

the role of the Judges in fairness and impartiality, the National Legal Aid Defender Association has a Project titled *Justice for All* stressing the need for fairness and diversity in the Courts, the National Conference on Court-Related Needs of the Elderly and Persons with Disabilities has passed a Resolution (dated 8/91), the California Judicial Council has recommended and the California Supreme Court has adopted and implemented various access and treatment policies, and the Conference of Chief Justices adopted a Resolution titled Leadership to Promote Equal Justice setting forth the need for the Judiciary to provide a leadership role to ensure equal access to and equal justice in the justice system; and

WHEREAS, The American Judges Association adopted a Resolution on Access to Justice and Protection of the Rights of People on September 25, 1997 and in furtherance of the goals stated therein conducted a workshop entitled Access to Justice and Equal Treatment in the Courts for Court Users and Court Employees on May 13, 2005 where it reviewed all of the existing written policies addressing both Equal Access and Equal Treatment issues and determined that there is no one comprehensive Judicial policy addressing these issues; and

WHEREAS, Contemporary research, data, and surveys indicated lack of access to the Courts by the poor, aged, disabled, and limited-English Court users, and that women, people of color, and gay and lesbian Court users and Court Personnel experience bias in the Courts; and

WHEREAS, Research, surveys, and data reveal that the populations of the United States and Canada are increasing with people of color and those who are elderly and disabled, and that the available Court workforce in the United States and Canada will be shrinking within the next decade and that a bias-free work environment will assist the Court as an employer with retention and recruitment of Court employees.

NOW, THEREFORE, BE IT RESOLVED that the American Judges Association in furthering the goals of Equal Access and Equal Treatment for Court Users and Court Personnel will do the following:

- Appeal to local, specialty, and state bar associations to establish, expand, and support a voluntary pro bono system or affordable legal services for the poor, aged, disabled, other special populations, and limited-English Court Users for their legal, administrative, and court issues consistent with the *AJA Resolution of 1997*.
- Encourage attorneys, law firms, and corporate employers to promote and support the involvement of associates and partners in *pro bono* or voluntary legal services and public-service activities consistent with the ABA Policy on Legislative and National Issues Resolution of 8/88.
- Join and partner with national and state organizations as stated herein to identify existing programs and explore available funding with the objective of coordinating efforts and consolidating resources in legal matters related to the poor, aged, disabled, limited-English Court Users, and other special populations.
- Encourage Judicial Departments and Legislative bodies to secure long-term, sustained, and permanent funding for legal aid for the poor, aged, financially vulnerable persons and other special populations.
- Join and partner with national and state organizations as stated herein to expand the types of assistance available to self-represented litigants, including exploring the role of non-attorneys as resolved by the *Conference of Chief Justices*.
- Encourage Judicial Departments to provide and pay reasonable costs of any necessary auxiliary aids or services for Court Users, including, but not limited to, interpreters for the hearing impaired and limited-English proficient and accommodations for the physically and mentally disabled and aged in accordance with the American with Disabilities Act and as recommended by the *National Conference on Court-Related Needs of the Elderly and Persons with Disabilities*.
- Educate the AJA Members on issues of Access to Justice and Equal Treatment by incorporating a cultural competency component into educational programs.
- Educate the AJA Members on how to recognize bias and its manifestations; how to take a role to eliminate bias in the Courts; how to ensure bias-free communication and behavior; how to institutionalize fairness; and how to demonstrate respect, fairness, and neutrality as detailed in the *NCSA Pocket Guide for the Courts*.
- Encourage all Court Personnel to increase their awareness of Access to Justice and Equal Treatment issues and to enhance the leadership Skills necessary for an effective Court services environment.
- Endorse the implementation of local Court Personnel policies and practices to eliminate discrimination on the basis of gender, race, color, age, religion, language, and sexual orientation in the workplace in association with those associations and organizations stated herein.
- Endorse training and education programs for Court Personnel that would eliminate discrimination on the basis of gender, color, age, religion, language, and sexual orientation in the workplace.
- Recommend that the Judiciary take primary responsibility for providing continuing legal education, that continuing judicial education be required for all judges, and that state appropriations are sufficient to provide adequate funding for continuing judicial education as recommended by the *Report of the ABA Commission on the 21st Century Judiciary*.
- Assist in the development of state, regional, and national plans addressing Access to Justice and Equal Treatment for Court Users and Court Personnel consistent with this Resolution. bm