences they were having and share different ways in which they were able to cope. In addition, we invited a trainer and specialist on racial trauma to discuss how many of the events that had taken place during that time can affect one’s life and what they can do to overcome certain challenges.

This initiative proved to be extremely beneficial. We received very positive feedback, with many individuals stating they appreciated having the opportunity to be heard and express what they were feeling regarding the incidents that occurred throughout the year. Creating opportunities

such as this, especially in moments where staff could potentially be experiencing significant amounts of trauma or stress, is a great example of practicing inclusion at a time when it is needed the most. Being willing to respond to situations that could negatively be affecting staff is a key part of actively practicing inclusion.

Kentucky Court of Justice Diversity, Equity, and Inclusion Policy

- (1) This section applies with equal force to elected and appointed officials.
- (2) A diverse, equitable, and inclusive workplace enhances the public’s confidence in the court system and improves the work environment by bringing different viewpoints, skills, backgrounds, and interests to the KCOJ.
- (3) The KCOJ is committed to promoting and embracing diversity, equity, and inclusion among its workforce. This includes diversity in race, national origin, color, religion, gender, age, disability, sexual orientation, genetic information, veteran’s status, political affiliation, marital or parental status, and socio-economic background.
- (4) The KCOJ supports the fair and equitable treatment of all KCOJ employees by prohibiting all forms of unlawful employment discrimination and creating an environment that promotes dignity and respect for everyone.
- (5) In support of this mission, the KCOJ will provide training opportunities for employees, elected officials, and appointed officials on matters related to diversity, equity, and inclusion.
- (6) Appointing authorities will work with the AOC Diversity & Inclusion Coordinator to implement employment practices that are consistent with this statement.



ADDRESSING RACIAL AND ETHNIC DISPARITIES

Racial and ethnic disparities can be found within a variety of different organizations and social service systems throughout the world. Unfortunately, the judicial system within the United States of America is not exempt. Many court systems within the U.S. are working diligently to reduce and eliminate racial and ethnic disparities. The Kentucky Court of Justice is a part of said court systems. Over the course of the past few years, the Kentucky Court of Justice has worked meticulously to determine whether racial and ethnic disparities are present within the organization. Much of our focus has been geared toward determining whether these disparities can be found within our three statewide departments (Specialty Courts, Pretrial Services, and Family and Juvenile Services). After carefully reviewing data from each of these three departments, we were able to determine that there are certain cases where racial and ethnic disparities do exist.

To combat these disparities, we have established what we call a Statewide Department Equity Committee. This committee

consists of various individuals, including myself, the director and deputy director of the Kentucky Administrative Office of the Courts, and the executive officers of each of our three statewide departments. This committee meets statewide, and the departments are progressing toward reducing existing racial and ethnic disparities. In addition, each of these departments has established their own strategic plan equity committee. These committees consist of the individuals that work face-to-face with the various populations we serve every day. During these committee meetings, staff develop specific plans and strategies to reduce racial and ethnic disparities within their specific departments.

Throughout our journey of seeking to reduce racial and ethnic disparities, we have developed a few steps that any organization can take to begin the journey of reducing racial and ethnic disparities for themselves. These steps are carefully outlined in the [*Kentucky Court of Justice Response: A Guide for Identifying, Addressing and Reducing Racial and Ethnic Disparities*](#).



This guide provides a four-step model that serves as a road map for helping organizations begin their journey to reducing and eliminating racial and ethnic disparities.



Identify disproportionality and disparities within your organization.

Construct strategies that will aggressively address the challenges and barriers to the desired equitable outcomes.

Institutionalize the effective processes constructed that have proven to be successful.

Reevaluate your efforts to measure progress and ensure continuous quality improvement.

These four steps have tremendously helped our organization identify and combat racial and ethnic disparities. Our hope is that in sharing this resource we can continue to create awareness around this topic and help other organizations address this issue as well.





CONNECTING WITH THE COMMUNITY

Building relationships with individuals and organizations within a community can greatly enhance a court system’s ability to increase their diversity and inclusion efforts. In 2019 the Kentucky Court of Justice held a community-engagement listening session called “Court Talks” in the city of Louisville. This session was created to provide the public with an opportunity to express any concerns they may have with the judicial system. Representatives from various departments within the state of Kentucky were present, including the Kentucky Department of Corrections; the Division of Probation and Parole; the Department of Family and Juvenile Services; the Department of Specialty Courts; and the Department of Pretrial Service, to name a few. After the initial “Court Talks” session, five additional sessions were offered to the public that focused on topics such as bail and incarceration, eviction, family court, expungement, and the overall courtroom experience.

Making an effort to connect with groups and organizations within your state that are predominately made up of minorities is one of the best ways to learn how to better assist the populations you serve. Building relationships with organizations like local LGBTQIA+ centers or Historically Black Colleges and Universities (HBCU), to name a few, is an excellent way to learn more about diverse populations and create opportunities to recruit diverse talent.

CELEBRATING DIVERSITY WITHIN THE COURT SYSTEM

Taking the time to recognize and celebrate diversity within an organization can be very rewarding and educational for staff. Celebrating events such as National Women’s History Month and Black History Month are excellent ways to help the diverse populations within your organization feel valued, recognized, and appreciated.

Earlier this year, the Kentucky Court of Justice honored Black History Month by celebrating a few of the unsung heroes of the Civil Rights Movement. During each week of the month of February, members of the Kentucky Court of Justice received a small biography of a civil rights leader that made significant contributions during the civil rights movement but may not have received as much recognition as a Martin Luther King, Jr., or Rosa Parks. In addition, on February 23, 2021 the Kentucky Court of Justice held a virtual Black History Month Celebration.

During the celebration, staff were provided a presentation on the importance of continuing to honor the lives of the many African American individuals who fought for equality during the civil rights movement. In addition, a panel discussion consisting of three African American judges from the state of Kentucky was also offered to staff.

During the panel discussion, the judges candidly talked about their journey to becoming a judge, and the many challenges they overcame along the way. Creating opportunities to celebrate the diverse populations within your organization is an excellent way to foster a more inclusive work environment and give employees an opportunity to learn more about cultures that may be different from their own.

CONCLUSION

Going forward, diversity and inclusion will continue to play a pivotal role in court systems being able to provide fair and equitable treatment for staff and the populations they serve. With each year, it will become increasingly important for organizations to prioritize this topic and increase their efforts surrounding it. If you are just beginning your journey into diversity and inclusion as a court system or are a few years into the process, my hope is that the tools within this article have helped aid you in your mission to increase the level of diversity within your organization and establish a much more inclusive work environment.

