



Background

As Courts are to be respectful and fair to all who seek judicial services, the concept of diversity and inclusion is relevant to the administration of courts and the judicial system. Courts are to act in ways that garner public trust and public confidence. Although the concept of diversity and inclusion is not new, most courts have not planned or articulated specific initiatives to promote and foster diversity and inclusion. The changing demographics of the nation and court users, the increased demands and examination of the justice system, and the evolution of laws indicate that now is the right time for courts to be intentional, specific, proactive, and transparent about their diversity and inclusion efforts. Courts' internal and external operational practices and policies must address the needs of the diverse workforce, court users, and the public to establish and maintain confidence and trust.

In 2016, the Third Circuit Court's Strategic Plan Committee, with the assistance of Dr. Brenda J. Wagenknecht-Ivey, Ph.D (Dr. Ivey), examined internal data about the Court's human resources; Wayne County's demographic and emerging trends; and, the responses to the 2015 Public Satisfaction Survey. Dr. Ivey summed up the findings with the acronym VUCA, a military term that acknowledges the volatile, uncertain, complex, and ambiguous circumstances of a situation. Many Third Circuit employees were eligible for retirement, the Court was challenged in attracting and retaining skilled talent, the low rate of minority jurors continued to present challenges to ensure a defendant's right to trial by a juror of his or her peers, and the number of self-represented litigants and other litigants needing assistance to access court services continued to

increase. Additionally, federal and state funding required the Court to make certain assurances regarding services and access to services.

The Third Circuit Court strives to be a model court. Two focus areas in the Court's Strategic Plan relate to diversity and inclusion: Strategic Focus Area 2: Employee Satisfaction, Work Environment, and Pay and Benefits; and Strategic Focus Area 5: Access, Services, and Programs. By fostering a work culture that engages workers and provides access to services that address the needs of court users, the Court increases its efficiency and effectiveness, as well as increases the social value and legitimacy of the justice system. To reach the desired goals, Court leadership must: (1) be aware of the changing demographics of court users and the pool of talent resources, the increased demands on the Court, and the increasing and rapid evolution of laws; and (2) engage a diverse talent pool and provide services to a diverse population in a manner that builds trust and confidence in the Court and the judicial system. The development and implementation of a Diversity and Inclusion Plan provides the Court a framework in which to do that. The Court's specific diversity and inclusion initiatives and strategies are identified priorities that are presented in a companion document: "Diversity and Inclusion Initiatives and Strategies for 2019-2021."

The Strategic Project Team for Diversity and Inclusion (D&I) was formed under the leadership of Judge Mariam Bazzi (Judicial Sponsor) and Zenell Brown (Team Leader). The Director of Human Resources and General Counsel are on the team and provide subject-matter expertise. The team includes members representing the four divisions of the courts, various classification levels, and various ethnic, racial and gender identities. The D&I Team enlisted the assistance of Darlene King, Executive Director of the Michigan Diversity Council. During team meetings, the team shares their institutional knowledge and experiences, discusses the internal and external trends and perspectives, and identifies best practices to inform its Diversity and Inclusion Plan for Third Circuit Court.

The D&I Team have identified four significant areas to include in the D&I Plan. The first three areas are: (1) court leadership engagement, (2) judicial engagement, and (3) employee engagement. These areas are envisioned as the Court's Pillars of the Diversity and Inclusion; these pillars

hold up and support the fourth area, public trust and confidence. Public trust and confidence emanates from Third Circuit Court's mission to provide accessible and equal justice with timely dispute resolution for court users and the public. The commitment and work efforts of Court leadership, judges, and employees make that possible.

The most challenging part of any plan is implementation. A diversity and inclusion plan presents added challenges as diversity has many dimensions and inclusion requires the added effort of ensuring those of different races, abilities, genders, religion, familial status, marital status, and other identities have meaningful opportunities to engage in court employment or to access court services. A D&I Plan requires introspection—a discovery and an acknowledgment of individual, collective, and systemic biases—and applying conscious, intentional efforts to remove and disrupt those biases. Implementation requires respect of differences and the active building of relationships with others who may identify differently than one's self. Implementation is a journey subject to ongoing scrutiny and continuous improvements.

At Third Circuit Court, diversity and inclusion will require the effort of all. The D&I Plan is a shared responsibility. The Committee was careful and heeded the best practice of not making D&I solely the responsibility of the Human Resource Department. The research shows that HR plays a role, but when it is the only responsible agent for diversity and inclusion plans and initiatives, those plans and initiatives fail. D&I Plans require the buy-in of the top leaders. Therefore, the support of the Chief Judge and the Executive Court Administrator is crucial. They prepare the way for the Diversity and Inclusion Plan to go forward, allocating time and talent, and financial resources. The buy-in and actions of organization leaders ultimately determine the success of our diversity and inclusion plan; leaders are the catalysts and are ultimately accountable. And everyone in the organization plays an important role. The Court's D&I Plan outlines the roles and responsibilities under the Court leadership, judicial, and employee pillars.

With the help of our many great judges, administrators, supervisors, and staff, the Third Circuit Court's Diversity and Inclusion Plan will be the Court's roadmap for demonstrating our commitment to Justice for All and creating a pathway to it for all those who work in the Court, as well as for all those who seek justice at its doors.

Chief Judge Timothy M. Kenny
Administrator Zenell B. Brown
Judge Mariam Bazzi

Executive Court
Judge Sponsor –

Team:

Tamela Aikens
Benita Cheatom
Camella Corbin
Dayna Crenshaw
Jillian Fitzgerald
Judge Patricia Fresard
Judge Noah Hood
Erin Lincoln
Richard Lynch
Patrick MacRae
Nilda Reinoso
Crystal Rose
Alisa Shannon
Richard Smart
Karen Smith
Roland Smith
Toielynn Smith

The Third Circuit Court's Diversity and Inclusion Plan

Overview:

Public confidence and trust are critical for courts; they determine the legitimacy of the institution to administer justice. Public confidence and trust are based on the individual and collective judicial and administrative actions of the Court's leaders, the judges, and the employees. To serve court users and the public in accordance with the Court's vision as a national leader building trust and confidence in the judicial branch and

providing exemplary public service and programs that represent the core values of being fair, proactive, responsive, user friendly and collaborative, it is imperative that the Court staff and jurists deliver services to a diverse population in an inclusive manner.

The Court's internal policies and operations must also reflect and promote a diverse and inclusive workplace that inures the trust and confidence of the elected and employed public servants.

In furtherance of its mission to deliver quality judicial services, the Court has adopted the Diversity and Inclusion Plan that follows. The Plan includes the Diversity and Inclusion Mission and Vision and the description of the three pillars (Court Leadership Engagement, Judicial Engagement, and Employee Engagement) that uphold public trust and confidence.

The Third Circuit Court is comprised of 58 judges and over 500 staff who are of many different backgrounds and identities. The judges and staff serve the 43 cities, townships, and other communities of Wayne County, the attorneys who practice in the Court, the parties who appear in court, the jurors, as well as many other court users and visitors who are also of many backgrounds and identities. The four divisions --Family, Civil, Criminal, and Administration—work together and as one court. The Third Circuit Court provides accessible and equal justice with timely dispute resolution to all who seek its services.

The Diversity and Inclusion Mission Statement:

“We appreciate our common connection and respect our diverse and unique human experiences. We move forward as an inclusive organization as we provide accessible and equal justice.

The Diversity and Inclusion Vision:

Diversity is inclusive. It encompasses, among other things, race, ethnicity, gender, sexual orientation, gender identity and expression, religion, nationality, language, age, disability, marital status, parental status, military status, geographic origin, and socioeconomic background.

Diversity creates greater trust and confidence in the court system and its administration of justice. It enables us to better provide exemplary public service and programs. The different perspectives, experiences, backgrounds, talents and interests of judges and employees in our four divisions allow us to be a national leader in Court performance.



Court Leadership Engagement Pillar:

The Chief Judge, Presiding Judges, Executive Court Administrator, Deputy Court Administrators, and General Counsel comprise the Court Leadership Team. The Court Leadership Team oversees the Court's Diversity and Inclusion Plan. The Court Leadership Team ensures a long-term commitment to diversity and inclusion, and the financial, operational, and human resources needed to maintain programs and initiatives. The Court Leadership Team ensures adequate resources are assigned to the Court's diversity and inclusion strategies, such as recruitment and retention programs. Additionally, the Court Leadership Team:

- Conveys through action and words what diversity and inclusion is and why it is important for the Court.
- Builds awareness of the Diversity and Inclusion Plan throughout the organization.

- Makes diversity and inclusion a part of leadership and management's effort and responsibilities to increase productivity, including team building, quality improvements, and professional development.
- Identifies, prioritizes, and implements D&I initiatives with the assistance and input of judges, staff, judicial partners, and the public. Initiatives will include training and education.
- Seeks to increase the diversity of the talent pool and to ensure the work environment is inclusive so that all workers have the opportunity to fully engage in the work and career opportunities.
- Ensures that court services are delivered in a manner that is respectful to all who seek services.
- Establishes benchmarks and milestones for initiatives and the D&I Plan.
- Monitors progress and provides feedback to judges, staff, judicial partners, and the public.
- Seeks continuous improvement.

Judicial Engagement Pillar:

The Third Circuit Court's bench is comprised of the Presiding Judges, the Executive Judicial Team, and the individual judges. The Presiding Judges oversee the judicial functions of their assigned divisions and work with the Deputy Court Administrator for that division to ensure the proper delivery of services to court users and the public. The Executive Judicial Team serves in an advisory capacity to the Chief Judge. Additionally, each judge carries out individual and independent judicial functions.

In furtherance of Diversity and Inclusion, the Judges:

- Administer substantive and procedural justice with respect for all who appear before them.
- Model behavior that encourages and fosters diversity and inclusion in the workplace.
- Set and enforce expectations in the courtroom by directing staff and court officials subject to his or her authority to act in accordance with the Diversity and Inclusion Plan and the Judicial Canons¹.
- Participate in diversity and inclusion planning and trainings.
- Consider volunteer and educational opportunities and invitations at the court, local, and national levels that promote or address issues relevant to diversity and inclusion. These activities include specialty court graduations, events honoring employee contributions, public education and outreach, and access to justice seminars.
- Offer meeting, speaking, mentoring, and other opportunities to diverse populations of college and law school students, bar associations, and organizations. Help build bridges and pipelines into the various diverse communities of Wayne County.
- Communicate benefits derived from diversity and inclusion initiatives.

- Encourage their employees to participate and be an integral part of the Court's diversity and inclusion strategies.

Employee Engagement Pillar

A skilled, engaged, and satisfied workforce is critical to the Court's future and overall success. The workforce provides the services that allow the delivery of justice. Court employees are usually the first point of contact for court users and the public. Courthouses with diverse work staff are perceived as more welcoming by court users. Furthermore, employees work with and alongside others from different races, religions, abilities, gender identities, and backgrounds. An inclusive workplace ensures that all are treated with respect, fairness, and dignity.

In furtherance of Diversity and Inclusion, Employees:

- Act in a way that is respectful of colleagues and the public.
- Act in a way that encourages and fosters diversity and inclusion in the workplace.
- Participate in training, development, and membership opportunities that foster workplace inclusion.
- Participate in training, development, and membership opportunities that better enables the Court to provide services to the court users.
- Provide input and feedback on diversity and inclusion initiatives.
- Model behavior that encourages and fosters diversity and inclusion.

Public Trust and Confidence

The three engagement pillars uphold the Court and judicial system. When they are strong and vibrant, the integrity of the Court is intact. The Court

creates greater trust and confidence in the court system and its administration of justice. The core values of fairness, pro-activeness, responsiveness, user-friendliness, and collaboration are demonstrated in each transaction and encounter. Court work is done by those who share the vision of the Court as a national leader in court performance and the administration of justice. And, the Court fulfills its mission: "To provide accessible and equal justice with timely dispute resolution."

ⁱ * Michigan Judicial Canon 3 B) 2) A judge should direct staff and court officials subject to the judge's control to observe high standards of fidelity, diligence, and courtesy to litigants, jurors, witnesses, lawyers, and others with whom they deal in their official capacity