

We Stand With Justice Anita Earls

As national civil rights leaders, we stand with Justice Anita Earls who has played a critical role in advancing civil rights in this country. Justice Earls, now the only Black justice on the court, has called out the lack of racial diversity in the North Carolina courts, including the lack of racial representation amongst judges and lawyers, and the way in which she and other Black women are mistreated by judges and lawyers. For this, she is being investigated by the partisan Judicial Standards Commission.

Justice Earls has a long, celebrated history of toiling for equal justice in North Carolina and beyond. Before being elected to the North Carolina Supreme Court, Justice Earls spent years at the civil rights firm of Ferguson, Chambers and Sumter (founded by esteemed attorney Julius Chambers) where she litigated voting rights, employment and housing discrimination cases. She later served as Deputy Assistant Attorney General for Civil Rights at the U.S. Department of Justice and, after working at national civil rights legal organizations, founded the Southern Center for Social Justice in North Carolina. **In light of Justice Earls' deep expertise, we would expect nothing less than for her to challenge racial bias in the judicial system, of which she is a part.**

Racial bias not only contributes to disparities in representation in the ranks of judges and lawyers, it contributes to unjust outcomes for those appearing before the courts. Justice Earls' remarks simply highlight the reality of a judiciary where there have been only seven Black justices since its establishment in 1818, an appellate court where 93% of judges are white, where no Black law clerks currently working, and 90% of the attorneys who appear before the state Supreme Court are white and mostly men.

She has been cut off and spoken over by these white men. That is a truth she revealed. Yet, despite these realities, Justice Earls is being investigated for talking about race in the judicial system, a conversation that is vital to achieving equal justice under law.

The problem here is not what Justice Earls said, but the truth it reveals.

By targeting and silencing the only Black female judge on the state's supreme court, the Judicial Standards Commission would perpetuate the very harm Justice Earls described, eroding public trust in the North Carolina justice system in the process. This is compounded by actions taken by the new Chief Justice, Paul Newby. Since taking the post, Chief Justice Newby has disbanded a committee established to review racial and gender bias in the court's hiring practices and refused to appoint members to the Supreme Court's Commission on Fairness and Equity, created in 2020, which was tasked with recommending plans to ultimately eliminate disparate treatment, impacts, and outcomes in the North Carolina judicial system.

The North Carolina Judicial Standards Commission must drop its investigation of Justice Earls and turn its attention towards addressing the critical issues she raised that truly affect the integrity of the courts and the fair administration of justice.

Signed by:

1. Judith Browne Dianis, Executive Director, Advancement Project
2. Derrick Johnson, President & CEO, NAACP
3. Damon Hewitt, President & CEO, Lawyers' Committee for Civil Rights Under Law
4. Rashad Robinson, President, Color Of Change
5. Maya Wiley, President & CEO, The Leadership Conference on Civil and Human Rights
6. Fatima Goss Graves, President, National Women's Law Center
7. Melanie Campbell, President, The National Coalition on Black Civic Participation
8. Vince Warren, Executive Director, Center for Constitutional Rights
9. Janet Murguia, President & CEO, UnidosUS
10. Marc Morial, President, National Urban League
11. David Johns, Executive Director, National Black Justice Coalition
12. Shavon Arline-Bradley, President & CEO, National Council of Negro Women
13. Adrienne Shropshire, Executive Director, BlackPAC
14. Cliff Albright and LaTosha Brown, Co-Founders, Black Voters Matter Fund
15. Frederick D Haynes, III, President/CEO, Rainbow PUSH
16. Dominique Calhoun, President, National Bar Association
17. Lakeila Stemmons, Executive Director, National Bar Association