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Newsroom

December 17, 2015

Yelnosky on Diversifying State Judiciary

While black, Hispanic and Asian men make up 24 percent of the state population, there are just three state judges of color. Dean Yelnosky discusses how to change that.

From The Providence Journal: "[Looking for greater diversity in R.I.'s judicial pipeline](#)" by Edward Fitzpatrick

December 17, 2015: In an interview for The Providence Journal's "Race in Rhode Island" series, Governor Raimondo vowed to appoint people of color to state judgeships during her four-year term, but noted that all 15 finalists for three current judicial vacancies are white, and she called for more "diversity in the pipeline."



Michael J. Yelnosky, dean of the Roger Williams University School of Law, said there's no way to tell exactly how many people of color apply to be state judges because the Judicial Nominating Commission does not divulge the names of all applicants — it only reveals the candidates it interviews.

But **Yelnosky, who studies the judicial selection process,** said "the pipeline issue" appears to be real. While the Rhode Island Bar Association does not keep data on race, he estimates that only about 2 percent of the state's lawyers are African-American or Hispanic. "And then when you look at those 100

lawyers, some are not engaged in the kind of law practice that typically lends itself to the bench — by that, I mean non-litigators,” he said. “So an already small pool gets a little smaller.” [...]

Still, the Judicial Nominating Commission has decided to interview two African-Americans — William J. Trezvant and Michael P. Fontaine — for other state judicial vacancies. And in the future, that judicial pipeline could be fed by the increasing diversity of the Roger Williams law school student body, Yelnosky said. In 1999, 8.3 percent of those admitted to the state’s only law school were black or Hispanic, and that number plunged to 4.4 percent in 2003. But that proportion surged to 17.9 percent in 2012 and 19.7 percent this year, he said.

“Of course, we are not the only institution that creates lawyers in Rhode Island, but this has been a priority for us,” **Yelnosky said**. “We are making progress. But it takes awhile, and not everybody who comes here stays in Rhode Island.” He said that progress is aided by the Thurgood Marshall Law Society and the Rhode Island Hispanic Bar Association, which provide mentoring for African-American and Latino law students and lawyers.

In October, the Journal’s Katie Mulvaney reported that while black, Hispanic and Asian men make up 58 percent of the prison population and 24 percent of the state population, the vast majority of police and prosecutors are white, and there are just three state judges of color.

Alberto Aponte Cardona, a 2004 Roger Williams University law school graduate who is now president of the Rhode Island Hispanic Bar Association, said the main priority must be finding candidates who are “competent, qualified and ready to take on the challenges of being a judge.” But once you have that, he said, “It’s invaluable to have more diversity in the system. It creates a foundation of trust. It makes people feel they are represented in the legal system — and not just prosecuted or persecuted in the legal system.”