

Hon. Fern Fisher:

It is my job to introduce my friend, the Honorable Craig Doran, who is a New York State Supreme Court Justice and Chair of the New York State Court Modernization Action Committee. And Judge Doran will be giving us an update on the status of the committee. Thank you, Judge Doran.

Hon. Craig Doran:

Thank you, Judge Fisher. Can everybody hear me? Give me a thumbs up, Judge Fisher, if you can hear me. Okay. Excellent. All right. Hello, everybody. Let me apologize, first of all for going through this presentation so quickly, but I want to keep you on time. I'm very impressed that you seem to be following your schedule, and I don't want to do anything to ruin that. I also want to thank Judge Richardson-Mendelson and also Helaine Barnett for your leadership in all of these spaces. And also to Chief Judge Wilson and Chief Administrative Judge Zayas for not missing a beat in taking the reins of the leadership of this system. It truly is a remarkable, diverse, and frankly, huge court system that we work in, and access to justice is the primary concern of all of us, it brings us all together. So, thank you.

I'm just going to go through quickly the slide presentation that I have, to give you an overview of what we've done and where we're headed. I want to say as a threshold comment that this effort throughout its existence has been built on transparency, honesty, consensus and standing on the shoulders of many of you and others who have made access to justice your life's work. And that's what this diagram in the first slide is intended to show, is how we all envision we all fit together, we all work together.

The Pandemic Practices Working Group is a project of the Commission to Reimagine the Future of New York's Courts, which is chaired by Hank Greenberg. And we're privileged to have been given this job that we have. So, during the pandemic, the Chief Judge and the Chief Administrative Judge asked myself and Judge Cannataro to lead the efforts of the return to in-person operations. Starting back in April of 2020, seems like ancient history to all of us now, but not too long ago when we were in the throes of this pandemic, and little did we know what we faced and the challenges that would be presented in the length of time that we would be in during the pandemic. So, Judge Cannataro and I built on that experience, we developed a series of practices and protocols as we move through the crisis of the pandemic.

So, moving now out of the pandemic, I was given the honor and privilege of leading what we call the Pandemic Practices Working Group, which was charged with, and if you could, I think Rochelle might be moving these slides for me. If you could just put up slides three and four very quickly. So three and four, this is the working group itself. And I just want you all to make the observation of the diversity of membership, not only geographically but in other respects, and also practice area, court administrators, practitioners, access to justice folks, court users, litigants from all aspects of the practice in our courts.

If you could go to the next slide, please. So this is the membership of our group. I apologize for going through this so quickly. Because this is critical. This group of professionals is like none other that I've had the privilege of working with. Every single member of this group was actively engaged, vigorously involved in all of our work to put together what ultimately became our report. And I just want to describe for a moment the process that we engaged in.

And if I could ask Rochelle to, if you go to slide number six. I don't know if it's Rochelle moving my slides for me, but whoever's doing it, thank you so much. So, slide number six, it's a little bit about our process. And the process again, was critical in reaching a consensus on items that in the beginning we never would've imagined we could possibly have reached a consensus. So in the midst of the pandemic,

we held three in-person hearings. You'll see there Albany, Buffalo and New York City. And the testimony was robust, not unlike a lot of the testimony that I know this Commission has heard over the years from the number of people that are affected by the work that we do. The testimony was very open, it was honest, and frankly it was not always complimentary, but we needed to hear it, because we set out to do an honest assessment of what the experience was during the pandemic from all aspects of those that access our courts. But we also wanted to make sure that our recommendations and our observations were based upon a broad representation of people who worked in the courts.

We also held a series of remote listening sessions in addition to those public hearings, those remote listening sessions... And if you could just go to the next slide for me please. That allowed us to focus a little bit more closely on specific areas of practice, specific issues, specific interest groups. All told, we heard from more than 300 people throughout this process. And I don't have enough time to tell you how extremely gratifying it was to all of our members to actually be out into these communities virtually, to hear from people who need access to courts the most, but also to make sure that we're hearing from everybody who has any business in our courts, judges, judicial associations, practitioners. That allowed us to develop consensus recommendations.

So, if you move to the next slide, to nine. First of all, we, in addition to the observations that you'll see here in slide eight, I want to move to the recommendations, because I do want to be respectful of everybody's time. So this report, which I hope you've had an opportunity to see, represents the consensus across the board of all of our committee, but also the 300+ people who had input. There are 14 recommendations. And I'll leave it to you to read these recommendations, go over them, comment on them if you wish. But I want to point out, in particular, what I believe moving forward will be critical.

So, if you could move through, as I'm talking, slides 12, 13, and 14 and 15. These are the slides that reflect, and this is in the report, the specific guidelines that this committee is recommending be adopted by the court system as to when proceedings should be virtual and when proceedings should be in person. And again, these guidelines are based on a consensus, and you might imagine that it was challenging to reach that consensus. But because we stand on your shoulders, we were able to build on that work and reach that consensus.

We also, if we could look at slides 16 and 17, these are, very quickly, the factors or the considerations that a presiding official we're suggesting should utilize in deviating from the consensus. And I hope you'll see that we gave great consideration to the needs of the litigants and great attention to the specific challenges that we have with access to justice that I know the Future Access to the Courts group and the greater Commission have given much attention to.

So, we have all these recommendations, and I know I'm out of time, give me one more minute. What do we do with these recommendations? So, the then-Acting Chief Administrative Judge and Acting Chief Judge gave us the charge to form the Court Modernization Action Committee, which is the very robust group, many of the members of the initial working group continue to be members of this action committee. And as you move through the next slides, 20 and 21, you'll see the members of our action committee, and again, a very diverse group representing court administration, representing practitioners, every one of these folks, active, engaged and working hard, really literally as we speak, to implement the 14 recommendations of the Pandemic Practices Group.

I'm very proud to also point out in particular that all four of the Deputy Chief Administrative Judges are members of our Court Modernization Action Committee. I believe that this group represents an

unprecedented partnership, cooperation, collaboration among the Office of Court Administration, the not-for-profit groups that we're so grateful to assist the court system, practitioners, officials within the Office of Court Administration. And I'm also very grateful to the co-chairs of this group who helped me immensely, Bill Silverman and Scott Reents, and also who bring to bear assistance or associates from their law firms that have greatly assisted us in putting together these reports and moving through this process.

So, bar associations, prosecutors, defense attorneys... Just take a look at the membership of this group and you'll know why we cannot help but be successful. We have a very vigorous plan of implementation. Christine Sisario is our Project Director, the Director of Technology for the court system. So, we're very optimistic, but I want to make sure that you all know that we truly do stand on your shoulders, and much of the work that's represented by all of this and this modernization effort was born out of the passion that you all have for access to justice. So, with that, I'll stop.