FOR IMMEDIATE RELEASE
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Contact: Yang Chen, Executive Director
(646) 653-2168

ASIAN AMERICAN BAR ASSOCIATION OF NEW YORK ISSUES JOINT STATEMENT WITH SOUTH ASIAN BAR ASSOCIATION OF NEW YORK, KOREAN AMERICAN LAWYERS ASSOCIATION OF GREATER NEW YORK, AND FILIPINO AMERICAN LAWYERS ASSOCIATION OF NEW YORK CALLING FOR INCREASED REPRESENTATION OF ASIAN AMERICANS AND PACIFIC ISLANDERS IN LEADERSHIP POSITIONS IN THE NEW YORK JUDICIARY

The South Asian Bar Association of New York (SABANY), Asian American Bar Association of New York (AABANY), Korean American Lawyers Association of Greater New York (KALAGNY), and the Filipino American Lawyers Association of New York (FALA New York) call on administrators of the New York State Unified Court System (UCS) to appoint Asian American Pacific Islander (“AAPI”) judges to fill judicial vacancies created by Governor Cuomo when he recently appointed judges to the Court of Appeals, Supreme Court, Appellate Divisions, and Court of Claims. Specifically, we call on Chief Administrative Judge Lawrence K. Marks and Deputy Chief Administrative Judge (NYC) Judge George J. Silver to fill the newly vacant positions of Administrative Judge in the Civil Court of the City of New York, Administrative Judge of Supreme Court, Criminal Term in Bronx County, Administrative Judge of Supreme Court, Criminal Matters in Queens County, and Appellate Term, First Department with highly qualified AAPI judges.

On May 25, 2021, Governor Cuomo announced two appointments to the Court of Appeals, eight appointments to the Supreme Court, Appellate Divisions, and eight appointments to the Court of Claims. While we applaud Governor Cuomo for increasing diversity in these courts, we regret that no judges of Asian American Pacific Islander descent were named to these courts. This failure represents a missed opportunity to address long standing underrepresentation of Asian communities in the New York courts.

Nearly 23 million individuals in the United States identify as Asian Americans with origins tracing from 20 different countries across East and Southeast Asia and the Indian Subcontinent. Indeed, Asians are the nation’s fastest-growing racial group. And yet, despite making up six percent of the population, according to the Center for American Progress, they account for less than 3% of active judges in the lower federal courts in 2020.

AAPI judges are significantly underrepresented in the New York court system despite AAPIs making up approximately 9% of the state population according to the most recent U.S. Census data. For example, according to the UCS’ own data, as of April 2021, AAPI judges represent only 3% of 1,227 judges across the state. Additionally, the Court of Claims and Supreme Court Appellate Division (across all four Divisions) have only two AAPI judges total in each court.

As Secretary Jeh Johnson showed in his October 1, 2020 report on equal justice in the New York State courts, the lack of Asian representation on the bench is not a recent phenomenon. (Secretary Johnson’s full report is available online at: www.nycourts.gov/whatsnew/pdf/SpecialAdviserEqualJusticeReport.pdf) Rather, Asian communities, like their counterparts in the Black and Latinx communities, have been historically underrepresented in New York courts for decades. However, unlike other communities of color,
Asian representation has lagged due to a failure by political and judicial leaders to support and promote AAPI judges.

Representation matters: to the legal profession, to our community, and especially to a new generation of lawyers who look to AAPI leaders on the bench for inspiration. There is a significant number of highly qualified AAPI candidates amongst the New York legal community. We ask Chief Administrative Judge Lawrence K. Marks and Deputy Chief Administrative Judge (NYC) Judge George J. Silver to take action and use this unique opportunity to increase AAPI representation in the leadership ranks of our State judiciary. Our organizations remain ready to collaborate with leaders at UCS to identify qualified candidates to serve in these leadership positions.

For more information, please contact Yang Chen, AABANY Executive Director, at (646) 653-2168, or direct any inquiries to main@aabany.org.

The Asian American Bar Association of New York is a not-for-profit 501(c)(6) professional membership organization of attorneys concerned with issues affecting the Asian American and Pacific Islander (AAPI) community. Incorporated in 1989, AABANY seeks not only to encourage the professional growth of its members but also to advocate for the AAPI community as a whole. AABANY is a New York regional affiliate of the National Asian Pacific American Bar Association (NAPABA).

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