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Dear Colleagues,

I write on behalf of the Superior Court Judges' Association (SCJA) to join our Supreme Court, professional partners, and others across the justice system who have come forward to forcefully denounce structural racism embedded in our society. As judicial officers, we have sworn an oath to uphold the liberties and protections guaranteed by our state and federal constitutions, to enforce "equal justice under law." On a case-by-case, decision-by-decision basis, we strive to do so. Yet we know that laws, practices, and customs designed to oppress people of color have been adopted and compounded over decades to create a society that is structurally unjust. Doors swing open or close tightly, based only on the color of one's skin. There can be no equal justice under law if there is no equal opportunity under law.

The inequities in our society have come into painful focus in the past few months: a global pandemic has ravaged our country, especially in communities of color where it is exacerbated by generational poverty and limited health care resources. And the graphic, shocking, and unjustifiable killing of George Floyd over \$20 has become a tipping point in what we as a nation are willing to tolerate by devaluing the lives of people of color. Now is a rare opportunity to take bold action to educate ourselves about the implicit effects of racism and to dismantle the explicit mechanisms that perpetuate it.

The justice system, courts, and judges must take affirmative action to reimagine and reconstruct our laws, practices, and customs in the wake of a pandemic that requires innovation to protect the health and safety of all who access the courts. At the same time, our creativity and commitment must change the attitudes, procedures, and leadership that has allowed systemic racism to embed itself in our society since the country's founding. Tinkering around the edges will not suffice. We have both the opportunity and the responsibility to think big.

SCJA held its annual long-range planning meeting the weekend protests raged after George Floyd's death. The officers and trustees affirmed our long-range plan, and voted its top priority to identify concrete actions it can take to promote racial justice within SCJA and throughout our courts.

Accordingly, an ad hoc group, chaired by Judge Veronica Alicea-Galván and myself, has met several times to generate a list of tangible, achievable activities SCJA can accomplish to deconstruct structural racism and reconstruct a more just court system. Some of the activities are internally focused on SCJA; others are externally focused on Washington's justice system. All activities require the involvement and collaboration of many, including you.

Currently, the following activities are being pursued for implementation:

Internally Focused:

- Each SCJA committee will identify and complete at least one activity per year that addresses structural racism within the scope of its responsibility.
- The SCJA Education Committee will solicit/develop educational programs on structural racism within the judicial system and the impact on the public we serve. A program on these topics will be included in each SCJA Spring Conference. Additional opportunities for educational programs also may be offered.
- SCJA will host a panel discussion that includes members of Washington's Supreme Court, Executive Director of the Commission on Judicial Conduct, and others to explore the relationships and boundaries between judicial ethics, the Code of Judicial Conduct, and a judge's responsibility to ensure "equal justice under law." It will explore the "policy" vs. "administration of justice" divide.
- Recruit judges of color to the bench and to leadership roles within our courts and SCJA.

Externally Focused:

- Work in collaboration with the Supreme Court, AOC, Commissions, and court stakeholders to convene a Statewide Commission to review court policies and procedures through a racial justice lens and to recommend systemic changes. This effort would include roundtable discussions with professional stakeholders and colleagues, such as Minority Bar Associations, Tribal Courts, Trial Lawyers, PAO, DPD, Court Clerks, and so on. It also would require engaging in listening sessions with community members and court users to understand their experience with racism within the courts and to generate ideas for systemic change.
- Produce podcasts, "Judging Justice," in which each episode identifies and discusses Washington law and legal precedent that has perpetuated institutional racism over the years.

This is not a finite list; it is a starting point to ensure that concrete actions are taken. As former Chief Justice Mary Fairhurst might say, some of these projects are Big Hairy Audacious Goals. Large or small, each task requires independent thinking and hard work. If you would like to help in any capacity, please contact Crissy Anderson at crissy.anderson@wa.courts.gov. Let her know if there is a specific activity in which you

are interested, if you are willing to take a leadership role, and if you have additional ideas for the Board's consideration.

We will keep you apprised of progress, which we hope will be apparent over time. Whether you are able or willing to participate in these activities, your dedication to our courts and equal justice under law is much appreciated. While difficult, it is, indeed, an honor to be on the front lines of justice. Thank you for your service.

Sincerely,



Judge Judith H. Ramseyer, President
On behalf of the Officers and Trustees of the SCJA

cc: Chief Justice Debra Stephens, Supreme Court
Justice Charles W. Johnson
Justice Barbara Madsen, Commission on Children in Foster Care Co-Chair
Justice Susan Owens
Justice Steven C. González, Interpreter Commission Co-Chair
Justice Sheryl Gordon McCloud, Gender and Justice Commission Co-Chair
Justice Mary Yu, Minority and Justice Commission Co-Chair
Justice Raquel Montoya-Lewis
Justice G. Helen Whitener, Minority and Justice Commission Co-Chair
Judge Bradley Maxa, Court of Appeals Presiding Chief
Judge Lori K. Smith, Tribal State Court Consortium Co-Chair
Judge Cindy K. Smith, Tribal State Court Consortium Co-Chair
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Ms. Crissy Anderson, AOC