

Promoting Diversity in the Courts: Hon. Kathie E. Davidson

John Caher: Welcome to Amici, news and insight from a New York Courts. I'm John Caher. Today we have a special guest for our Diversity Dialogue segment, the Honorable Kathie E. Davidson, Dean of the New York State Judicial Institute.

Prior to her election to the Westchester County Family Court in 1997, Judge Davidson practiced family law, served as an attorney for Legal Aid Society, Juvenile Rights Unit, and as Deputy County Attorney for Westchester County. She has held a number of supervisory roles in the judicial system, including Supervising Judge of the Family Court for the five counties of the Ninth Judicial District and Administrative Judge for the Ninth JD, a position in which she was responsible for more than a thousand employees and tasked with managing the day-to-day operations of courts in Dutchess, Orange, Putnam, Rockland, and West District counties. She was the first African American woman appointed as Supervising Judge in the Ninth Judicial District, the first woman to be appointed Administrative Judge in the Ninth Judicial District and the first African American to be appointed Administrative Judge outside of New York City. In 2021, Judge Davidson was named Dean of the Judicial Institute, a judicial education and research institute based in White Plains.

Judge, thank you for joining us. Let's start at the beginning. Always a good place to start. Where were you born?

Judge Davidson: I was born in Washington, DC.

John Caher: And what do your parents do?

Judge Davidson: My parents both are deceased, but my father was a doctor and a lawyer, and my mother was the public servant. She was a director of an anti-poverty program in Port Chester, New York. She was director of the Volunteers of North General Hospital on Madison Avenue in Harlem, New York. She was head of volunteers, organizations, auxiliaries. So, she was a true community leader and really believed in wanting to make a difference through service.

John Caher: Now your father was a doctor *and* a lawyer?

Judge Davidson: Correct. Correct. My parents met on Howard University's campus while he was in medical school. So, for most of my life he was a medical doctor, a surgeon. He came to Harlem Hospital in the time of segregation and

then later in life had such bad experiences with lawyers. My father was never afraid of school or learning. So he went to law school. And that was obviously later in life, while I was in college.

John Caher: That's fascinating. And your mother had a somewhat different trajectory, more of a human service/ community activist role, right?

Judge Davidson: Exactly, exactly. My father was from North Carolina— Charlotte—and my mother's from New Orleans, Louisiana. Both of them having lived under pre-desegregation laws, she really felt that helping the community, those who were less fortunate, is really the way to advance all people of color forward. And she was very much committed and dedicated to education and education young people.

The anti-poverty program was one of those huge programs under President Lyndon Johnson, as you may remember. And so she worked many years ensuring and helping to get young people into schools. She had a great relationship with, I think it's SUNY Plattsburgh. And interestingly enough, when I first ran for office in 2003 for Family Court, I would meet people on the street who said, "Oh, your mother helped me when I was a young person." And it was fascinating. "I'll do anything for your campaign." So my mother and her political activism and volunteers really proved very well for me. Both of my parents were very dedicated to their local community.

John Caher: So, it sounds like your parents were an enormous influence, not only on your career path, but on your whole view of life.

Judge Davidson: Absolutely. Absolutely. My father was very strict. He was a little more along the lines of "work hard" and my mother was too but she balanced strong work ethic with understanding. Sometimes everyone doesn't have that type of support or family support. And she would always say, even growing up in Louisiana, when times are difficult the family unit was so strong and powerful. So, they believed that that was how if we help our community in whatever way, and whatever profession you were in. When you talk about our role models, they were really the role models, and my aunts and uncles too because most of them were in education. Almost everyone was in education.

John Caher: It sounds like your role models were mainly family.

Judge Davidson: Exactly. I think in terms of my dedication and commitment to public service, it really started with them, watching them. At that time, we didn't have beepers and all. When that phone rang for my father to be on

call, the whole house got up, because it was one of those big black phones ringing, which is antiquated now. He was old school, so he's going to the emergency room and he'd put a suit on and my mother would make sure he had a little meal before he left. So anything they did, we all were involved in it.

John Caher: That's wonderful. Now how'd you end up at Simmons College in Boston?

Judge Davidson: Interesting enough, when we sat down and talked about schools, my father very much wanted me to go into an all-girls school. He thought that that would be a great educational experience. So we applied to a few of them and my mother and I decided to take a trip and visited a couple of all girls schools. But when we drove to Boston, Mass., and I fell in love with it. Just to see all the schools, all the students. And in my 18-year-old mind, I said, "This is it." Simmons was small, small enough that I still had that support. I'm the youngest of my family, so it was far enough from New York, but it was easy to get back to New York.

John Caher: Now you chose to, I guess following your parent's footsteps and attend Howard University, the oldest and first historically black law school in the country, and the alma mater of Thurgood Marshall, Robert Carter, Vernon Jordan, and our very own Franklin H. Williams. Why Howard?

Judge Davidson: Well, first as a legacy, my father attended medical school there. His brothers attended medical school there. My brothers went there. So I was very familiar and had cousins who went to the graduate schools. But what really sealed the deal was when my oldest brother was graduating from medical school and we went down to DC for the graduation. I was primarily raised in the northeast. So that was my first experience going on to campus that was multicultural, multi-diverse. And it was just so empowering. And to walk onto the football field and see that, this is where it is. It gave me the passion to want to go to a historically black college.

John Caher: Now I know you're a Commissioner with the Franklin H. Williams Judicial Commission, and I mentioned Franklin Williams a moment ago, and I'm sure you've seen the Emmy nominated documentary on Franklin Williams. There's one scene in there where an observer noted that at Lincoln Franklin "didn't have to be Black, he could just be Franklin." Was that your sentiment there many years later?

Judge Davidson: Absolutely. When you're a person and African American, you always wonder, is this person seeing me for me? But that wasn't an issue [at Howard]. And so it was comfortable. Doesn't mean I didn't have

challenges, it doesn't mean that law school didn't challenge me, but it was nice to be amongst peers who had faced the same struggles that you'd faced. Even though you may have come from a family that did a lot better than previous generations, you still have struggles. And to be able to have that affirmation and confirmation was huge.

John Caher: I imagine it was. Now from the start, as both a practicing attorney and a judge, you gravitated the cases involving children and families, perhaps with some influence from your mother.

Judge Davidson: Sure.

John Caher: And you serve on the Permanent Judicial Commission on Justice for Children. I'm starting to detect the pattern here, Judge!

Judge Davidson: Yes, absolutely. I do have a passion for families and children. I can remember I was so happy when I became part of the Commission when Judge [Judith S.] Kaye first started. That was a big passion for her. And I really feel that some of the ills and problems that we are facing in our society starts with our families and we can begin to work and heal with our families. It makes a difference. And I also believe being in that kind of work and doing that kind of work also helps inspire other generations and so it's my pattern, it's my passion.

John Caher: And where would you be today if you did not have the family influences that you had?

Judge Davidson: Oh, I don't know. I think that it's critical to who I am today. Even as I talk about the fact that going to historic black college gave me the opportunity to be me, but also the fact that I did go to integrated schools. There's a book called *Children of the Dream* and my generation was the first generation that benefited from integration and it shows that we – all people – really do much better with integration than those who do not. And so the background of having both worlds has meant so much.

When I first ran, and obviously at the time it wasn't as easy outside of the city to elect someone who looked like me. And many people said, "Oh, it's going to be hard for you to get people to vote for you who are not people of color." And by going to integrated schools, I knew, "That's absolutely not true," because I've made friends and I know that there are people who are not people of color, not Black people, who look at Kathie for Kathie. And that doesn't mean everyone's going to love me, but I know there are people of good heart and good will who see Kathie for Kathie.

John Caher: How beautifully put. Now let's turn to the JI, the Judicial Institute. First what is it, where is it, and why is it?

Judge Davidson: Sure. Good question. We're coming up on our 20 years in May 2023. As you know, this was a brainchild of Judge Kaye and the Judicial Institute sits on the campus of Pace Law School in White Plains, New York.

Obviously, there was always educational training for judges, but it was a vision of Judge Kaye that we should have a building dedicated specifically for judicial education. And that was the brainchild 20 years ago for the Judicial Institute, not only to do the nuts and bolts of judicial training, but also to be a think tank, to really start thinking about the nuances. What happens if there's a shutdown of the court system? What would the court do? So the Judicial Institute has several different roles, as I'm learning, I've just made a year, and that would be nuts and bolts, but also were looking at different aspects of the law and what judges need to do their work every single day.

John Caher: Now, you took over as Dean a years ago in the middle of a pandemic. Why did this position appeal to you after all that you had done?

Judge Davidson: In my years of being a supervising judge and then administrative judge, you get to read, especially in Family Court, tons and tons of complaints from litigants. And a lot of the issues that they would raise would be issues really about the perception of the judge, how the judge handled their cases. Sometimes I would listen and think, "This is a training issue." In Family Court, everything is recorded.

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And so I would ask, "Judge, why don't you listen to how you handled this case?" And so out of that, over those many years, I realized that maybe we should have training focused in a way that judges not only are armed with the law, because you need to be armed with the law, but also to understand who is that person sitting before you? They're before you for one reason, but there's so many other issues too. And so it's a great opportunity to begin to educate judges and those who come before the court in terms of what we do, how we do it, what we can do and not do. And as you know, the judiciary is very much in the press now, so I think it's a good time for a little bit of education on both sides.

John Caher: I'm sure. Now you have the mandatory training for new judges in, I don't know if it's December or January, and then you have your summer programs. What goes on the rest of the year?

Judge Davidson: Oh, a lot. A lot! We are now developing quite a few courses. For instance, we are working on a trial preparation series, which we just kicked off yesterday, and it's really to help show judges from soup to nuts what happens at the pretrial conference. It's in-person actual simulations. And also bringing in law students. And we've even had some interest from medical students to actually see what happens in the courtroom.

So what we're doing on the other part of the time is to start laser focusing on various issues. We've done some work with the United Nation. As you know, our New York State Constitution was amended to really affect that each person is entitled to clean air, water. Many other countries actually already had this law in place. So we're having three or four top judges who are going to speak at the UN, come to the JI and talk about what kind of cases judges will see.

We're trying to also develop the think tank aspect of educational learning. We're looking to have a program called "A view from the Well." And "A View from the Well" will educate judges in terms of when a person comes in for the first time in criminal court. We're looking to do very targeted, laser focused programs on the nuances. Obviously, bail reform is a big issue, but there's more to that legislation than just bail reform. So we're beginning to start teasing away some of the other issues that are important not only to judges, but overall the impression of judges.

John Caher: What's your long-range vision for the JI? Where would you like it in a year or five years and further down the road?

Judge Davidson: Well, my long-range vision obviously would be to continue to do what we do well. But I want it to be a place where a judge says, "Oh my goodness, my AJ or my supervising judge just said I've got to move out of my criminal court and go to the matrimonial court" and they can come right to the JI, look at the JI library and know how to handle a matrimonial case.

But also taking on the big issues. How are we going to look at the judiciary 20 years from now? So I want the JI to also be on the cutting edge so that judges can come and really see where's technology going, or to have a round table on a new decision, so when you're thinking about premier education, judicial education, the Judicial Institute pops into your head right away, and not just for updates. Judges have to be aware that every decision is being scrutinized, so I want them to be prepared for that, not only in the sense of having the law, but also how does that affect you? How does it affect your wellbeing? How do you deal when

you have a media issue and also what does that do to you internally? So my vision is to continue what we're doing well, but lift it up and lift it out.

John Caher: So, I think in a nutshell what you're saying is that the JI is cutting edge and must always be cutting edge.

Judge Davidson: Absolutely. Absolutely.

John Caher: Judge, thanks so much for your insight and your time and for all that you've done for the people of the State of New York.