



**New Hampshire Judicial Branch  
Steering Committee on Diversity and Inclusion**

**STRATEGIC PLAN**

**Adopted by the New Hampshire Supreme Court**

**January 31, 2022**

**Revised and Approved July 7, 2022**

## New Hampshire Judicial Branch

### Steering Committee on Diversity and Inclusion Strategic Plan

#### Executive Summary

The New Hampshire Judicial Branch believes that the people of our state have a constitutional right to a court system that is open and respectful, fair and free from biases and barriers, with services that are provided in a culturally appropriate way. To meet these objectives, the New Hampshire Supreme Court has created a Steering Committee on Diversity and Inclusion. The Committee is comprised of judges and staff from the Circuit and Superior Courts and is tasked with examining current practices and procedures and then taking meaningful steps to ensure that the Judicial Branch is welcoming, reflective of, and responsive to the public. Guided by a community-based multi-disciplinary Advisory Board, the Steering Committee has developed a six-part Strategic Plan through which we will endeavor to uphold these ideals and earn the trust the public has placed in us as impartial and inclusive guardians of the rule of law. The strategies include:

1. **Conduct Self-examination.** The Committee will assist the Judicial Branch in undergoing a thorough self-examination to determine the demographical makeup and current cultural awareness of judges and staff throughout the Judicial Branch.
2. **Offer Training.** The Committee will develop training for all judges and staff to help them learn about biases and their impacts and work to generate a culture of understanding and acceptance.
3. **Increase Workforce Diversity.** Based on the results of the self-examination, the Committee will create tools and recommend best practices to diversify our workforce to better reflect the communities we serve. The Committee will also engage with other partners to diversify the pipeline to the legal profession.
4. **Address Institutional Racism and Cultural Bias.** Drawing on the expertise of subject-matter specialists, the Committee will work to identify and recommend strategies to eliminate barriers to access, reduce biases and disparate impacts, and promote inclusivity and fairness.
5. **Engage in Public Outreach.** The Committee will engage in a series of community forums with our partners and the public to learn about their experiences within the judicial system, solicit feedback that will help us address our goals, and regularly communicate our progress in reaching these goals.
6. **Enhance Internal and External Communications.** By listening and responding to the needs of those we serve, holding ourselves to high standards, and communicating the courts' efforts to increase cultural awareness and humility, the Judicial Branch will foster the public's confidence in our ability to provide meaningful access to the courts in a manner that is fair, equitable, and respectful and that promotes the rule of law.

## Vision

The vision of the New Hampshire Judicial Branch Steering Committee on Diversity and Inclusion is to ensure the NH Judicial Branch exemplifies the ideals of a free democracy where all people have equal and unrestricted access to the justice system.

*"Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, sex or national origin." N.H. Const. Part 1 Article 2*

*"Every subject of this state is entitled to a certain remedy, by having recourse to the laws, for all injuries he may receive in his person, property, or character; to obtain right and justice freely, without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws." N.H. Const. Part 1 Article 14*

## Mission

The New Hampshire Judicial Branch (NHJB) Steering Committee on Diversity and Inclusion is created to enhance public trust and confidence in the court system's independence, integrity, and impartiality and to promote a fair and bias-free justice system. To accomplish these goals, the Committee shall endeavor to: (1) Create a workplace and courthouse culture that embraces diversity and is inclusive, welcoming, and affirming; (2) Engage in self-examination, education, and training; (3) Identify and remediate areas of systemic racism, unconscious bias, disparate impact, and other factors which adversely affect the court system and those who come into contact with it; (4) Collaborate with other entities committed to these goals; (5) Take affirmative steps to self-monitor; and (6) Engage in public outreach to learn, solicit feedback, inform decision-making, share progress, and demonstrate commitment to the ideals identified above.

## Strategy, Objectives, and Goals

It is incumbent upon the judiciary to ensure that all people are treated fairly, openly, and with respect and understanding. Open, fair, and respectful access promotes the justice system's integrity and reinforces the importance of public confidence in the rule of law. To that end, all judicial branch members must strive to be culturally literate to understand the people we serve.

The Committee hereby adopts the following six-part strategic plan comprised of these elements:

- Conduct Self-examination
- Offer Training
- Increase Workforce Diversity
- Examine and Address Institutional Racism and Cultural Bias
- Engage in Public Outreach
- Enhance Internal and External Communications

The collective objectives and goals are designed to implement the Vision and Mission Statement identified above.

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## *Summary of Goals*

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1. Identify areas where systemic racism exists in our courts and develop a plan to address them.
  2. Identify and present training opportunities for judicial officers and staff in areas such as implicit bias.
  3. Develop and implement recruitment and retention strategies that help to diversify the judicial branch workforce.
  4. Join with community partners to improve services and outcomes for underserved, vulnerable, or marginalized people; and develop effective, supportive, and creative solutions to respond to their legal needs.
  5. Improve access to justice by eliminating barriers, continuing to simplify and streamline court processes and forms, leveraging technology, improving interpreter services, and advocating for necessary resources to keep courts safe, open, and secure.
  6. Engage the public in forums outside of court to better understand their personal experiences with the courts and reaffirm our commitment to "equal justice under law."
  7. Enhance the public's trust and confidence by listening and responding to the needs of those we serve, holding ourselves to high standards, and communicating the role of our courts in providing justice for all.
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## SELF-EXAMINATION

**Objective 1:** Analyze existing data sources (e.g., Equal Employment Opportunity Plan and the NHJB job classification study) to understand the current NH Judicial Branch demographics. Identify and use other resources to further inform this understanding. Document baseline metrics applicable to other objectives and goals.

**Goal 1:** Provide a report to the NH Supreme Court to explain the "As is" baseline of the NHJB demographics. Identify areas that lack diversity and inclusivity and recommend "To be" targets.

**Objective 2:** Conduct a qualitative analysis of the staff and judicial officers' current understanding of unconscious bias and general awareness and sensitivity to racial, cultural, age, gender, gender identity, disabilities, socio-economic conditions, limited English proficiency, and other factors that can create harmful bias in the court system. Focus on data collection and survey modalities that define the "As is" baseline of the NH Judicial Branch. Factor the evaluation outcomes into further objectives related to training and outreach.

**Goal 2:** Present survey results to the NH Supreme Court and describe how they will be applied to other D & I objectives.

## TRAINING

**Objective 3:** Develop and implement training to improve cultural awareness and humility within the NHJB. Training will address observable barriers to diversity and inclusion, including institutional racism, prejudice, unconscious bias, and insensitivity to or unawareness of the impact a lack of structural and/or digital accessibility has on access to the court system. The curriculum will use creative, engaging, and participatory methodologies to inform learners in a safe and neutral environment.

**Goal 3:** 95%+ of judicial staff and all court personnel (including court administrators, court clerks, AOC managers, and CSOs) will attend at least one workshop. Leadership will have easy access to essential information and tools that reinforce learning and enable action at the ground level.

## WORKFORCE DIVERSITY

**Objective 4:** Identify and examine workplace policies and procedures relating to recruitment and retention of personnel. Update these policies and procedures with evidence-based practices to produce a diversified workforce.

**Goal 4:** Recommend adopting and implementing human resource policies that emulate best practices for developing a diverse and inclusive workforce.

**Goal 5:** Create a Diversity and Inclusion Recruitment and Retention Toolkit for NHJB Human Resources.

**Goal 6:** Demonstrate a more diverse workforce by setting targets based on the [EEO report](#) (and similar data sources) and meeting those targets.

**Objective 5:** Collaborate with the members of the bar and educational institutions to expand and diversify the pipeline of candidates pursuing the legal profession.

**Goal 7:** Provide recommendations to the NH Supreme Court based on collaboration outcomes.

## INSTITUTIONAL RACISM AND CULTURAL BIAS

**Objective 6:** Work with subject-matter experts to understand essential data elements required to analyze fairness in the court system. Determine the appropriate metrics and their associated core elements and calculations. Analyze all data collection modalities in the NHJB, especially the case management system, to determine what data are or could be collected. Specify the metrics and their core elements for which data are not or cannot be collected. Explain these issues and provide recommendations to improve data collection (e.g., business process changes or software system enhancements).

**Goal 8:** Prepare a detailed report for the NH Supreme Court that explains the findings from this objective. At a minimum, the report should include (1) Reportable metrics currently available; (2) Critical metrics for which data are not or cannot be collected given the current data collection practices and limitations; and (3) A data remediation action plan to close the data gaps. This goal is a precursor to Objective 7.

**Objective 7:** Identify disproportionality and disparities within the court system using empirical data to identify potential systemic racism, disparate impact, unfair and exclusionary practices, and other barriers to equal and fair justice for all.

**Goal 9:** Complete a data analysis using the case management system and available data from other data sources such as the US DOJ, US Census, etc. Develop data-driven plans of action for policy and leadership development to address and relieve barriers (as informed by the data) that impede the public's access to justice.

**Objective 8:** Evaluate the court user experience. Focus on survey modalities that define the "As is" state of court procedures and court user interactions. Assess perceptions of fairness and inclusivity. Identify barriers to equitable service delivery created by systemic racism, unconscious bias, a lack of cultural awareness, and a lack of structural and/or digital accessibility that lead to unintended consequences.

**Goal 10:** Recommend NHJB policy revisions and major systemic change initiatives to the Supreme Court.

## PUBLIC OUTREACH

**Objective 9:** Engage the public in community forums to better understand their experiences with the courts – and reaffirm our commitment to equal justice for all. Collaborate with the justice partners, the private and public bar, and thought leaders in the private and public sectors. Formulate diverse focus groups to participate in Access and Fairness discussions. These listening opportunities for NHJB leadership will inform our understanding of the current state of fairness, inclusion, and engagement in our courts.

**Goal 11:** Complete at least four listening sessions that include both internal and external court constituents; Prepare an internal report that is the basis for future objectives.

## COMMUNICATIONS

**Objective 10:** Formulate a robust, actionable communications plan that builds awareness of the NHJB's renewed focus on supporting staff and the judiciary in demonstrating fairness, inclusivity, and active community engagement.

**Goal 12:** The Steering Committee completes the communications action plan activities and work products to demonstrate effective community engagement.

**Objective 11:** From all other applicable Objectives, conduct ongoing monitoring and reevaluations. Factor adjustments into ongoing initiatives and report findings regularly.

**Goal 13:** Host and update an internal and external metrics dashboard. Deliver quarterly and annual reports to the NH Supreme Court.



## ***Steering Committee***

**Co-chairs:** Judge Susan Carbon (Circuit Court) and Judge David Ruoff (Superior Court)

### **Members:**

- **Supreme Court:** Clerk Tim Gudas
- **Superior Court:** Judge Charles Temple, Judge William Delker, Clerk Jennifer Haggart
- **Circuit Court:** Judge Michael Mace, Judge Melissa Countway, Court Administrator Sarah Freeman
- **Administrative Office of the Courts:** Director Dianne Martin, HR Manager Victoria Prestejohn, Communications Manager Susan Warner, Access and Community Engagement Coordinator, Jackie Waters

### **Subcommittee Members:**

- To be identified by Subcommittee Co-chairs

## ***Advisory Board***

The Diversity and Inclusion Advisory Board is comprised of community members working in a variety of sectors. They are subject matter experts who can advise the Steering Committee on strategic initiatives, provide additional resources, if needed, and consult on issues or barriers that may arise. They will review projects and work products to provide feedback to subcommittees. The Advisory Board will meet no less than quarterly with the entire Steering Committee.

- Erica Allen, PFLAG NH
- Borja Alvarez de Toledo, Waypoint
- Lt. Matthew Barter, Manchester Police Department
- Sonya Bellafant, Esq. 603 Legal Aid
- Déodonné Dustin Bhattarai, JD/MPH, Disability Rights Center - NH
- Gilles Bissonnette, Esq. ACLU - NH
- Mark Brave, Strafford County Sheriff
- Bruno D'Britto, Esq., NH Brazilian Council
- Martha Ann Hornick, Esq., Grafton County Attorney
- Jullian Jefferson, Esq., UNH Law
- Sean Locke, Esq., NH Department of Justice
- James T. McKim, NAACP – Manchester
- Peter A. Nieves, Esq., Nieves IP Law, PLLC
- Thomas Raffio, Northeast Delta Dental
- Lyndsay N. Robinson, Esq., Shaheen & Gordon, P.A. and The Women's Bar Association
- Susan Stearns, National Alliance on Mental Illness - NH

**Subcommittees**

	<b>Objectives</b>	<b>Co-chair</b>	<b>Co-chair</b>
<p><b>Demo-graphics and Workplace Policies</b></p>	<p><b>Objective 1:</b> Analyze existing data sources (e.g., EEOC report and the NHJB compensation study) to understand the current NH Judicial Branch demographics. Identify and use other resources to further inform this understanding. Document baseline metrics applicable to other objectives and goals.</p> <p><b>Objective 4:</b> Identify and examine workplace policies and procedures relating to recruitment and retention of personnel. Update these policies and procedures with evidence-based practices to produce a diversified workforce.</p> <p><b>Resources and scheduling assumptions:</b></p> <ul style="list-style-type: none"> <li>• Resources, data, policies, and subject matter expertise in these areas are readily available</li> <li>• Research on best practices for D &amp; I policies and procedures is complete or nearly complete when the project team begins their analysis in early January 2022</li> <li>• Recommended target completion date: Q3 2022</li> </ul>	<p>Victoria Prestejohn</p>	<p>Sarah Freeman</p>

	<b>Objectives</b>	<b>Co-chair</b>	<b>Co-chair</b>
<b>Qualitative Analysis</b>	<p><b>Objective 2:</b> Conduct a qualitative analysis of the staff and judicial officers' current understanding of unconscious bias and general awareness and sensitivity to racial, cultural, age, gender, gender identity, disabilities, socio-economic conditions, and factors that can create harmful bias in the court system. Focus on data collection and survey modalities that define the "As is" baseline of the NH Judicial Branch. Factor the evaluation outcomes into further objectives related to training and outreach.</p> <p><b>Objective 8:</b> Evaluate the court user experience. Focus on survey modalities that define the "As is" state of court procedures and court user interactions. Assess perceptions of fairness and inclusivity. Identify barriers to equitable service delivery created by systemic racism, unconscious bias, a lack of cultural awareness, and a lack of structural and/or digital accessibility that lead to unintended consequences.</p> <p><b>Resources and scheduling assumptions:</b></p> <ul style="list-style-type: none"> <li>• This subcommittee will leverage resources made available through prior research and gathering of staff survey best practices for D &amp; I analysis</li> <li>• "Pro-bono" research assistance will be available from the Advisory Board</li> </ul> <p>➤ Note: Contracted research assistant(s)/subject matter expert(s) may be needed; funding and contracting will extend the target completion date.</p> <ul style="list-style-type: none"> <li>• Recommended target completion date (without contracted resources): Q4 2022</li> </ul>	Judge Michael Mace	Judge Charles Temple

	<b>Objectives</b>	<b>Co-chair</b>	<b>Co-chair</b>
<b>Data Collection</b>	<p><b>Objective 6:</b> Work with subject-matter experts to understand essential data elements required to analyze fairness in the court system. Determine the appropriate metrics and their associated core elements and calculations. Analyze all data collection modalities in the NHJB, especially the case management system, to determine what data are or could be collected. Specify the metrics and their core elements for which data are not or cannot be collected. Explain these issues and provide recommendations to improve data collection (e.g., business process changes or software system enhancements).</p> <p><b>Objective 7:</b> Identify disproportionality and disparities within the court system using empirical data to identify potential systemic racism, disparate impact, unfair and exclusionary practices, and other barriers to equal and fair justice for all.</p> <p><b>Resources and scheduling assumptions:</b></p> <ul style="list-style-type: none"> <li>• This significant D &amp; I data collection initiative may require grant funding for contracted subject matter experts to assist the co-chairs in developing a strategy and completing these objectives</li> <li>• IT staff will provide ad-hoc assistance to contracted resources when evaluating data collection modalities</li> <li>• Research on D &amp; I data collection will be available as the subcommittee members develop and execute a more fully defined project.</li> <li>• A recommended target completion date <i>for a Data Collection project approach</i>: Q2 2022</li> </ul>	Dianne Martin	Tim Gudas

	<b>Objectives</b>	<b>Co-chair</b>	<b>Co-chair</b>
<b>Training and Pipeline Diversity</b>	<p><b>Objective 3:</b> Develop and implement training to improve cultural awareness and humility within the NHJB. Training will address observable barriers to diversity and inclusion, including institutional racism, prejudice, unconscious bias, and insensitivity or unawareness of the lack of structural and/or digital accessibility has on access to the court system. The curriculum will use creative, engaging, and participatory methodologies to inform learners in a safe and neutral environment.</p> <p><b>Objective 5:</b> Collaborate with the members of the bar and educational institutions to expand and diversify the pipeline of candidates pursuing the legal profession.</p> <p><b>Resources and scheduling assumptions:</b></p> <ul style="list-style-type: none"> <li>• Training may be available from other New England jurisdictions (CT and MA) and professional training resources proficient in the curricula</li> <li>• The subcommittee will evaluate available training options and recommend a course of action, including a budget and proposed timeline</li> <li>• Recommended target completion date <i>for a Training and Pipeline Diversity project approach:</i> Q2 2022</li> </ul>	Judge Melissa Countway	Judge William Delker

	<b>Objectives</b>	<b>Co-chair</b>	<b>Co-chair</b>
<b>Communi- cations</b>	<p><b>Objective 9:</b> Engage the public in community forums to better understand their experiences with the courts – and reaffirm our commitment to equal justice for all. Collaborate with the justice partners, the private and public bar, and thought leaders in the private and public sectors. Formulate diverse focus groups to participate in Access and Fairness discussions. These listening opportunities for NHJB leadership will inform our understanding of the current state of fairness, inclusion, and engagement in our courts.</p> <p><b>Objective 10:</b> Formulate a robust, actionable communications plan that builds awareness of the NHJB's renewed focus on supporting staff and the judiciary in demonstrating fairness, inclusivity, and active community engagement.</p> <p><b>Resources and scheduling assumptions:</b></p> <ul style="list-style-type: none"> <li>• This subcommittee will work with the Steering Committee and Advisory Board to incorporate D &amp; I public relations activities into standard NHJB communications modalities</li> <li>• They will also plan and execute special events as required to meet the Communications objectives</li> <li>• The Supreme Court will authorize nominal funding for special events</li> <li>• Input from Access and Fairness discussions will be incorporated into related objectives (training, policies and procedures, cultural awareness and humility, etc.)</li> <li>• Recommended target completion date <i>for the first Access and Fairness discussion</i>: Q3 2022</li> </ul>	Jenn Haggar	

	<b>Objectives</b>	<b>Co-chair</b>	<b>Co-chair</b>
<b>Reporting</b>	<p><b>Objective 11:</b> From all other applicable Objectives, conduct ongoing monitoring and reevaluations. Factor adjustments into ongoing initiatives and report findings regularly.</p> <p><b>Resources and scheduling assumptions:</b></p> <ul style="list-style-type: none"> <li>• Reporting is an ongoing effort; internal reports will be made available at the end of Q1 2022 and then quarterly thereafter</li> <li>• The Supreme Court, the Communications subcommittee, and the D&amp; I Steering Committee will determine the content and deadlines for public reporting initiatives</li> <li>• Recommended target completion <i>for an internal D &amp; I dashboard and resource repository</i>: Q1 2022</li> </ul>	Jackie Waters	

### ***Revision History***

<b>Revision Number</b>	<b>Date</b>	<b>Revisions</b>
<b>Rev. 221206</b>	12/6/2022	Removed “placeholder” dates; updated co-chair assignments; updated the Advisory Board list