

**ADMINISTRATIVE DIRECTIVE NO. 101**

This 5th day of April 1995,

IT APPEARS THAT:

(1) Administrative Directive Number 90, directing that bias of any form is inimical to the proper functioning of the judicial system and is unacceptable, provided, *inter alia*:

A. It is important that the Judicial Branch of government in Delaware address the issue of bias and invidious discrimination with respect to age, color, gender, national origin, physical or mental disability, race, religion, sexual orientation, or socioeconomic status (hereinafter "bias") in the justice system;

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2. Judges, lawyers, and court personnel should be sensitive to the recognition of any such bias, or the appearance thereof, and should take reasonable steps to correct the same ...

(2) The Delaware Gender Fairness Task Force was created to deal with issues of gender fairness, and that task force is nearing completion of its study;

(3) It is important that the Judicial Branch of government in Delaware should also study the issue of fairness with respect to race and ethnicity as it pertains to that branch, including its responsibility for admissions to the Bar and regulation of the members of the Bar;

(4) A delegation from Delaware comprised of Senator Margaret Henry, Franny Maguire (Training Administrator with the Administrative Office of the Courts), Family Court Chief Judge Vincent J. Poppiti, United States Attorney Gregory M. Sleet, Court of Common Pleas Judge Alex J. Smalls, and Chief Justice E. Norman Veasey attended the First National Conference on Eliminating Racial and Ethnic Bias in the Courts in Albuquerque, New Mexico, from March 2-5, 1995, and learned a great deal about the benefits of studies in other states on this issue;

(5) Studies of racial and ethnic bias in the courts are either currently underway or have been completed by task forces or commissions in twenty-four states, the District of Columbia, and the 1st and 3rd Federal Circuits;

(6) No evidence has been brought to the attention of the Chief Justice that there is any such bias being practiced intentionally by members of the Delaware Judiciary, lawyers, or court personnel;

(7) According to the trends evident in certain other studies, subtle or unintentional examples of such bias in the judicial system of this State may nevertheless be found to exist; and

(8) A study in Delaware is desirable and in the public interest.

DELAWARE SUPREME COURT

NOW, THEREFORE, IT IS DIRECTED with the unanimous approval of the members of the Supreme Court, pursuant to Del. Const. art. IV, § 13(1), that:

A. A task force is hereby created, entitled the Delaware Task Force on Racial and Ethnic Fairness in the Courts (the "Task Force"), to study racial and ethnic fairness issues as they relate to Delaware's court system;

B. The scope of the Task Force study shall include, but shall not be limited to, fair and equal treatment of all persons regardless of race or ethnicity in connection with court proceedings and Judicial Branch personnel practices;

C. The Task Force shall be co-chaired by The Honorable Randy J. Holland and The Honorable Gregory M. Sleet, both of whom have agreed to serve in that capacity;

D. Twenty-four additional members of the Task Force shall be appointed by the Chief Justice;

E. A preliminary report detailing the findings and recommendations of the Task Force shall be submitted by the Task Force to the Chief Justice on or before May 1 1996;

F. The Task Force shall hold public hearings in all three counties before and after the issuance of its preliminary report at accessible locations and at times convenient for the public; and

G. A final report shall thereafter be submitted by the Task Force to the Chief Justice on or before November 1, 1996.

E. Norman Veasey  
CHIEF JUSTICE

cc: The Honorable Joseph T. Walsh  
The Honorable Randy J. Holland  
The Honorable Maurice A. Hartnett, III  
The Honorable Carolyn Berger  
Members of the Judicial Conference  
Mr. Lowell L. Groundland  
Court Administrators  
Clerk of the Supreme Court