



**National
Urban League**

**To Be Equal #43
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A Black Chief Justice for Louisiana**

Marc H. Morial
President and CEO
National Urban League

"After strongly resisting the notion for months, the Louisiana Supreme Court declared Tuesday that Justice Bernette Johnson will be the court's next chief judge..." October 17 Times-Picayune editorial

A blatant attack on fairness, racial justice and the rule of law that began more than 20 years ago in my home state of Louisiana was finally defeated on October 16th when the Louisiana Supreme Court ruled that State Supreme Court Justice Bernette Johnson was next in line to become the Court's next Chief Justice. The ruling clears the way for Justice Johnson to become the State's first African American Chief Justice and ends a fight that should have never started. Louisiana's constitution clearly states that "The judge oldest in point of service on the supreme court shall be Chief Justice." But, despite the fact that Justice Johnson has served on the Louisiana Supreme Court longer than any remaining Justice, an attempt was made by some members of the Court to negate that fact and appoint instead a Justice who is junior to Justice Johnson and has less service on the court. Although Justice Johnson has served on the Court since 1994, her opponents claim that for part of that time she was not a full-fledged associate justice since she came to the Court as the result of a successful lawsuit in 1992 – in which I was the chief plaintiff -- that finally made it possible for an African American to win election to the Louisiana Supreme Court.

The Constitution and the Court supported Justice Johnson's position essentially concluding that her opponents were arguing a difference without a distinction. Regardless of how she came to the Court, Bernette Johnson had a clear and undeniable right to become the next Chief Justice.

We were disappointed that this dispute ever had to occur. Not only was there a racially tinged attack against Justice Johnson, there was a clear attempt by some to roll back historic civil rights gains, including the Voting Rights Act. As one who has stood with Justice Johnson as a lawyer, Louisiana State legislator, New Orleans Mayor, and Urban League President, I am especially pleased that the matter has finally been resolved in accordance with federal law. I

have always maintained that Justice Johnson's status has never been in question and that any attempt to deny her was an ill-advised attempt to undermine both the consent decree which created her seat and the Voting Rights Act.

Justice Johnson's excellence and competence have also never been in question. A graduate of Spelman College and LSU Law School, she is highly respected jurist. Her numerous awards include the Louisiana Bar Association 2009 Distinguished Jurist Award and the 2000 Medal of Honor which I was honored to present to her during my last term as New Orleans Mayor.

Throughout her life, Justice Johnson has strongly upheld the values of social justice and civil rights. She was the recipient of the National Urban League "President's Award" at this year's Whitney M. Young Awards gala.

It is my hope that now that Justice Johnson's right to take her place as Chief Justice has been affirmed, the Court can move forward in a spirit of cooperation and unity to put an end to the divisions of the past and help build a future for Louisiana that is worthy of its people.

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