

Wilmington, Delaware
October 17, 2019

#4721

WHEREAS, the City of Wilmington is home to a diverse population of individuals

Sponsor:

representing different ages, abilities, nationalities, races, ethnicities, religions, gender identities, and sexual identities who all deserve accurate, considerate, and appropriate representation at the highest legal level; and

**Council
Member
Johnson**

Co-Sponsors:

WHEREAS, the American Bar Association has confirmed that, “racial and ethnic

**Council
President
Shabazz**

diversity in the legal profession is necessary to demonstrate that our laws are being made and administered for the benefit of all persons. Because the public’s perception of the legal profession often informs impressions of the legal system, a diverse bar and bench create greater trust in the rule of law,” and has thus identified enhancing diversity and inclusion as one of its primary goals; and

**Council
Members
Guy
McCoy
Congo**

WHEREAS, the Brennan Center for Justice at NYU Law reports that State Supreme Courts don’t have gender parity or reflect the racial or ethnic composition of the communities they serve, becoming, over the past twenty years, even less reflective of the nation’s increasingly diverse population; and

WHEREAS, a diverse court strengthens the rule of law by bringing essential knowledge and perspectives to the bench that better represent and reflect the true diversity of Cities such as Wilmington and states such as Delaware, thereby enhancing the Court’s legitimacy, and further upholding our nation’s values of equity and equality of opportunity; and

WHEREAS, the minority population of Delaware is approximately 38 percent, and the minority population of the City of Wilmington is 67 percent and is becoming increasingly more diverse; and

WHEREAS, 24 states, including Delaware, currently lack a Justice of Color on their State Supreme Court bench, and the Delaware Supreme Court has never included a person of color as an Associate Justice, or a person of color or woman as the Chief Justice; and

WHEREAS, the State of Delaware, having never appointed a Chief Justice of color, or a female Chief Justice, though 2 women have been appointed as Associate Justices since 1994, which thereby maintains an unrepresentative 80 percent majority of White men on the Delaware State Supreme Court bench, despite White men now comprising less than a third of the U.S. population, as well as less than half of the Wilmington population; and

WHEREAS, people of color make up nearly 40 percent of the U.S. population but hold only 15 percent of State Supreme Court seats and women make up roughly half the U.S. population but hold only 36 percent of State Supreme Court seats, and

WHEREAS, the Multicultural Judges & Lawyers Section of the Delaware State Bar Association, the South Asian Bar Association of Delaware, the Delaware Hispanic Bar Association, and the Delaware Barristers Association have encouraged the appointment of a person of color to the Delaware Supreme Court; and

WHEREAS, a transparent, safe, and secure Wilmington remains a priority of the Wilmington City Council, as well as a commitment of ensuring that all the people of Wilmington and Delaware are well-represented.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Honorable John Carney, Governor of the State of Delaware, is

hereby strongly encouraged to consider the appointment of a person of color to the Delaware Supreme Court demonstrating equity, inclusion and recognition of the diversity of Delaware's overall population and that of the legal profession in the State.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: The Wilmington City Council is concerned with the lack of diversity within the Delaware State Supreme Court. Despite the continued growth of a diverse population within the State and especially within the City of Wilmington, the largest City in Delaware, the Delaware Supreme Court, like many other State Supreme Courts around the country, has not accurately represented its citizenry through its appointment of Supreme Court Justices. Therefore, the Council of the City of Wilmington strongly encourages Governor Carney to appoint a Person of Color to the Delaware State Supreme Court to demonstrate equity, inclusion and recognition of the diversity of the overall population of our City, State and the Delaware legal profession.