

**The Puerto Rican Bar Association of New York, Inc.
2025 Judicial Diversity & Reform Report**

The Long Road Traveled Toward a Fairer Bench



Prepared by The Puerto Rican Bar Association Judiciary Committee

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**November 3, 2025
New York, New York**

PRBA JUDICIAL DIVERSITY & REFORM REPORT
ON HISPANIC UNDERREPRESENTATION
IN THE NEW YORK STATE JUDICIARY:
The Long Road Traveled Toward a Fairer Bench

“You want that diversity on the bench, so that when issues are discussed among judges every argument is being made by someone who can articulate it in the best way.”

–PRBA Emeritus & United States Supreme Court Justice Sonia Sotomayor¹

“Without public confidence, the judicial branch could not function.”

– In re Raab, 100 N.Y.2d 305 (2003)

I. INTRODUCTION

A diverse judiciary instills confidence in our justice system for all individuals precisely because we, individually, are diverse, collectively. Diversity not only encompasses race, ethnicity, color, and other biological differences, but also extends to differences in beliefs, lived experiences, and perspectives shaped by individual and community mores, values, and senses of fairness. To ensure fair outcomes and that citizens from all backgrounds perceive the justice system as equitable and impartial, the composition of the judiciary must reflect the demographic diversity of the entire population.

The underrepresentation of Hispanic individuals within the New York State judiciary is a persistent issue, reflecting a broader challenge of ensuring diversity and equitable representation in the legal system. Addressing this disparity is necessary to correct a statistical anomaly and, as a matter of principle, to underscore the importance of aligning the judiciary's demographic composition with that of the state's citizenry. Achieving this alignment is crucial for fostering fair

¹ Sotomayor, *Supreme Court Justice Sotomayor Calls for Diversity of Ideas*, GW Today (Jan. 9, 2014), <https://gwtoday.gwu.edu/supreme-court-justice-sotomayor-calls-diversity-ideas>

and equal administration of justice, enhancing public trust in, and reinforcing the legitimacy of, our judicial system.

Recent efforts by distinguished leaders—including Governor Kathy Hochul, Chief Administrative Judge Joseph A. Zayas, Presiding Justice Hector LaSalle, and Justice Sallie Manzanet-Daniels—to address this longstanding imbalance are commendable and demonstrate a shared commitment to addressing it. Their initiatives and policies are vital steps toward increasing diversity on the bench and ensuring that the judiciary more accurately reflects the community it serves. However, despite these positive developments, significant work remains.

Significant disparities in Hispanic representation in our courts persist across regions, including the boroughs of New York City and Upstate New York counties. Indeed, despite comprising approximately 20% the state-wide population and 28.4% of the NYC population, Latino/a judges make up approximately 8% of the total judges in the New York court system.²

Continued efforts, targeted strategies, and sustained commitment are necessary to overcome the remaining barriers and to promote a judiciary that embodies the principles of fairness, inclusion, and equal opportunity for all citizens. While progress has been made, the journey toward comprehensive representation is ongoing. It is a collective responsibility—of policymakers, legal professionals, and community stakeholders—to ensure that the strides taken are not only maintained, but also expanded, fostering a more just and equitable legal system for future generations.

To this point, The Puerto Rican Bar Association (PRBA) extends its sincere appreciation to the members of its Judiciary Committee for their dedicated efforts. Additionally, the association acknowledges the contributions of PRBA members and affiliated affinity bar organizations in responding to the judicial diversity participant survey. The results of this survey are discussed

² “Statewide Judicial Demographics Report | NYCOURTS.GOV.” *Nycourts.gov*, 2020, ww2.nycourts.gov/courtresearch/srjd-report.shtml.

herein, providing valuable insights into how New York State residents view the current state of diversity within the judiciary and highlighting areas for ongoing improvement and engagement.

II. A SHORT HISTORY OF A LONGSTANDING PROBLEM

A. Systemic Challenges in Ensuring Fair Representation in the Judiciary

For decades, political processes and structural barriers have hindered the fair and equitable appointment of Hispanic judges. Additionally, key decision-making processes are often kept in the dark, protected by confidentiality. Despite recent progress, these obstacles persist, limiting Hispanic candidates' ability to ascend to judicial positions. This situation, based on statistical and polling data, as well as informal accounts from judges and others in the judiciary, appears to diminish public confidence in judicial districts that do not fully reflect the diverse communities they serve across the State of New York. Some of these ongoing challenges include:

The Dearth of Political Judicial Appointments: Political appointments remain one of the most direct levers for advancing Hispanic representation in New York's courts. In 2023, Justice Joseph A. Zayas became the first Latino to serve as Chief Administrative Judge—a historic milestone.³ Since his appointment to that role by Chief Judge Rowan Wilson, Justice Zayas has exercised his appointing authority to designate new leadership in the courts, including the 2025 elevation of Justice Maria Vazquez-Doles to the Appellate Term bench, Judge Carmen Pacheco to Supervising Judge of the Civil Court in Brooklyn; Judge Frances Ortiz to Supervising Judge of Housing Court in Manhattan, and Judge Alicea Elloras to Supervising Judge of Family Court in Queens County.⁴ At the gubernatorial level, Governor Kathy Hochul's June 2025 slate of 24 judicial appointments (to the Court of Claims, Supreme Court, and Family Court benches) offered another pathway for diversity, including the confirmations of Hispanic jurists Noel Mendez,

³ "Hon. Joseph A. Zayas | NYCOURTS.GOV." *Nycourts.gov*, 2023, [ww2.nycourts.gov/zayas_joseph.shtml](https://www.nycourts.gov/zayas_joseph.shtml).

⁴ "Chief Administrative Judge Zayas Announces Appellate Term, First and Second Department Appointments." *Nycourts.gov*, 2 Sept. 2025, https://www.nycourts.gov/LegacyPDFS/press/pdfs/PR25_21.pdf

Natacha Carbajal-Evangelista, Mary Lynn Nicolas-Brewster, Walter Rivera, and Rhonda Ziomaida Tomlinson.⁵

At the judicial screening and advisory levels, in 2025, Justice Zayas re-appointed Carlos Perez-Hall to the Advisory Council on the Housing Part that screens candidates for appointment to the Housing Part.

Although these political appointments represent a potent mechanism for judicial diversification, empirical data from New York show that Hispanic attorneys have historically had greater success gaining a seat on the bench through elections than through appointments.⁶ This divergence illustrates how appointment channels impose structural constraints—gatekeeping, political patronage, and institutional bias—that limit Hispanic elevation, unless structural reforms intervene.

Barriers in the Electoral Process: Despite being a more promising trajectory for Hispanics than the appointment process, the electoral process continues to pose considerable challenges for Hispanic judicial candidates. The financial burdens of campaigning, combined with limited access to the established fundraising networks that benefit other candidates, continue to disadvantage many Latino contenders.⁷ Structural barriers—including entrenched party gatekeeping and the concentration of political support within certain counties—have restricted Latino participation and

⁵ “Governor Hochul Announces Appointments to the New York State Court of Claims, Supreme Court, and Family Court.” *Governor Kathy Hochul*, 2025, www.governor.ny.gov/news/governor-hochul-announces-appointments-new-york-state-court-claims-supreme-court-and-family.

⁶ As Justice Sallie Manzanet-Daniels’ *Overview of Status of Latinos in the NYS Judiciary: The 2025 Report* notes, the 2020 edition of the study explicitly evaluated whether gains were achieved “by appointment or election,” and found that Latino judges “have fared better through the elected process than the appointive one.” The 2025 Report incorporates those findings and continues to identify entrenched systemic impediments within appointment pipelines that restrict Latino advancement. Latino Judges Association. *The 2025 Report: Status of Latinos in the NYS Judiciary*. 2025, <https://latinojudgesassociation.org/wp-content/uploads/2025/07/The-2025-Report-Status-of-Latinos-in-the-NYS-Judiciary.pdf>

⁷ “Ideología: Barriers to Latino Representation.” *Demos*, www.demos.org/blog/ideologia-barriers-latino-representation.

advancement.⁸ The cost and insularity of these political processes deter otherwise qualified candidates from entering judicial races, effectively narrowing the pipeline of diverse talent. Accordingly, overcoming these disparities will require intentional measures to democratize access to campaign financing, dismantle exclusionary nomination practices, and cultivate an electoral environment that truly reflects the communities New York’s courts are meant to serve.

An Entrenched Cycle of Underrepresentation: The scarcity of Hispanic judges in New York reinforces a self-perpetuating pipeline problem: without visible role models and mentors on the bench, aspiring lawyers are less likely to see judicial service as attainable. As the Brennan Center summarizes, “A diverse bench fosters increased public confidence in the courts, provides role models across communities, and enriches judicial deliberations.”⁹ This legitimacy gap is underscored by New York’s own data on the lack of diversity in the judiciary— “Among respondents that were appointed to their judgeships... 11% were Hispanic—compared to their 19.2% share of the New York total population.”¹⁰ And even where elections can offer an alternative route, candidates of color “raise less money, are challenged more often, win less frequently, and receive less support from outside interest groups”—constraints that help explain why underrepresentation persists.¹¹ As a result, these statistics all go to show that diversity is not merely superficial; it matters for outcomes and confidence in outcomes: “Bringing a range of

⁸ Latino Judges Association. *The 2025 Report: Overview of Status of Latinos in the NYS Judiciary*, <https://latinojudgesassociation.org/wp-content/uploads/2025/07/The-2025-Report-Status-of-Latinos-in-the-NYS-Judiciary.pdf>

⁹ Zoe Merriman, Chihiro Isozaki & Alicia Bannon, *State Supreme Court Diversity — May 2024 Update*, Brennan Center for Justice, May 22, 2024, <https://www.brennancenter.org/our-work/research-reports/state-supreme-court-diversity-may-2024-update>

¹⁰ “Hoylman and Myrie Joint Statement on New Data Showing Lack of Diversity among New York State Judges | NYSenate.gov.” *Www.nysenate.gov*, www.nysenate.gov/newsroom/press-releases/2021/brad-hoylman-signal/hoylman-and-myrie-joint-statement-new-data-showing.

¹¹ Merriman, Isozaki & Bannon, *supra* note at 9.

experiences and perspectives to bear allows judges to make better informed decisions and increases public confidence in their rulings.”¹²

A Weak Pipeline for Hispanic Judicial Candidates: The underrepresentation of Hispanic judges in New York—and across the nation—stems from a much earlier deficit in the legal education and professional pipeline. According to the American Bar Association’s 2024 Profile of the Legal Profession, only about 6% of U.S. lawyers identify as Hispanic, despite Latinos comprising more than 19% of the national population.¹³ The disparity is even more striking in elite legal education: the Law School Admission Council reports that Latino students represent just 10–11% of law school enrollment nationwide, a share that has remained stagnant for nearly a decade.¹⁴ Indeed, many of New York’s most prominent law schools—including NYU, Columbia, and Cornell—report Latino enrollment well below state demographic parity.¹⁵

This shortage naturally limits the number of Latino attorneys who advance into large law firms and leadership roles. The National Association for Law Placement (NALP) 2024 Report on Diversity in U.S. Law Firms found that Latinos account for only 3.4% of partners and just over 6% of associates, with even lower representation among equity partners.¹⁶ Because these firms often serve as the talent pools from which governors and mayors, nominating commissions, and judicial screening panels select candidates, the absence of Latinos at these levels constrains the pool of judicial candidates.

¹² Id.

¹³ “ABA Profile of the Legal Profession 2024.” *Americanbar.org*, 2024, www.americanbar.org/news/profile-legal-profession/.

¹⁴ “Incoming Class of 2023 Is the Most Diverse Ever, but More Work Remains | the Law School Admission Council.” *Www.lsac.org*, www.lsac.org/blog/incoming-class-2023-most-diverse-ever-more-work-remains.

¹⁵ Liyana Illyas and Krish Dev. “Black and Latino Enrollment at NYU Drops after Affirmative Action Ban – Washington Square News.” *Washington Square News*, 18 Oct. 2024, nyunews.com/news/2024/10/18/nyu-releases-enrollment-data/.

¹⁶ *National Association for Law Placement, Report on Diversity*, <https://www.nalp.org/reportondiversity>

Consequently, absent targeted strategies—such as scholarship pipelines, clerkship access programs, and mentorship initiatives—the cycle of underrepresentation will persist. Without early investment at the law school and law firm stages, the judiciary will continue to reflect the inequities of its own feeder institutions rather than the communities it serves.

B. How to Be a Judge in New York: A Primer on Pathways to the Bench

In New York State, the process of becoming a judge varies by court and geographic location, and is by appointment and/or election. Generally, a judicial candidate in New York State must be at least 18 years old, a New York State resident, admitted to practice law in New York for at least ten years, and an attorney in good standing.¹⁷ Several judicial positions have additional residency requirements; some, such as Town and Village Justices, do not require a law degree, and others require prior judicial experience.¹⁸ The primary courts and pathways to the bench of those courts are:

- **Court of Appeals:** The Court of Appeals hears appeals from the appellate courts below and is the highest court in New York State.¹⁹ The Commission on Judicial Nomination accepts applications when a vacancy arises on the Court of Appeals.²⁰ Judicial experience is not required for appointment to this court. The Commission submits up to seven candidates to the Governor, who nominates one. Bar associations with judicial screening committees play a key role by reviewing and rating candidates and providing their assessments and recommendations to the Commission and the Governor. The Senate Judiciary Committee reviews the nominee and must confirm the nominee by the full Senate. The nominee’s appointment is only effective if confirmed

¹⁷ New York City Bar Association. *How to Become a Judge: Booklet*. Council on the Profession, March 2025. *NYC Bar*, <https://www.nycbar.org/wp-content/uploads/2025/04/How-to-Become-a-Judge-Booklet.pdf>

¹⁸ “NYS Commission on Judicial Conduct.” *Ny.gov*, 2018, cjc.ny.gov/Policy.Statements/town_&_village_courts.html.

¹⁹ “Court Structure | NYCOURTS.GOV.” *Ww2.Nycourts.gov*, ww2.nycourts.gov/courts/8jd/structure.shtml.

²⁰ “Eligibility Requirements for Nominees.” *Judicial Nomination*, 2025, cjn.ny.gov/eligibility-requirements-nominees.

by the Senate. Justices serve 14-year terms, retire at the end of the year they turn seventy, and, except for Court of Appeals judges, must be renominated and recertified for continued service.²¹

- **Appellate Division:** The Appellate Division is an intermediate appellate court that hears appeals from the Supreme, Family, County & Surrogate’s Courts and the Court of Claims, referrals from the Appellate Term, and administrative appeals.²² The Governor appoints judges to this court from elected Supreme Court Justices within each Department, of which there are four, based on recommendations by the respective Departmental Judicial Screening Committee.²³ Appointments last until the first of five years or the remainder of the Justice’s elected term, and reappointment follows reelection. Justices may serve until age 76 with certification.²⁴

- **Appellate Term:** The Appellate Term is an intermediate appellate court that hears appeals from the Civil and Criminal Courts of the City of New York, Housing Court, and – in specific judicial districts – City, District, Town, and Village and some County Courts. The Chief Administrative Judge appoints to this court elected Supreme Court Justices, with the approval of the Presiding Justice of the respective Department.²⁵

²¹ N.Y. Const. art. VI, § 25(b); we also note that this review process was not adhered to by the Senate Judiciary Committee in 2023 during the consideration of the Hon. Hector D. LaSalle, the first Latino candidate nominated from our Hispanic communities. In fact, it required the filing of legal action by State Senator Anthony Palumbo (R., 1st Senate District) and a ruling by New York Supreme Court Justice Thomas F. Whelan to affirm that the Senate Judiciary Committee could not unilaterally block a full Senate vote on Presiding Justice LaSalle’s nomination. *Palumbo v. Stewart-Cousins*, Index No. 601615/2023 (N.Y. Sup. Ct., Suffolk Cty. Feb. 21, 2023) (“The judiciary committee does not have the constitutional duty for ‘advice and consent.’ The constitution clearly states that this power is reserved to the Senate.”).

²² “Appellate Division - Second Judicial Department.” *Nycourts.gov*, 2025, www.nycourts.gov/courts/ad2/aboutthecourt.shtml.

²³ “Judicial Screening.” *Governor Kathy Hochul*, 2025, www.governor.ny.gov/judicial-screening.

²⁴ On, Council, and Judicial Administration. *Judicial Selection Methods in the State of New York: A Guide to Understanding and Getting Involved in the Selection Process*. 2014.

²⁵ “Appellate Term | NYCOURTS.GOV.” *Nycourts.gov*, 2025, ww2.nycourts.gov/courts/1jd/supctmanh/appellate_term.shtml.

- **Court of Claims:** The Court of Claims is a state-wide court with exclusive jurisdiction over claims seeking monetary damages against the State and State-related entities. Judges are appointed by the Governor and confirmed by the Senate to 9-year terms, except for candidates appointed to fill an interim vacancy, whose terms expire upon the completion of the original 9-year appointment. Court of Claims Judges assigned to handle matters against the state are known as “Part A” Judges, and those that the Office of Court Administration designates as “Acting Supreme Court Justices” are assigned to either Criminal or Civil Term in Supreme Courts throughout the state.²⁶

- **Surrogate’s Court:** Each county in New York State has a Surrogate’s Court, which handles cases involving estates of decedents, including probate and administration proceedings. In some jurisdictions, Surrogate Court Judges, known as Surrogates, also hear guardianship and adoption cases (the latter may also be heard in Family Court). Surrogates are nominated by local party organizations and elected by the voters of the county in which they serve for 10-year terms.

- **Supreme Court:** The Supreme Court is a trial court of general jurisdiction divided into two terms: Criminal (felony) and Civil. The Civil Term hears civil litigation, including divorce, foreclosure, commercial, guardianship, and personal injury matters. Pathways to the Supreme Court bench include election, gubernatorial appointment to fill a vacancy, and designation by the Office of Court Administration.²⁷

- **Elected Process:** Judges are elected to 14-year terms through partisan elections held in judicial districts statewide. Political parties control the nomination process through a convention system that uses delegates at a judicial convention, instead of a primary, to select a party’s judicial candidates for the general election.²⁸

²⁶ “Home - Court of Claims | NYCOURTS.GOV.” *Nycourts.gov*, 2025, ww2.nycourts.gov/COURTS/nyscourtofclaims/index.shtml.

²⁷ “Court Structure | NYCOURTS.GOV.” *Ww2.Nycourts.gov*, ww2.nycourts.gov/courts/8jd/structure.shtml.

²⁸ “NYC Judicial Elections – a Basic Guide | New York City Bar Association.” *New York City Bar Association*, 18 Aug. 2025, www.nycbar.org/reports/nyc-judicial-elections-a-basic-guide/. Accessed 13 Oct. 2025.

- **Appointed Process:** Interim vacancies may be temporarily filled by gubernatorial appointment, subject to Senate confirmation.²⁹ The seat is up for election at the next general election.
- **Automatic OCA designation of non-Part A Court of Claims Judges:** As noted above, the Office of Court Administration administratively designates particular Court of Claims judges as “Acting Supreme Court Justices” (ASCJ) to address caseload needs.³⁰
- **OCA Designation of ASCJs:** ASCJs can be designated by the Chief Administrative Judge to address high caseloads. Candidates need to have served as a judge in another court, typically a Criminal, Family, or Civil Court, which offers an alternative path to the Supreme Court.³¹

- **Family Court and Criminal Court:** In NYC, the Mayor appoints judges to the Family and Criminal Courts for 10-year terms (renewable for Criminal Court) from candidates vetted by the Mayor’s Advisory Committee on the Judiciary, after completing judicial screening, and subject to NYC Council approval.³² Applicants must submit detailed questionnaires, waivers, and authorizations for background checks. Outside of NYC, Family Court judges are elected by the constituents of the counties where they reside for a term of 10 years.³³ Elected civil court judges may also be assigned to the Family or Criminal Court.³⁴

²⁹ Id.

³⁰ “Judicial Selection in the Courts of New York.” *The Fund for Modern Courts*, moderncourts.org/programs-advocacy/judicial-selection/judicial-selection-in-the-courts-of-new-york/

³¹ “New York Constitution: Article VI - Judiciary: Section 2 - Court of Appeals; Organization; Designations; Vacancies, How Filled; Commission on Judicial Nomination.” *Justia Law*, 2025, law.justia.com/constitution/new-york/article-vi/section-2/.

³² “The Courts.” *Nyc.gov*, 2025, www.nyc.gov/site/macj/courts/courts.page.

³³ “Family Court.” *Nyc.gov*, 2024, www.nyc.gov/site/macj/courts/family-court.page.

³⁴ “The Courts.” *Nyc.gov*, 2025, www.nyc.gov/site/macj/courts/courts.page.

- **New York City Civil Court:** Civil Court Judges are primarily elected in the county of their residence for a 10-year term, and the Mayor fills interim vacancies. The Civil Court hears cases referred to it by the Supreme Court and civil cases. It is generally divided into three primary parts: general civil, small claims, and housing matters (see below).³⁵

- **New York City Housing Court:** Judges to the NYC Housing Court are appointed by OCA after undergoing a judicial screening and interview process and sit for 5-year terms.³⁶ The Chief Administrative Judge appoints from a list of applicants deemed qualified by the Advisory Council for the Housing Part of the City of New York, which is composed of representatives from various stakeholders, including landlord and tenant interest groups, bar associations, and civic groups.³⁷ Judicial candidates for this position need only have been admitted to the bar and have been practicing law for 5 years, instead of the usual 10 years.³⁸

- **County Court Outside of NYC:** The County Court is established in each county outside of New York City and is charged with presiding over the prosecution of crimes committed within the county; has limited jurisdiction over civil cases involving amounts of up to \$25,000, and certain types of real property actions; and serves as an intermediate appellate court for review of City and Town Court actions. In some rural counties, the County Court Judge, referred to as a “multi-hat judge,” also serves as an ASCJ, Family Court Judge, and Surrogate. “Multi-hat judges” are elected by the constituents in their region for a term of 10 years.

- **City Court Outside of NYC:** Judges of the City Court, established in sixty-one cities outside of NYC, hear civil matters involving claims of up to \$15,000 and criminal matters

³⁵ “Judges - NYCivil | NYCOURTS.GOV.” *Nycourts.gov*, 2025, ww2.nycourts.gov/courts/nyc/civil/judges.shtml.

³⁶ “Judges - NY Housing | NYCOURTS.GOV.” *Nycourts.gov*, 2025, ww2.nycourts.gov/courts/nyc/housing/judges.shtml.

³⁷ “Advisory Council - NY Housing | NYCOURTS.GOV.” *Nycourts.gov*, 2025, ww2.nycourts.gov/courts/nyc/housing/advisory.shtml.

³⁸ New York State Unified Court System, “Chief Administrative Judge Zayas Appoints Housing Court Judges in the Bronx, Brooklyn, Manhattan, and Queens,” press release, August 15, 2024, https://www.nycourts.gov/LegacyPDFS/press/pdfs/PR24_27.pdf

involving misdemeanors and lesser offenses; and serve as arraigning magistrates with the power to conduct preliminary hearings in felony cases. Some City Courts also have separate parts that handle cases involving small claims, housing, drug treatment, mental health, and domestic violence cases.³⁹ Some City Court judges are elected, while the Mayor appoints others. The term of office is 10 years for a full-time judge and 6 years for a part-time judge.⁴⁰

- **District Courts:** District courts are trial-level courts in the 10th Judicial District, Nassau County, and western towns of Suffolk County that handle criminal misdemeanors and violations and civil actions involving claims up to \$15,000 (effectively replacing the town justice courts in those areas).⁴¹
- **Town and Village Courts:** These courts have criminal jurisdiction over violations and misdemeanors, conducting arraignments and preliminary hearings for those charged with more serious crimes. They also handle civil cases involving claims of up to \$3,000. Some seats on these courts are filled by appointment or nomination from a local legislative body, while others are filled through partisan elections. Justices of Town and Village Courts do not need to be lawyers and typically serve 10-year terms.

C. ELECTION PROCESS FOR JUDICIAL CANDIDATES IN NEW YORK

In New York, the partisan election process for judicial candidates involves the political parties' indirect selection of candidates through judicial conventions rather than a primary system. Generally, candidates are selected by delegates at each political party's partisan nominating

³⁹ "Court Structure | NYCOURTS.GOV." *Ww2.Nycourts.gov*, ww2.nycourts.gov/courts/8jd/structure.shtml.

⁴⁰ *Id.*

⁴¹ "Suffolk County District Court Home Page | NYCOURTS.GOV." *Nycourts.gov*, 2025, ww2.nycourts.gov/courts/10jd/suffolk/dist/index.shtml. Accessed 13 Oct. 2025

convention. The delegates who attend these conventions are chosen during each party's primary election.⁴²

- **Independent Screening Panels in New York City:** In four New York City boroughs (Manhattan, Brooklyn, Bronx, and Queens), the Democratic Party Independent Screening Panel plays a critical role in evaluating the qualifications of candidates seeking the party's nomination for elected judicial positions.⁴³ Each borough has a panel composed of individuals nominated by various bar associations, including the Puerto Rican Bar Association, community organizations, and law schools. The panels' work is critical to maintaining transparency and integrity in the judicial selection process. By providing an independent, non-partisan assessment of candidates, they ensure that only the most qualified candidates are considered for judicial appointments by political parties. The panel vets candidates by reviewing their applications, contacting references, and interviewing the candidates. The panel identifies the most highly qualified candidates for each vacancy and "reports out" to the Democratic Party a list of the most highly qualified candidates. It is from this list that the Democratic Party ultimately selects its judicial nominees in NYC.⁴⁴

By contrast, the Republican Party's judicial nomination process in New York City proceeds through internal county mechanisms and judicial nominating conventions pursuant to *N.Y. Election Law* § 6-124, with no public evidence of a comparable independent or multi-institutional screening

⁴² "A Guide to Judicial Elections in New York City | New York City Bar Association." *New York City Bar Association*, 18 Aug. 2025, www.nycbar.org/reports/a-guide-to-judicial-elections-in-new-york-city/. Accessed 13 Oct. 2025.

⁴³ "Manhattan Dems Announce Formation of 2025 Supreme & Civil Court Independent Judicial Screening Panel – Manhattan Democratic Party." *Manhattandemocrats.org*, 4 June 2025, manhattandemocrats.org/2025/06/manhattan-dems-announce-formation-of-2025-supreme-civil-court-independent-judicial-screening-panel/.

⁴⁴ Manhattan Democratic Committee, *Announcement of the 2022 Independent Judicial Screening Panel*, press release, April 11, 2022, <https://www.farrellfritz.com/newsroom/manhattan-dems-announce-the-2022-supreme-court-independent-judicial-screening-panel>; Bronx Democratic Party, *Independent Judicial Screening Committee* (2024), <https://www.bronxdems.org/ijsc>; New York City Bar Association, *A Guide to Judicial Elections in New York City* (2023), <https://www.nycbar.org/reports/a-guide-to-judicial-elections-in-new-york-city>; Brennan Center for Justice, *Who Really Picks New York's Judges?* (June 2022), <https://www.brennancenter.org/our-work/analysis-opinion/who-really-picks-new-yorks-judges>

structure.⁴⁵ We are not aware of any published Republican County Committee rules (in New York, Bronx, Kings, Queens, or Richmond Counties) that describe an analogous independent screening process.

- **Bar Associations:** Many New York bar associations have judicial screening panels charged with reviewing, evaluating, and rating candidates for judicial office. These include the New York State Bar Association, the LGBT Bar Association of New York, the New York City Bar Association, and the local and statewide women’s bar associations.⁴⁶ These screening committees review applications and written submissions, contact references, and conduct interviews to assess a candidate’s character, experience, temperament, skills, independence, and other factors to determine their suitability to serve in the judicial office for which they seek election. Each bar association uses its own rating system to rank candidates and their qualifications, and these systems can — and often do — include criteria such as commitment to diversity and equality of opportunity.⁴⁷ The judicial ratings are generally made public to voters before the election for their consideration in selecting a candidate. Critically, none of the Hispanic affinity bars has a judicial screening committee. This is a lost opportunity for New York’s Hispanic legal community to have input into and advance their interests in the selection of judges.

- **Judicial Nominating Convention:** A political party’s candidates are nominated by judicial conventions in their respective judicial districts. Each party in each borough holds a judicial convention, attended by delegates from each Assembly District, elected by party members in a primary.⁴⁸ At the convention, the winning slate of judicial delegates votes to nominate candidates for the New York State Supreme Court, Civil Court, Surrogate’s Court, and/or, in some

⁴⁵ See *Brennan Center for Justice, Who Really Picks New York’s Judges?* (June 2022), available at <https://www.brennancenter.org/our-work/analysis-opinion/who-really-picks-new-yorks-judges>

⁴⁶ “Judicial Ratings | LGBT Bar Association NY.” *Lgbtbarny.org*, 2025, www.lgbtbarny.org/judicial-ratings.

⁴⁷ “Welcome to Zscaler Directory Authentication.” *Ballotpedia.org*, 2025, ballotpedia.org/Bar_association_ratings.

⁴⁸ “NYC Judicial Elections – a Basic Guide | New York City Bar Association.” *New York City Bar Association*, 18 Aug. 2025, www.nycbar.org/reports/nyc-judicial-elections-a-basic-guide/.

cases, local courts. Judicial delegates are elected by voters in primary elections and represent their Assembly District at the Judicial Nominating Convention. Judicial delegates must be registered voters and members of a political party.⁴⁹ In theory, where more than one slate of delegates from a District wants to run, there is a contested primary election. In practice, most delegates are handpicked by their county's party officials and nearly always run unopposed.⁵⁰

Usually, the candidate selected by the delegates appears on the general election ballot. Occasionally, the delegates' chosen candidate is challenged by another candidate for the party's nomination, leading to a contested party primary. Candidates must collect a certain number of signatures from registered party members in their district to get on the ballot for the party's primary. Candidates then campaign for the election by reaching out to voters. The candidate with the most votes wins their party's primary and runs in the general election as the party's candidate. Moreover, in many districts, political parties cross-endorse the same judicial nominees, who then appear on the ballot listed under multiple party lines. The candidate with the most votes in the general election wins the seat and serves a term of 14 years for the Supreme Court; 10 years for the Civil Court, City Courts (6) years for part-time judges, and the County Court; and 6 years for Town and Village Courts. To serve additional terms, justices must run for re-election. Justices must retire at the end of the year upon turning 70. Sitting judges reaching age 70 may apply to the Governor for an Interim Supreme Court Justice appointment, to be made with the consent of the New York State Senate, to become eligible for Certification by the Administrative Board of the Courts.⁵¹

The convention system has been criticized as undemocratic and untransparent, for giving substantial control to local political party organizations who use it for patronage, as deals are struck in what are referred to as smoke-filled rooms. Critics note that the process prioritizes a candidate's

⁴⁹ Id.

⁵⁰ Id.

⁵¹ "Judicial Screening." *Governor Kathy Hochul*, 2025, www.governor.ny.gov/judicial-screening.

political connections over their actual qualifications.⁵² Critics charge that, in practice, county party leaders handpick convention delegates and exert substantial control over who the delegates nominate to appear on the ballot. Moreover, cross-endorsement avoids a contested general election and effectively deprives voters of meaningful participation in candidate selection. This partisan convention practice for choosing judicial candidates for election was challenged in federal court as unconstitutional, but the appellate court overturned the district court’s finding of unconstitutionality.⁵³

III. A CALL FOR EQUITABLE REFORM

A. The Urgent Need for Diversity in the Judiciary

A judiciary that mirrors the diversity of the people it serves is indispensable to the fair and equal administration of law and public confidence in the rule of law. When courts fail to reflect the communities before them, fair outcomes falter, perceptions of fairness erode, and legitimacy suffers. Yet, despite the steady growth of the Hispanic population—now nearly 20% of the U.S. population—Hispanic representation within the judiciary remains disproportionately low. According to the American Bar Association’s 2024 Profile of the Legal Profession, Hispanics constitute just 9% of all lawyers nationwide, and an even smaller fraction of judges at both the state and federal levels.⁵⁴ Within New York, the 2025 Report on the Status of Latinos in the New York State Judiciary, authored by Justice Sallie Manzanet-Daniels and the Latino Judges Association, underscores this gap: vast regions of the state, particularly upstate counties, have *no Latino judges at all*. Even in New York City, Staten Island has never nominated or elected a Latino to the Supreme Court.

⁵² The Court System | Chemung County, NY. <https://www.chemungcountyny.gov/393/The-Court-System>

⁵³ *Lopez Torres v. New York State Bd. of Elections*, 411 F.Supp.2d 212 (E.D. N.Y. 2006), <https://case-law.vlex.com/vid/lopez-torres-v-new-893577527>.

⁵⁴ American Bar Association. “Demographics.” *Americanbar.org*, 2024, www.americanbar.org/news/profile-legal-profession/demographics/.

This persistent imbalance is not just a matter of optics—it directly affects the quality of justice. The absence of Latino voices on the bench means the lived experiences of millions of New Yorkers remain unrepresented in judicial deliberations. After decades of reports and recommendations, progress has been incremental at best. As New York and the nation grow ever more diverse, the imperative to correct this disparity has become both a moral and institutional necessity.

B. Examining the Data: Systemic Disparities in Hispanic Representation & Findings from Key Reports

- **LJA/Justice Manzanet-Daniels' Report (2025):** Justice Manzanet-Daniels' report, authored on behalf of the Latino Justices Association (LJA), provides detailed statistics showing systemic disparities in Latino judicial representation in New York. Despite Latinos comprising nearly 20% of NYS's population and 28.4% of NYC's population, they account for only 8.9% of state-paid judges and a mere 0.578% of non-state-paid Town & Village justices.⁵⁵ This results in an 11% deficit compared to Latinos' share of the population statewide. Meanwhile, White and Black judges are overrepresented relative to their demographic percentages. Additionally, regions with significant Latino populations, including Suffolk, Richmond, and Kings Counties, continue to show glaring underrepresentation. Specifically, Justice Manzanet-Daniels' report highlights deep systemic disparities in Latino representation across New York's judiciary:

- **Overall Representation:** Latinos comprise nearly 20% of NYS's population but only 8.9% of state-paid judges (118 of 1364) and just 0.578% of non-state-paid judges (10 of 1729 Town & Village Justices).

⁵⁵ The Puerto Rican Bar Association, "PRBA, LLAQC, DBA and HVHBA Back Landmark Report on Latino Judicial Under-representation in New York Courts — New York, NY – In a Unified Call for Accountability," press release, July 21, 2025, Puerto Rican Bar Association of New York, <https://prbany.com/announcement/prba-llaqc-dba-and-hvhba-back-landmark-report-on-latino-judicial-underrepresentation-in-new-york-courtsnew-york-ny-in-a-unified-call-for-accountability/>

- **Administrative Judges:** Out of 21 Administrative Judges statewide, only three are Latino, despite significant Latino populations in many districts. White judges hold 11 of these roles; African Americans hold 4; Asians hold 2.
- **Supervising Judges:** Of eighty-six statewide Supervising Judges, only seven are Latino, with 68 White, 10 African American, and 1 Asian.
- **Appellate Division:** Historically, only 18 Latino Justices have ever served on NY's Appellate Division. As of 2025, Latinos make up just 15% of the Appellate Division bench (10 out of 67 Justices). The Fourth Department has never appointed a Latino Justice in its history.
- **Supreme Court:** In NYC, Latinos hold 39 of 452 Supreme Court Justice seats (~9%). Notably, Manhattan (with ~25% Latino population) has only had two Latinos elected in the past 13 years. Staten Island (with ~19.5% Latino population) has never elected a Latino Supreme Court Justice.
- **Family Court:** In NYC, out of sixty-seven appointed Family Court Judges, only 5 (7.46%) are Latino. Outside NYC, Latinos hold 7 of 117 elected Family Court Judge positions (5.98%).
- **Town & Village Courts:** Of 1729 judges statewide, only ten are Latino (0.578%).
- **Regional Gaps:** Large upstate regions (Third and Fourth Departments) remain particularly underrepresented. For example, the Fourth Department has never had a Latino Appellate Justice, and counties like Erie (with ~10% Latino population) lack meaningful Latino representation on their Supreme Court benches.

As this report concludes, Justice Manzanet-Daniels' report underscores that Latino judicial advancement has come mainly through the elected process and that political structures and

nomination processes have historically shut out Latino candidates, especially in upstate and suburban areas.⁵⁶

- **Jeh Johnson Report: A Stark Reality:**⁵⁷ In 2020, Jeh Johnson, appointed Special Advisor on Equal Justice in the Courts, conducted a comprehensive review of racial bias and equal justice in the New York State court system—the largest and most complex judicial system in the country. His findings were alarming:

- In **1991**, Hispanics comprised **10.5%** of New York’s population but only **1.7%** of the judiciary.
- By **2020**, while the Hispanic population had risen to **17.7%**, only **7.0%** of judges were Hispanic—creating a staggering **10.7-point representation gap**.
- In **New York City**, where Hispanics make up **26.3%** of the population, only **12.4%** of judges are Hispanic.
- Underrepresentation is a pressing issue, particularly in the Bronx, **Queens, and Brooklyn**, where large Hispanic communities lack *proportional* judicial representation. These figures illustrate a fundamental failure in the appointment and electoral processes, reinforcing systemic obstacles that exclude qualified Hispanic candidates from the judiciary.

C. Political and Demographic Trends Underscore the Disparity

The issue of Hispanic underrepresentation in the judiciary cannot be divorced from broader political and demographic trends. The 2024 presidential election offered a clear reminder of the

⁵⁶ Id.

⁵⁷ “Paul, Weiss’s Independent Review of Syracuse University Department of Public Safety Yields Recommendations for Community Building.” *Paul, Weiss*, 22 Feb. 2021, www.paulweiss.com/about-the-firm/diversity-equity-inclusion/publications/secretary-johnson-s-independent-review-of-new-york-court-system-yields-recommendations-for-advancing-equal-justice?id=38301. Accessed 13 Oct. 2025.

growing political power of the Hispanic electorate. A majority—55%—cast their vote for Kamala Harris, while a significant 42% supported Donald Trump.⁵⁸ This split illustrates not only the community’s increasing voter participation but also its nuanced and diverse political alignment, signaling that Hispanic voters are not a monolithic voting block but play a decisive role in partisan elections across party lines.

National polling continues to show that economic opportunity and immigration policy rank as the top priorities for Hispanic voters. These issues are not abstract policy points—they are deeply personal concerns that shape the everyday realities of millions of Hispanic families. In this context, the need for a judiciary that reflects and understands the lived experiences of Hispanic communities becomes not just a matter of fairness, but of democratic integrity.

Yet, despite this demographic and civic vitality, Hispanic representation in the federal judiciary remains deeply inadequate. According to the Leadership Conference on Civil and Human Rights, there are only 84 active and 32 senior Latino judges with lifetime appointments across the entire federal court system—accounting for just 8% of all lifetime federal judges.⁵⁹ This stands in stark contrast to the 19.1% of the U.S. population that identifies as Hispanic. Historically, the disparity is even more glaring: out of more than 3,900 individuals who have ever served as federal judges, only 161 have been Latino—just 4% of all appointments in American history.⁶⁰

This disconnect between who sits on the bench and the communities affected by judicial decisions must be addressed if we are to uphold the promise of equal justice under the law.⁶¹

⁵⁸ Gerbaud, Gladys, et al. “How Latinos Voted the 2024 U.S. Presidential Election.” *AS/COA*, 6 Nov. 2024, www.as-coa.org/articles/how-latinos-voted-2024-us-presidential-election.

⁵⁹ “Despite Progress, Latino/a Judges Remain Astonishingly Underrepresented on the Federal Bench.” *The Leadership Conference on Civil and Human Rights*, 2023, civilrights.org/blog/despite-progress-latino-a-judges-remain-astonishingly-underrepresented-on-the-federal-bench/.

⁶⁰ *Id.*

⁶¹ The Leadership Conference on Civil and Human Rights, “Despite Progress, Latino/a Judges Remain Astonishingly Underrepresented on the Federal Bench,” *Leadership Conference Blog*, September 25, 2023, <https://civilrights.org/blog/despite-progress-latino-a-judges-remain-astonishingly-underrepresented-on-the-federal-bench/>.

D. Hispanic Growth vs. Judicial Representation: A Widening Gap

Fact: Hispanics are the second-largest racial or ethnic group in the United States, yet their representation in the judiciary does not reflect this reality. Key demographic insights highlight the growing disconnect. For example, Hispanics now make up nearly 20% of the U.S. population—about 68 million, as of 2022, according to the Pew Research Center.⁶² While the largest Hispanic origin groups remain Mexicans (37.2 million), Puerto Ricans (5.8 million), Salvadorans (2.5 million), Dominicans (2.4 million), and Cubans (2.4 million), immigration trends show growing numbers from Venezuelan, Guatemalan, Honduran, and other Latin American communities.⁶³ Yet despite this rapid growth, Hispanic representation in the judiciary remains strikingly low. The Brennan Center reported in May 2024 that in 15 of the 26 states (plus Washington, DC) where Hispanics comprise more than 10% of the population—including Connecticut, Georgia, Illinois, and Virginia—there are no Latino justices on the state Supreme Court.⁶⁴ At the federal level, Bloomberg Law notes that out of 1,770 federal judgeships, only one in five judges is non-White, and Hispanic representation has barely budged since Justice Sonia Sotomayor’s historic appointment in 2009.⁶⁵

E. A Path Forward: Case Studies

Case Study: *The Rejection of Presiding Justice Hector D. LaSalle*: The New York State Senate’s rejection of Presiding Justice LaSalle’s nomination for Chief Judge of the Court of Appeals underscores the systemic barriers faced by Hispanic judicial candidates. Despite unquestionable qualifications, Hon. LaSalle’s nomination was blocked by political maneuvering,

⁶² Moslimani, Mohamad, et al. “11 Facts about Hispanic Origin Groups in the U.S.” *Pew Research Center*, 2023, www.pewresearch.org/short-reads/2023/08/16/11-facts-about-hispanic-origin-groups-in-the-us/.

⁶³ *Id.*

⁶⁴ Merriman, Isozaki & Bannon, *supra* note at 9.

⁶⁵ “A Latina Judge’s Voice,” *Berkeley La Raza Law Journal* 13, no. 1 (2002): 87–93, <https://lawcat.berkeley.edu/record/1118136?ln=en>

illustrating how deeply ingrained biases continue to sideline Hispanic judges. Professor Eli Valentín, a political analyst, argued that the rejection of Hon. LaSalle was not merely a political decision, but also a reflection of a broader, systemic issue—one that transcends party lines. The lack of unity among Latino leaders in the political sphere hinders their ability to advocate effectively for fair representation.⁶⁶

The failure of Hon. LaSalle's nomination also stemmed from ideological conflicts within the Democratic Party, especially over the direction of the judiciary in New York. Progressive lawmakers raised concerns about Hon. LaSalle's past rulings, arguing they did not adequately protect labor rights and reproductive freedoms, which are crucial to the party's left wing. Instead of evaluating Hon. LaSalle's entire judicial record or his historic candidacy, critics focused selectively on a few cases to portray him as out of step with progressive values. This strategy sidelined a highly qualified candidate and revealed how internal party dynamics can weaken broader diversity and inclusion efforts. Furthermore, the nomination process exposed a significant gap in coalition-building among Latino political figures and advocacy groups. While some prominent Latino leaders supported Hon. LaSalle's candidacy, their efforts could not secure the appointment. Even highly qualified Hispanic candidates remain vulnerable to political headwinds without a united and assertive front.

Hon. LaSalle's rejection, therefore, should serve as a call to action, emphasizing the urgent need for a more coordinated and strategic approach to increasing Latino representation at the highest levels of government and the judiciary. The rejection of Presiding Justice LaSalle's nomination matters deeply to the Latino community because it represented a lost opportunity to see a highly qualified one of their own meritoriously rise to the highest judicial position in New York State. Representation in leadership roles like Chief Judge is more than symbolic. It influences how justice is administered and ensures that the lived experiences of diverse communities are reflected in legal interpretations and policies. For a community that makes up nearly 20% of New

⁶⁶ Valentín, Eli. "A Sad Day for Latinos in New York: Hector LaSalle's Rejection." *Gothamgazette.com*, 2023, www.gothamgazette.com/130-opinion/11791-hector-lasalle-rejection-latinos-new-york. Accessed 13 Oct. 2025.

York's population, the absence of Latino voices at the top levels of the judiciary reinforces a sense of exclusion and delays progress toward genuine equity and inclusion in state institutions.

The PRBA acknowledges that the rich diversity within the Latino community presents both a strength and a challenge in building unified political momentum. This diversity underscores the importance of intentional coalition-building and sustained investment in Latino civic and political infrastructure. With strategic focus and collective effort, the Latino community can move from the margins to the center of decision-making on the critical issues that shape our future and avoid the political disconnect and turmoil surrounding Presiding Justice LaSalle's unfortunate circumstances.

***Case Study: Impact of the SFFA v. Harvard and UNC Supreme Court Decision:*⁶⁷**

The 2023 Supreme Court decision on affirmative action eliminated race-conscious admissions policies, reducing access to elite universities for underrepresented groups. While immediate effects varied across institutions, early reports indicate that:

- At Yale, Black and Latino enrollment remained steady, but Asian American enrollment declined while White enrollment increased.⁶⁸
- At several highly selective schools, SFFA reported student enrollment decreased, while Asian American enrollment rose. Given that elite law schools serve as pipelines to the judiciary, a decline in Hispanic enrollment could further limit the number of qualified Hispanic candidates for judicial appointments in the coming decades.
- Community colleges and less-selective four-year colleges, where many Black, Hispanic/Latino, and Native American students pursue their education, have typically not relied on affirmative action policies, even before the Court's ruling.⁶⁹ As a result, this ruling is expected

⁶⁷ See generally, *Students for Fair Admissions, Inc. v. President of Harv. Coll.*, 600 U.S. 181 (2023).

⁶⁸ Reich, Josie. "ANALYSIS: Could Yale Face Post-Affirmative Action Lawsuits?" *Yale Daily News*, 17 Sept. 2024, yaledailynews.com/blog/2024/09/17/analysis-could-yale-face-post-affirmative-action-lawsuits/.

⁶⁹ Reber, Sarah, et al. "Admissions at Most Colleges Will Be Unaffected by Supreme Court Ruling on Affirmative Action." *Brookings*, 7 Nov. 2023, www.brookings.edu/articles/admissions-at-most-colleges-will-be-unaffected-by-supreme-court-ruling-on-affirmative-action/.

to have only a modest impact on overall college enrollment among historically marginalized racial and ethnic groups.⁷⁰ However, enrollment for these students may decline at more selective institutions.⁷¹ Additionally, the decision could influence various policies and programs beyond admissions, such as scholarships, outreach, and support initiatives.⁷²

Moreover, in her peer-reviewed article, Latina attorney and journalist, Dolores Atencio, emphasizes the importance of the U.S. Supreme Court decision and its implications. She highlights the impact the decision has had on promoting diversity and equal opportunities in higher education and the legal profession, particularly for underrepresented groups such as Latinas. Atencio stresses the need for ongoing measures, such as affirmative action, to address inequality and disparity in the legal field and describes how this decision has opened doors for Latinas in the profession. She contends that setting aside the values at stake, i.e., academic freedom, equal protection, promoting integration, and the compelling government interest of diversity, the U.S. Supreme Court case boils down to the numbers.⁷³

Simply put, how can one successfully argue race discrimination when the race purportedly adversely impacted—white men and women—constitute the overwhelming majority, 61.6% of all law students and 81% of all lawyers.⁷⁴ At a time when they comprise 59.3% of the total U.S. population?⁷⁵ This glaring disparity serves as a reminder of the importance of maintaining race-conscious admissions policies to promote diversity and equal opportunities for underrepresented

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.*

⁷³ Danielle S. Atencio, *Luminarias: An Empirical Portrait of the First Generation of Latina Lawyers 1880–1980*, 39 *Chicanx–Hispanic L. Rev.* 1 (2023), <http://dx.doi.org/10.5070/cllr.v39i1.61869>, <https://escholarship.org/uc/item/43f12635>.

⁷⁴ Exactly 1,327,010 active lawyers. ABA Profile of the Legal Profession 2022, ABA (2022) (hereinafter 2022 ABA Profile).

⁷⁵ Quick Facts U.S., U.S. Census Bureau, <https://www.census.gov/quickfacts/fact/table/US/PST045221>

groups. The fact that it took 143 years, from 1880 to 2023, for Luminarias and Latina lawyers to achieve the 2.5% mark with the benefit of affirmative action programs should, in an equitable society, constitute ample reason to validate the importance of maintaining race-conscious admissions policies.⁷⁶ This becomes glaringly clear when the percentage of Latina lawyers is contextualized within the U.S. population, which is nearly 20 percent.⁷⁷

F. Other Historic Matters of Concern

A diversity of life experiences can significantly enhance the conversation between judges and challenge or alter the facts of a matter that the court decides to consider.⁷⁸ When Latino Judges are underrepresented, the judiciary fails to reflect the nation's demographic diversity.⁷⁹ The lack of representation in positions of authority can perpetuate the belief that Latino voices and experiences are less important or even invisible. The lack of Hispanic Judges in the U.S. judiciary is often linked to broader issues of "whitewashing" because it highlights the absence of representation for marginalized communities in key decision-making roles.⁸⁰ This underrepresentation can affect public trust in the judicial system, as people may perceive courts as disconnected from the diverse realities of the population they serve.⁸¹

The pressure for Hispanics to achieve the American dream can also result in the dilution of their culture, also commonly known as "whitewashing." This phenomenon occurs when Hispanics unconsciously adopt the dominant white cultural norms in their pursuit of success.⁸² As

⁷⁶ Atencio, *supra* note 71.

⁷⁷ *Id.*

⁷⁸ Chehardy, Susan M. *Breaking the Gavel Ceiling: How Gender Inclusion Improves the Judicial System*. American Bar Association. https://www.americanbar.org/groups/law_practice/resources/law-practice-today/2023-november/breaking-the-gavel-ceiling-how-gender-inclusion-improves-the-judicial-system/. Accessed 30 Nov. 2024.

⁷⁹ Harris, Allison P. *Can Racial Diversity among Judges Affect Sentencing Outcomes?* American Political Science Review. 118.2 (2024): 940–955. Accessed 17 Nov. 2024.

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² Helligar, Jeremy. "This Is What Whitewashing Really Means—and Why It's a Problem." *Reader's Digest*, 14

a result, the unique cultural identities of Hispanics are overshadowed and sometimes even erased. This further reinforces societal messaging that favors the dominant culture over diverse perspectives, potentially leading to a loss of cultural representation. In particular, the underrepresentation of Latino judges in the judiciary contributes to the failure of our legal system to reflect the demographic diversity of our nation. This lack of diversity can limit the understanding and consideration of cultural and social issues affecting the Latino community, resulting in a biased and flawed decision-making process. Our judiciary must reflect the diversity of our society to ensure equal representation and fair treatment for all individuals.

Furthermore, the absence of Latino judges can perpetuate systemic inequalities and biases within the justice system, further marginalizing and disenfranchising Latino individuals and communities. It is essential to strive for a judiciary that is truly representative of the diverse fabric of our society, ensuring fair and equitable treatment for all individuals, regardless of their background.

Whitewashing: Whitewashing within the Latino culture is commonly used to describe a Latino individual who chooses to ignore or suppress their Latino heritage, often out of a sense of arrogance or rejection. For some younger generation Hispanics, it can be difficult to incorporate their Latino culture into American culture, creating some confusion for first- and second-generation Hispanics.

Growing up, some Hispanics may have been encouraged to marry someone of the white race so that they may "*mejorar la raza*" (improve the race) or raised to discard the Spanish language so that they may fit in better with their American neighbors. Whitewashing and its related component, "colorism," are concerns because these concepts have led to Hispanics being divided

Sept. 2020, www.rd.com/article/what-whitewashing-means-and-why-its-a-problem/.

within their own culture. Whether through a lack of political support, marriage, family rearing, education, or immigration, this issue remains unsettled and ever-changing.

Throughout this nation's history, immigrant assimilation has always meant more than the sum of the economic and social measures outlined by many researchers.⁸³ It also has a psychological dimension.⁸⁴ Over several generations, the immigrant family typically loosens its ties to the old country and binds itself to the new.⁸⁵

Colorism: A related component of Whitewashing. For example, as researchers explain in a Pew Research Center article, "Colorism is a form of discrimination based on skin color, usually, though not always, favoring lighter skin color over darker skin color within a racial or ethnic group."⁸⁶ While it can be tied to racism, it is not necessarily the same.⁸⁷ (Racism is prejudice directed at members of a racial or ethnic group because of their origin.) For example, Hispanics in the U.S. may face discrimination because they are Hispanic (a form of racism). Still, the degree of discrimination may vary based on skin color, with those of darker shades experiencing more incidents (a form of colorism).⁸⁸ And because of colorism's deep roots in the histories of Latin America and the United States, discrimination based on skin color can occur *among* Hispanics just as much as it can be directed at Hispanics by non-Hispanics.⁸⁹

⁸³ Pew Research Center. *Between Two Worlds: How Young Hispanics Come of Age in America*. 2009. <https://www.pewresearch.org/race-and-ethnicity/2009/12/11/between-two-worlds-how-young-Hispanics-come-of-age-in-america/>. Accessed 17 Nov. 2024.

⁸⁴ Id.

⁸⁵ Id.

⁸⁶ Noe-Bustamante, Luis, Gonzalez-Barrera, Ana, Edwards, Khadijah, Mora, Lauren, and Hugo Lopez, Hugo. *Most Hispanics Say Skin Color Impacts Opportunity in America and Shapes Daily Life*. Pew Research Center, 2021. <https://www.pewresearch.org/race-and-ethnicity/2021/11/04/majority-of-Hispanics-say-skin-color-impacts-opportunity-in-america-and-shapes-daily-life/>. Accessed 17 Nov. 2024.

⁸⁷ Id.

⁸⁸ Id.

⁸⁹ Id.

The problem is not the diversity of characteristics, but the detrimental treatment attached to them.⁹⁰ Thus, the aim should not be to eliminate differences but to prevent the harm they cause, preferably by adjusting existing norms to accommodate them.⁹¹

Code Switching: Code-switching is a strategy people use to alter their self-presentation in different contexts and situations.⁹² Often, how people present themselves is driven by societal expectations and norms.⁹³ People may switch identities, including race, ethnicity, gender, sexuality, age, socioeconomic status, and disability status, to align with the norms of different contexts.⁹⁴ This chameleon influence is often present in the workplace, academic, and social environments. This adaptation is a survival tool to use whenever necessary to "fit in."

In an article written by Myles Durkee, he describes how underrepresented employees must often code-switch to fit into existing organizational cultures, rather than organizations changing their culture to create more inclusive spaces for employees from different cultural backgrounds.⁹⁵ However, in exchange for code-switching, people of color are often perceived as a good cultural fit for established organizations and are more likely to be hired or promoted.⁹⁶ While code-switching can be valuable, it becomes problematic when employees feel they must constantly adjust their language, behavior, or appearance to fit into the dominant culture to be accepted or

⁹⁰ Fredman, Sandra. *International Journal of Constitutional Law*, Volume 14, Issue 3, July 2016, Pages 712–738, <https://doi.org/10.1093/icon/mow043>.

⁹¹ *Id.*

⁹² Sharma, Nirupika. *Let's Talk About Code-Switching: A Double-Edged Sword*. <https://grad.berkeley.edu/news/announcements/lets-talk-about-code-switching-a-double-edged-sword/>. Accessed 24 Nov. 2024.

⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ Durkee, M. I., Gazley, E., Hope, E. C., & Keels, M. (2019). *Cultural Diversity & Ethnic Minority Psychology*, 25(4), 451–460. <https://doi.org/10.1037/cdp0000288>. Accessed 24 Nov. 2024.

⁹⁶ *Id.*

successful.⁹⁷ This is particularly true for persons from underrepresented or marginalized groups, who may feel pressure to suppress aspects of their identity to conform to the norms of the dominant culture.⁹⁸ Code-switching comes with social and psychological repercussions.⁹⁹ Downplaying one's racial group can generate hostility from in-group members, increasing the likelihood that those who code-switch will be accused of "acting white."¹⁰⁰ Hispanics often assimilate to survive, adapt to their surroundings, and succeed in all aspects of life. They bring their unique culture and experiences with them, which can enrich and diversify the communities they become a part of, sometimes at the cost of losing their individualities.

Latino Emergence: In an article titled "*Latino Spin: Public Image and the Whitewashing of Race*," written by Arlene Davila in 2008,¹⁰¹ she succinctly explains, "...with the marketing industry touting the profitability of Hispanics as a market, and political parties touting their vibrancy as the 'new electorate', poverty is more than ever a political liability, almost entirely obviated from the national agenda." She explains that Hispanics emerge as "the belle of the ball...we are told that Hispanics are the swingiest of the swing voters: the one decisive constituency...Hispanics are not married to any political party...Anyone can get them." Davila also describes an intriguing conundrum in contemporary representations of Hispanics and their growing preeminence as a so-called booming and profitable market. Yet, at the same time, they continue to be stereotyped as "illegal" and a burden to the nation's economic welfare. These comments were made in 2008, yet continue to ring true today.

⁹⁷ Glowacka, Mary. *Code Switching in the Workplace: What Companies Need to Know*. <https://preply.com/en/blog/b2b-benefits-code-switching-workplace>. Accessed 24 Nov. 2024.

⁹⁸ Id.

⁹⁹ McCluney, C. L., Robotham, K. J., Lee, S., Smith II, R. E., & Durkee, M. I. (2019). Harvard Business Review. *The Costs of Code-Switching*. <https://hbr.org/2019/11/the-costs-of-codeswitching>. Accessed 24 Nov. 2024.

¹⁰⁰ Id.

¹⁰¹ Dávila, Arlene. *Latino Spin: Public Image and the Whitewashing of Race*. NYU Press, 2008. *JSTOR*, <http://www.jstor.org/stable/j.ctt9qg938>. Accessed 17 Nov. 2024.

According to a new report by the Latino Donor Collaborative, in partnership with Wells Fargo, the U.S. Latino economy grew to \$3.6 trillion in 2022, up from \$3.2 trillion the year prior.¹⁰² The study found that if Hispanics constituted an independent country, their GDP would rank fifth in the world and be the second-fastest-growing economy.¹⁰³ The U.S. Latino population increased by 1.65%, while the non-Latino population grew by just 0.08%. Many Hispanics are younger and have not yet entered the labor market.¹⁰⁴

Author Gregory Rodriguez authored an article in 1992 titled "*The Emerging Latino Middle Class*." His motivation for writing that report was to "shift the debate about Hispanics away from their dysfunctions to their contributions, and most importantly, to counter the dominant view of Hispanics as poor, uneducated, and unassimilated to U.S. society by highlighting their political and economic coming of age." Rodriguez recognized Hispanics' emergence in American society in 1992 and, thirty-two years later, their political and economic coming of age.

In a recent tweet by journalist Paola Ramos, she identified that the inroads Donald Trump made with Hispanics were not solely about the economy but were also "intertwined with racism, xenophobia, transphobia."¹⁰⁵ After the 2024 presidential election, polling reports revealed that 55% of Hispanic voters supported Kamala Harris, while 42% supported Trump.¹⁰⁶ These numbers indicate that Hispanic voters were essentially divided rather than united in their choice for President of the United States. These results are significant for the power of the Latino vote. Undoubtedly, the Latino population is large and diverse, with distinct backgrounds, geography,

¹⁰² Sara Ashley O'Brien, "U.S. Latino economic output grows to \$3.6 trillion, new report finds," *CNBC*, September 12, 2024, <https://www.cnbc.com/2024/09/12/us-latino-economic-output-grows-to-3point6-trillion-new-report-finds.html>

¹⁰³ *Id.*

¹⁰⁴ *Id.*

¹⁰⁵ Paola Ramos, X (Nov. 2024), <https://x.com/paoramos/status/1855747650827464997>; *see also*, *Understanding Latino Support for Donald Trump*, *The New Yorker* (Nov. 18, 2024) [quoting same].

¹⁰⁶ "AP VoteCast: A Visual Explainer of How Key Groups Voted in 2024 | AP News." AP News, Mar. 2024, www.apnews.com/projects/election-results-2024/votecast/.

and socioeconomics. Each subgroup has unique opinions about which issues matter most in their choice of the next President of the United States. More importantly, it shows that Hispanics are not part of one voting bloc. For example, a majority of voters, regardless of ethnicity, agreed that the economy was their top concern, with immigration as their second most significant concern.¹⁰⁷ As evidence shows, Hispanics are no longer a silent minority. Instead, they exert influence in national politics and beyond.

The data is unequivocal: Hispanics are drastically underrepresented on the bench, and systemic barriers continue to block progress. This is not just a Hispanic issue—it is a fundamental issue of justice, fairness, and equal representation in the legal system. The Latino community has made significant strides in terms of representation in the judiciary. In the past twenty years, we have seen an increase in Latino judges, lawyers, and other legal professionals, reflecting the growing diversity of our society.¹⁰⁸ This progress has resulted from intentional efforts to promote diversity within the legal profession and the increasing educational and professional opportunities available to Hispanics.¹⁰⁹ Despite these advancements, we have not yet achieved the ideal balance in the judiciary's demographics. While the exact numbers may vary depending on the specific jurisdiction, it is generally acknowledged that Hispanics are still underrepresented in the judiciary compared to their proportion in the general population.

The lack of balance in the judiciary carries significant implications for the Latino community. Hispanics are the largest ethnic minority group in the United States, and their voices and perspectives must be represented in the judicial branch. The judiciary plays a crucial role in ensuring fair and just decisions for all individuals, and a lack of diversity among its members can lead to a lack of understanding and empathy for diverse experiences and perspectives.

¹⁰⁷ Funk, Cary, and Lopez, Mark Hugo. Pew Research. (2022). *A Brief Statistical Portrait of U.S. Hispanics*. <https://www.pewresearch.org/science/2022/06/14/a-brief-statistical-portrait-of-u-s-hispanics/>. Accessed 2 Dec. 2024.

¹⁰⁸ *A Diverse Legal Profession Requires Hispanic Representation | ACS*. 6 Oct. 2023, www.acslaw.org/expertforum/a-diverse-legal-profession-requires-hispanic-representation/.

¹⁰⁹ Harvard Business Review. (2022). *The Five Stages of DEI Maturity*. <https://hbr.org/2022/11/the-five-stages-of-dei-maturity>. Accessed 2 Dec. 2024

Furthermore, the underrepresentation of Hispanics in the judiciary can also impact the community's trust in the legal system.¹¹⁰ A lack of diversity in positions of power can foster perceptions of bias and inequality, leading to disenfranchisement and alienation from the legal system. As a result, to truly achieve a balanced judiciary, we must continue to address the systemic barriers that prevent Hispanics from pursuing and excelling in legal careers. This includes promoting diversity and inclusivity in law schools, providing mentorship and support for aspiring Latino legal professionals, and addressing bias and discrimination within the legal profession.

In short, the judiciary cannot serve its people effectively if it does not reflect their diversity. Meaningful reforms—such as enhancing transparency in judicial appointments, increasing Hispanic representation on screening panels, and supporting legislative solutions that promote fair representation—must be prioritized. While progress has been made in increasing Latino representation in the judiciary, we must continue working towards achieving a truly balanced and diverse judiciary. Only then can we ensure fair and just outcomes for all individuals in our legal system.

IV. PRBA AND AFFINITY BAR ASSOCIATION MEMBER POLL RESULTS

Earlier this year, the PRBA solicited its members' opinions on Hispanic representation in the New York State judiciary. The PRBA also invited sister affinity bar associations to participate in the survey. The Hudson Valley Hispanic Bar Association (“HVHBA”), the Latino Lawyers Association of Queens County (“LLAQC”), and the Dominican Bar Association (“DBA”) also circulated the PRBA’s survey to their respective members. The PRBA extends its gratitude to our sister bar organizations that agreed to share the survey with their members. The PRBA also thanks each participant for the time spent completing the survey.

The survey was conducted anonymously, using the “Survey Monkey” platform. The survey yielded responses from thirty-one (31) individuals. The majority of the responses received —

¹¹⁰ The New Yorker. (2021). *The Exclusion of Hispanics from American Media and History Books*. <https://www.newyorker.com/news/q-and-a/the-exclusion-of-Hispanics-from-american-media-and-history-books>. Accessed 2 Dec. 2024

54.84%, to be precise — identified as attorneys. 22.58% of the survey participants identified as judges, 3.23% identified as paralegals, and 12.90% identified as “other.” The majority of participants reported over ten years of experience working in New York State courts.

Most participants reported appearing before the 1st Judicial District (New York County) and 2nd Judicial District (Kings County), collectively representing 54.84% of survey participants. Followed by the 11th Judicial District (Queens County), representing 12.90% of participants, and the 9th Judicial District (Westchester County), with 9.68% of participants. The 12th, 13th, and 5th Judicial Districts each accounted for 6.45% of survey participants, followed by the 7th Judicial District with 3.23%. There were no responses for the following districts: 3rd, 4th, 6th, 8th, and 10th.

Survey participants were asked about their familiarity with the 2020 New York State Judicial Elections Report (as prepared by the Commission to Promote Public Confidence in Judicial Elections), and its reported findings that “16% of New Yorkers describe themselves as Hispanic or Latino, compared to only 4% of judges.” Compare, the report also identified that 3% of New Yorkers identify as Asian, compared to 1% of judges, and 52% of New Yorkers are women, compared to only 27% of judges.” Nearly 42% of survey participants reported being “very familiar” with the report and its findings. Roughly 25.8% reported being somewhat familiar.

When asked whether “[a] more diverse judiciary is an important step toward a more just and equal America,” 93.55% of survey participants reported that they “strongly agree,” and the remaining 6.45% reported that they “agree.” Another question posed by the survey was whether “Latino representation on the bench in New York State needs to be improved.” 83.87% of participants answered, “strongly agree,” and the remaining 16.13% responded “agree.” Moreover, 67.74% of participants responded that New York State courts were not taking adequate steps to address Hispanic representation on the bench. 67.74% of the survey participants also “strongly agreed” that “[t]he lack of Hispanic representation negatively affects the fairness of the court system.”

Evident from survey participants' responses, change —particularly further diversifying the bench to include more Latino and Hispanic judges —is not only essential but imperative for justice. The survey also explored the potential barriers to increased representation in the judiciary in New York and in the participants' own judicial districts. Survey participants were invited to provide narrative responses. The common theme in the reactions surrounded “politics” in one form or another.

We invited participants to share what present initiatives they felt were more effective in increasing Latino representation, as well. 77.42% identified “political connections/support from county political party leaders” as a current initiative effective in increasing representation on the bench. Second to this response, with 64.52%, was “mentorship, advice, and support from sitting judges.” Notably, survey participants also identified “outreach to Hispanic communities and fundraising” and “judicial screening panels” as similarly significant, with 48.39% and 41.94%, respectively. When asked about judicial screening panels, nearly 72% of survey participants responded that judicial candidates, regardless of race or ethnicity, should appear before the PRBA Judicial Screening Panel and sister affinity state bar associations.

The results of this informal poll echo a call to diversify the judiciary in New York State further and to promote and elevate to the bench many qualified Hispanic and Latino persons.

V. PROPOSED SOLUTIONS: BUILDING A MORE EQUITABLE JUDICIARY

The judiciary serves as the cornerstone of justice, tasked with upholding fairness, equality, and the rule of law. However, when the bench does not reflect the diversity of the people it serves, public trust in the system is weakened. A judiciary that includes qualified judges from all backgrounds, including the Hispanic community, is not just about representation—it is a fundamental necessity for ensuring justice for all.

To address the barriers that have historically hindered Hispanic representation in the judiciary, the PRBA proposes implementing specific strategic reforms. These reforms are designed to enhance transparency in judicial selection, increase Hispanic participation in the screening process, and ensure equitable distribution of judicial resources across New York State.

A. Path Forward: Concrete Solutions for Lasting Change

Despite decades of effort and perseverance, and recent success stories on the heels of Justice Zayas' appointments of newly appointed Hispanic judges, some of these barriers remain firmly in place. While these obstacles are not unique to Hispanics, Asian, Black, and other minority communities face similar challenges, the PRBA's focus is on the lack of Hispanic representation on the bench that should be addressed through deliberate, targeted action. As such, the PRBA, upon the recommendation of its Judicial Committee, proposes the following solutions:

- **Establishment of and Mandatory Appearance Before Joint Hispanic Judicial Screening Panel:** To ensure that Hispanic judicial candidates seeking nomination for election receive fair and equal consideration and to give the Hispanic bar an active voice in the selection of qualified judicial candidates a unified Hispanic Bar Association Judicial Screening Panel consisting of the PRBA, DBA, LLACQ and other Latino affinity bar associations, must be established. This panel will provide structured mechanisms to give the Hispanic bar meaningful input into the selection of judicial nominees by evaluating and rating judicial candidates; ensuring the advancement of candidates for judicial office who are diverse, can decide cases before them fairly, equitably, and free of bias, and are dedicated to the representation of the Hispanic community.

- **Ensure Latino Bar Representation on Parties' Independent Judicial Screening Panels and Conventions Across New York State:** The PRBA, DBA, LLACQ, and other Hispanic affinity bar associations must ensure a continued presence on existing Independent Judicial Screening Panels and conventions. Their participation is essential in ensuring that Hispanic candidates receive fair evaluations from the parties and that systemic biases in the candidate selection process for judicial elections are actively addressed. Given the critical role of independent judicial screening panels as gatekeepers in the highly partisan electoral process for judicial selection, these Hispanic bar associations must continue to have a seat on all screening panels/conventions to ensure our meaningful participation in the judicial selection process and the advancement of diverse candidates committed to equality and diversity.

- **Appointment of Latino Bar Representatives to Judicial Appointing Bodies:** For the same reasons, Hispanics must be represented on the various advisory and screening bodies that evaluate and make recommendation for judicial appointment, such as the Mayor’s Advisory Committee on the Judiciary, the Advisory Council for the Housing Part, the Departmental Judicial Screening Committees, and the Governor’s Commission on Judicial Nomination. Hispanic representation on these bodies ensures that Hispanics have a seat at the table to vet and rate candidates for judicial appointment, ensuring their commitment to equality, diversity, and Hispanic representation, and to a judiciary rich in diversity and the myriad perspectives it brings.

- **Establish a more Integrated Independent Judicial Task Force** composed of leaders from various state bar associations, including the PRBA, DBA, LLAQC, and other Hispanic affinity groups. This report makes clear that concerted, sustained action is needed to continue making progress toward the goal of increased Hispanic representation on the bench in New York. An independent judicial task force can provide a structured and permanent mechanism to monitor the progress toward increasing Hispanic representation in the New York bench, such as by publishing annual reports; to oversee the development and implementation of the reforms toward that goal proposed in this report and the prior reports of Justice Manzanet Daniels and of Jeh Johnson; and to receive and investigate complaints of unfair treatment of Hispanic judicial candidates.

- **Outreach Programs & Coalition Building**

- Expand outreach programs to recruit and support Hispanic attorneys for judicial office, including mentorship initiatives, leadership training, and education about the judicial selection process; and

- Expand outreach programs to citizens, law schools, law firms, bar associations, community organizations, political leaders, policymakers and other stakeholders to educate them about the judicial selection process, the inequitable representation of Hispanics in the New York judiciary and efforts to address same; and to promote Hispanics’ pursuit of the law and bench at all levels, including to promote support for Hispanic judicial candidates.

- **A Responsible Alternative to the Proposed “No Cap” Legislation:** The pending “No Cap” proposal before the New York State Legislature seeks to eliminate the constitutional limitation on the number of Supreme Court justices that may serve in each judicial district. Supporters contend that abolishing this cap would modernize the system and provide greater flexibility in meeting caseload demands. The PRBA respectfully disagrees.

Simply removing the constitutional cap without a structured plan for equitable judicial expansion would not modernize the system—it would destabilize it. Doing so risks perpetuating the very political deal-making and opaque nominating practices that have historically excluded Hispanics and other underrepresented groups from the bench.

At the 2019 Joint Public Hearing of the Assembly and Senate Judiciary Committees regarding former Chief Judge Janet DiFiore’s proposed court-consolidation plan, representatives of the PRBA, the LJA, and the DBA—along with Justices Sallie Manzanet-Daniels, Llinet Rosado, and Wilma Guzman—testified to similar concerns. They warned that restructuring judicial selection without safeguards could disproportionately harm Latino representation, as many Hispanic judges have historically entered the judiciary through the elected Supreme Court pathway. The consolidation effort was ultimately withdrawn, reflecting widespread agreement that reform must proceed carefully and inclusively.

Rather than endorsing an unrestricted “No Cap” amendment, the PRBA supports a measured constitutional adjustment that would revise the judicial allocation formula to reflect population realities better and improve access to justice. Lowering the threshold from one justice per 50,000 residents to one per 30,000 residents would proportionally increase the number of Supreme Court justices assigned to each judicial district, ensuring that rapidly growing and historically underserved areas—primarily Hispanic and other minority communities—receive equitable judicial resources. Under this proposal, the state constitution would be amended to adopt the new formula, while implementing legislation would establish:

- a transparent methodology for recalculating judgeships after each decennial census;

- safeguards to prevent partisan manipulation in the creation or distribution of new judgeships; and
- equitable allocation across both urban and rural regions.

We note that reform would still require passage by two successive legislatures and ratification by statewide referendum, ensuring both legislative deliberation and public participation in reshaping the judiciary.

VI. CONCLUSION: A JUDICIARY THAT REFLECTS JUSTICE FOR ALL

A fair and inclusive judiciary is the cornerstone of a functioning democracy. When Hispanics and other minority communities are systematically excluded from the bench, the justice system’s legitimacy erodes, and public trust suffers. The PRBA hopes this Report offers practical, principled reforms to strengthen judicial representation, foster diversity, and restore confidence in the courts. The time for action is now. By enacting these reforms, New York can take a decisive step toward ensuring that its judiciary truly reflects the people it serves.

As has been the case for the past 68 years, the PRBA remains steadfast in its commitment to dismantling barriers to the bench and to fighting for an equitable, transparent, and representative judicial selection process. New York’s judiciary must mirror the diversity of the communities it adjudicates. The Hispanic legal community has waited far too long for meaningful change—now is the moment to deliver it. Increasing Hispanic participation in judicial screening and nomination processes, creating an independent task force to oversee reform, and conducting proactive outreach to stakeholders will help break down systemic obstacles and build a judiciary that truly represents all New Yorkers.

Accordingly, the PRBA calls upon legislators, bar associations, and the broader legal community to support these critical reforms. The credibility and legitimacy of our justice system depend on them. The recommendations in this Report embody what we believe is the best path forward to promote public confidence in judicial elections. The PRBA’s membership spans every judicial district in New York State and shares a deep respect for the judiciary—its vital role, its

distinguished history, and the thousands of men and women who serve with integrity and devotion, whether as judges, court staff, or administrators.

We also share the conviction that our work to protect and strengthen the judiciary must never cease. These recommendations are designed to do just that: anticipate and prevent problems, promote public understanding of the courts, and ensure that judicial candidates are highly qualified and selected through processes that inspire public confidence.