



VERMONT JUDICIARY COMMISSION ON DIVERSITY, EQUITY, AND INCLUSION

Chief Justice Paul Reiber and Associate Justice Nancy Waples, Co-Chairs

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Commission's Third and Final Report to the Vermont Supreme Court

December 18, 2024

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Introduction

The Vermont Supreme Court established the Judiciary Commission on Diversity, Equity, and Inclusion (hereinafter the “Commission”) in January of 2022. According to its charge and designation, the Commission’s overarching purpose is “to advance racial and social equity in pursuit of equal justice under the law,” with an “aim ... to broadly identify disparities in our justice system, understand the causes, evaluate solutions, and implement changes.”

The Commission is required to deliver three reports to the Supreme Court. The Commission’s first report was submitted in March 2023. That report summarized the work of the Commission during the initial phase of its work. The Commission’s second report was submitted in November 2023. That report outlined the work of the Commission’s committees.

This report is in response to the Commission’s third and final reporting requirement. The report is to include proposals to:

1. Implement recommended solutions through measures approved and overseen by the Commission, including recommendations for legislation or rule change; and
2. Implement measures to evaluate effect of changes towards desired outcomes.

Summary of Activity Since Second Commission Report

During 2024 judiciary representatives participated in a variety of activities in furtherance of the Commission’s diversity, equity, and inclusion (DEI) goals. A summary of these activities is below.

Judiciary Inreach Sessions

A series of “inreach” sessions was held with court staff in the spring and early summer of 2024. These sessions were designed to be a complement to the Commission’s 15 community engagement forums that took place between December 2022 and June 2023.

Inreach sessions were held as follows:

- May – Meeting with Court Administrator’s Office Managers
 - Justice Nancy Waples and Scott Griffith participated.
- July – Separate meetings with Regional Superior Court Clerks and Court Operations Managers
 - Justice Nancy Waples and Scott Griffith participated.
- Spring/Summer – Meetings with court staff at in-service events in several counties
 - Justice Nancy Waples participated.

Participation in State and National DEI Learning and Engagement Activities

Judiciary representatives engaged in several DEI-related learning and networking activities in 2024. This activity was very helpful in deepening participants' understanding of the nature of DEI issues in the judicial branch and in developing strategies that can be used to address them.

These activities are as follows:

- February to October – National Center for State Courts virtual “Learning Labs”
 - Justice Nancy Waples, Justice William Cohen, Scott Griffith, and various other judiciary staff participated.
 - Learning labs took the form of virtual monthly meetings and were focused on the following topics: 1) leading and implementing change; 2) community engagement; 3) building court data capacity; and 4) building a diverse court workforce.
 - National Center for State Courts staff facilitated the labs and shared DEI-related research insights and practice improvement resources. Representatives from participating states were selected to share their DEI-related activities and accomplishments in each of the four areas.
- April – National Center for State Courts DEI Professionals Convening; Washington, D.C.
 - Justice William Cohen attended.
 - The April 2024 convening was the second such event hosted by the National Center for State Courts. The first one was held in November 2022.
 - The agenda for the second convening included items addressing DEI leadership and governance; the collection and use of race and ethnicity data; and discussions about a variety of DEI-related topics, including developing and retaining leaders, developing and engaging the workforce, engaging the public, and access to justice.
- April – National Association of State Judicial Educators and National Center for State Courts Workshop for Racial Justice Education; Phoenix, AZ
 - Justice Waples, Justice Eaton, and Scott Griffith attended.
 - Attendance at the workshop was by invitation only. Vermont was one of 15 states invited to participate.
 - The workshop agenda included breakout sessions by role (Judge, Judicial Educator, DEI Director); navigating difficult conversations about DEI topics; and sustaining DEI-related initiatives.
- June – Supreme Court Panel Presentation Judiciary Commission on Diversity, Equity, and Inclusion at Annual Judicial College
 - Justices presented in a panel moderated by Justice Karen Carrol.

- June to Ongoing – Monthly calls of the New England Region of the National Association for State Judicial Educators
 - Justice Waples, Scott Griffith participated.
 - The purpose of these monthly calls is to allow representatives from the judicial branch in states in the New England region to continue the discussions that began at the April 2024 Phoenix workshop.
 - Topics discussed to date have focused on the scope and authority of DEI offices and the content and delivery of DEI-related training.
 - In 2025 the group will discuss items such as budgets and resources for DEI initiatives; strategies for DEI integration into strategic planning; DEI office organizational structure; integrating DEI into judicial education; and related topics.
- September – Supreme Court Panel Presentation on the Judiciary Commission on Diversity, Equity, and Inclusion at Vermont Bar Association Annual Meeting
 - Justices and Scott Griffith presented in a panel moderated by Justice Carrol.
- October – Welcome Speech at Office of Racial Equity Annual Conference
 - Justice Waples provided the welcome at the Office of Racial Equity’s annual conference. The agenda included a variety of sessions that fell into one of four learning tracks: organizational transformation; people power; public policy; and communicating and relating.

Other

In November 2024 the Supreme Court amended the Commission’s charge and designation to add Justice Harold Eaton and Justice Karen Carroll to its roster.

Commission Recommendation to Supreme Court

The Commission recommends that the Supreme Court make the Commission permanent. Commission members acknowledge that judiciary leadership will need time to develop details and plans associated with the work of the recommended permanent commission and requests that these details and plans be presented to the Court within 90 days of the Court’s acceptance of this third and final report.

Conclusion

The co-chairs appreciate the contributions of Commission members over the last several years. Their time and insights have been essential to the development of recommendations that are responsive to Commission goals and the judiciary’s ongoing efforts to address its DEI goals.