
**9th Judicial District Access to
Justice Committee
2022 Annual Report**



**NEW YORK STATE'S
9TH JUDICIAL DISTRICT**

**ACCESS
To JUSTICE**

New York State Court System Access to Justice Mission Statement:

“To ensure access to justice in all NY State Courts for people of all backgrounds, incomes, and special needs, by using every resource, including pro bono programs, self-help services, and technological tools, and by securing stable and adequate non-profit and government funding for civil and criminal legal services programs.”

Hon. Anne. E. Minihan, A.J.S.C., 9th Judicial District Administrative Judge

Hon. James L. Hyer, J.S.C., 9th Judicial District Access to Justice Chairperson

Thank you to our partners who have worked with the 9th Judicial District Access to Justice Committee to provide resources and educational opportunities in 2022:

Westchester County Bar Association	Orange County Bar Association
Rockland County Bar Association	Dutchess County Bar Association
Putnam County Bar Association	Westchester Women’s Bar Association
Rockland County Women’s Bar Association	Women’s Bar Association of Orange and Sullivan
Mid-Hudson Women’s Bar Association	Hudson Valley Hispanic Bar Association
Westchester Black Bar Association	Mount Vernon Bar Association
Mamaroneck-Harrison-Larchmont Bar	LGBT Bar of New York State
New Rochelle Bar Association	Northern Westchester Bar Association
Port Chester-Rye Bar Association	Yonkers Bar Association
Yorktown Bar Association	Eastchester Bar Association
Justice Brandeis Law Society – 9th J.D.	New York State Bar Association
The Pride Alliance of the New York State Courts	Caribbean Attorneys Network
South Asian Bar Association of New York	NYS Office of Diversity and Inclusion
NYS Office of Justice Initiatives	Latino Judges Association
9th Judicial District Pro Bono Committee	Puerto Rican Bar Association
Haitian American Bar Association	Korean American Lawyers Association of Greater of New York
Asian American Bar Association	



“We don't accomplish anything in this world alone... and whatever happens is the result of the whole tapestry of one's life and all the weavings of individual threads form one to another that creates something.”

- **United States Supreme Court Justice Sandra Day O'Connor**



Hon. Anne E. Minihan, A.J.S.C.

9th Judicial District Administrative Judge



The Access to Justice journey in the Ninth Judicial District began with the vision and under the leadership of Hon. Kathie Davidson, J.S.C. and it continues today with the enthusiasm, dedication, and commitment of Hon. James Hyer, J.S.C. who understands that doing this important work is not possible unless we in the court system partner in a meaningful way with the community that we serve. The support that we have received from all corners of the five counties which comprise the Ninth Judicial District has been nothing short of remarkable and I am heartened and grateful to see how much we have been able to accomplish.

The 2022 Annual Report details the progress made by our District's Access to Justice Committee and it reflects not only the hard work that has been undertaken by Judge Hyer, the co-chairs, and the dedicated members of the seven subcommittees but it also represents our collective commitment to break down the barriers that stand between court users and justice. We recognize that utilizing our court system can be an emotionally impactful experience and we will continue to strive to find ways to minimize fear and confusion for our court users so that the court system does not contribute to the trauma that necessitated court intervention in the first place. In reading this year's Annual Report, I hope that you will be able to see not only what has been done in the Ninth this year but also that you will sense the enthusiasm we have to tackle the challenges that lie ahead.

Anne E. Minihan



Hon. James L. Hyer, J.S.C.

9th Judicial District Access to Justice Chairperson



I am grateful for having had the opportunity to work with the many dedicated volunteers whose efforts have made the 9th Judicial District Access to Justice Committee a success this year. Under the leadership of the 9th Judicial District Administrative Judge, the Hon. Anne E. Minihan, A.S.C.J., the seven Subcommittees established, and met, their respective objectives seeking to improve the court system. I want to thank all of the Subcommittee Co-Chairpersons, whose time, energy, and commitment was unwavering. Without these amazing individuals, none of the achievements outlined in this report would have been possible.

A note of thanks needs to be made to all of the partners we have worked with to make this a true district-wide initiative, providing resources to attorneys, judges, and the community throughout the 9th Judicial District. Thank you to the many bar associations, court offices, and other groups, who have offered their assistance to make the Committee's efforts a success. It is without question that we are stronger together, and I look forward to these continued collaborations in the years to come.

As will be further illustrated throughout this Annual Report, the Subcommittees have each sought to identify needs within the court system and to address those needs through creative solutions. The Committee has presented trainings, offered continuing legal education courses, prepared written materials for the community and courts, appeared at community events to distribute court information, and facilitated needs assessments.

While I am pleased that the programs offered in 2022 by the 9th Judicial District Access to Justice Committee have been impactful, I am excited about the Committee's programs planned for 2023, including the addition of several new Subcommittees.

James L. Hyer



Sharon Matthie, Esq.

Alternative Dispute Resolution Subcommittee Co-Chairperson



Marc Sheridan, Esq.

Alternative Dispute Resolution Subcommittee Co-Chairperson

Alternative Dispute Resolution Subcommittee Report

The Alternative Dispute Resolution Subcommittee has set as its primary objective the expansion of the 9th Judicial District Mediator Roster in order to fully effectuate mediation as an ADR resource within the region. Reflected by the chart below, the 9th Judicial District Mediator Roster now has a total of 114 mediators offering mediation services in different fields of expertise including: (1) Commercial; (2) General Civil/Tort/Commercial Contract; (3) Matrimonial/Family; and (4) Surrogate. However, of that number, 59 are located in Westchester and 44 are located outside the 9th Judicial District, leaving only 11 located in the four remaining counties of the 9th Judicial District, being Orange, Rockland, Putnam, and Dutchess.

9th Judicial District Mediator Roster (Number of Mediators by County Where Mediator Office Located) (As of 9/6/2022 – Total Mediators 114)	
County	Number of Mediators
Westchester	59
New York	29
Rockland	7
Nassau	5
Suffolk	2
Kings	2
Dutchess	2
New Jersey	2
Bronx	2
Orange	1
Ulster	1
Queens	1
Putnam	1

This lack of geographic diversity of mediators within the 9th Judicial District poses significant challenges for both the bench and bar in fully realizing the benefits that mediation can provide throughout the District. While some mediators are listed as being able to accept mediation referrals from certain counties within the 9th Judicial District, they may decline such appointments due to the considerable travel that would be required. Moreover, while such mediators may accept appointments in counties far from their offices, requiring the parties and counsel to travel to their location may prove problematic. These are just a few issues that may arise which encouraged the Subcommittee to facilitate mediation training opportunities for attorneys located in Rockland, Orange, Putnam, and Dutchess Counties.

In order to meet the basic requirements to apply for inclusion in the 9th Judicial District Mediator Roster, a candidate must have the following: (1) 24 Hours of Basic Mediation Training; (2) 16 Hours of Specialty Mediation Training in the areas of Matrimonial, Family, Tort, Commercial, or Surrogate; (3) observe at least one mediation regardless of type; (4) co-mediate three court cases in the subject area of the type of cases to be referred to them; (5) de-brief all observations and mediations with a court-roster mediator, or ADR program contact; and (6) be evaluated by a court-roster mediator, or ADR program contact. With the objective of increasing the 9th Judicial Mediation Roster to include at least 20 new mediators from each of the four counties outside Westchester, the Subcommittee has arranged three, 24 Hour Basic Mediation Trainings to be held by the end of 2022. To engage both the bench and bar, each of these trainings will be co-hosted by both the county bar and women's bar chapters in each respective county and will begin with a panel discussion by judges from that county, who will review the benefits of mediation as an ADR tool. The trainings are as follows:

-
- [Rockland County – Co-Hosted by the Rockland County Bar Association and Rockland Women's Bar Association - October 3, 4, and 6, 2022](#)
 - [Orange County – Co-Hosted by the Orange County Bar Association and Women's Bar Association of Orange and Sullivan Counties - October 21, 22, and 23, 2022](#)
 - [Dutchess County & Putnam County – Co-Hosted by the Dutchess County Bar Association, Putnam County Bar Association, and Mid-Hudson Women's Bar Association - December 1, 2, 3, 2022](#)
-

At each of the trainings, participants will be provided an intake sheet, which will ask them to confirm what specialty areas of mediation they are interested in. This information will be used for two purposes. All participants will be immediately offered the opportunity to participate in a Mediation Apprenticeship with a mediator in that practice area, and the participant will be notified of the specialty trainings to be offered in early 2023. The participants will also earn 24 Continuing Legal Education Credits from the Co-Host Bar Associations. The Subcommittee objective is that at least 60 new mediators from Rockland, Orange, Putnam, and Dutchess Counties will be added to the 9th Judicial District Mediator Roster by the end of 2023, offering the bench and bar more mediation choices and opportunities.



Michael Kremen, Esq.

**Court User Guide Subcommittee
Chairperson**

Court User Guide Resource Subcommittee Report

The Court User Resources Guide Subcommittee has prepared Court User Guides for each of the five counties within the 9th Judicial District to be offered electronically on the 9th Judicial District website and in hard copy in the courts at every level, as well as in other governmental, community, and religious organizations. These guides will be offered in multiple languages and will offer court users information that will assist them in legal and other related issues they are facing. The Guides have been prepared to offer information in the following areas:

-
- County Court Information
 - Municipal Court Information
 - County Government Resources
 - Community Resources
-

The Subcommittee is aware that many court users are facing challenges in their lives that go beyond legal issues; thus, the goal of these Guides is to provide court users with assistance in navigating the court system and with resources to aide them in the other challenges they are facing. The Subcommittee also sought to address, in part, one of the recommendations set forth in the *Report from the Special Advisor on Equal Justice in the New York State Courts*, which suggested:

“Facilitate Navigation of Courthouses. Interviewees recommended a “greeter” in courthouses on a more widespread basis. We agree and recommend that there be a designated individual within each courthouse whose role is to welcome litigants and answer basic questions about how to navigate the building and adhere to general procedures and practices. Likewise, helpful, clear, signage and written guidance within courthouses is essential to ensuring that litigants are able to navigate the courthouse and understand the proceedings before them.”

An example of one Court User Resource Guide is included on the next page.

Westchester County Court User Guide – English Version

COUNTY GOVERNMENT RESOURCES

COUNTY EXECUTIVE	(914) 995-2900
COUNTY CLERK	(914) 995-3080
DISTRICT ATTORNEY	(914) 995-3414
SHERIFF	(914) 864-7700
COUNTY LEGISLATURE	(914) 995-2800
SOCIAL SERVICES	(914) 995-3333
DISABILITIES OFFICE	(914) 995-2957
VETERAN'S SERVICE	(914) 813-5145
YOUTH BUREAU	(914) 995-2745
CONSUMER PROTECTION	(914) 995-2155
BOARD OF ELECTIONS	(914) 995-5700
TOURISM DEPARTMENT	(914) 995-8500
HEALTH DEPARTMENT	(914) 813-5000
BOARD OF ETHICS	(914) 995-2000
HUMAN RIGHTS COMMISSION	(914) 995-7710
PROBATION DEPARTMENT	(914) 995-3529
SENIOR SERVICES	(914) 813-6300
MENTAL HEALTH DEPARTMENT	(914) 995-5220
TRANSPORTATION DEPARTMENT	(914) 995-1630
EMERGENCY SERVICES DEPARTMENT	(914) 231-1850
PARKS DEPARTMENT	(914) 231-4500
COUNTY JAIL	(914) 231-1000
PUBLIC DEFENDER	(914) 286-3400
COUNTY ATTORNEY	(914) 995-2660
CRIME VICTIMS ASSISTANCE	(914) 345-3113
EMPLOYMENT	(914) 995-3910

CITY COURTS

PEEKSKILL	(914) 831-6480
MOUNT VERNON	(914) 831-6440
NEW ROCHELLE	(914) 358-8000
RYE	(914) 831-6400
WHITE PLAINS	(914) 824-5675
YONKERS	(914) 831-6450

COUNTY COURT INFORMATION

9TH JUDICIAL DISTRICT ADMINISTRATION	(914) 824-5100
SUPREME / COUNTY COURT	
CLERK - CIVIL	(914) 824-5300
CLERK - CRIMINAL	(914) 824-5400
SURROGATE'S COURT CLERK	(914) 824-5656
FAMILY COURT CLERK	
WHITE PLAINS	(914) 824-5500
YONKERS	(914) 831-6555
NEW ROCHELLE	(914) 831-6590
COMMISSIONER OF JURORS	(914) 824-5600
LAW LIBRARY	(914) 824-5660
OFFICE OF SELF REPRESENTED	(914) 824-5289
ADA (DISABILITY) ACCOMMODATIONS	(914) 824-5100
EMERGENCY COURT CLOSING INFORMATION	1-800-268-7869
FAITH BASED COURT PROGRAM	(914) 824-5613
WESTCHESTER COUNTY FAMILY COURT	
WHITE PLAINS CHILDREN'S CENTER	(914) 824-5466
NEW ROCHELLE COURT CHILDREN'S CENTER	(914) 831-6559
YONKERS CHILDREN'S CENTER	(914) 831-6514



WWW.NYCOURTS.GOV/COURTS/9JD
9THJDADMINISTRATION@NYCOURTS.GOV
 914-824-5100



WESTCHESTER
NEW YORK STATE'S
9TH JUDICIAL DISTRICT
COUNTY

START HERE



ACCESS
To JUSTICE

RESOURCE GUIDE

Dear Court User,

On behalf of the New York State Court System, welcome to the 9th Judicial District which includes the counties of Westchester, Rockland, Dutchess, Putnam and Orange.



As part of the New York State Court's Access to Justice initiative, we have prepared this Court Guide to provide information pertaining to the courts, county government resources, as well as community resources.

We understand that while you are utilizing the courts to address legal affairs that you may have other challenges that are related and we are hopeful that this Court Guide is useful to you.

In the event you have any questions pertaining to the 9th Judicial District, please contact us at the telephone number, and e-mail address noted below.

SINCERELY,

HON. ANNE E. MINIHAN
Anne E. Minihan
 ADMINISTRATIVE JUDGE
 OF THE
 9TH JUDICIAL DISTRICT

TOWN JUSTICE COURTS

BEDFORD	(914) 666-6965
CORTLANDT	(914) 734-1090
EASTCHESTER	(914) 771-3353
GREENBURGH	(914) 989-1850
HARRISON	(914) 670-3010
LEWISBORO	(914) 763-5417
MAMARONECK	(914) 381-7875
MOUNT KISCO	(914) 241-7033
MOUNT PLEASANT	(914) 742-2324
NEW CASTLE	(914) 238-4726
NORTH CASTLE	(914) 273-3000
NORTH SALEM	(914) 669-9691
OSSINING	(914) 762-8562
PELHAM	(914) 758-7030
POUND RIDGE	(914) 944-3983
RYE	(914) 939-3305
SOMERS	(914) 277-8225
YORKTOWN	(914) 962-6216

VILLAGE JUSTICE COURTS

ARDSLEY	(914) 693-1703
BRIARCLIFF MANOR	(914) 844-2788
BROXVILLE	(914) 327-2486
BUCHANAN	(914) 737-1033
CROTON-ON-HUDSON	(914) 271-6266
DOBBS FERRY	(914) 693-6161
ELMSFORD	(914) 592-8949
HASTINGS-ON-HUDSON	(914) 478-3403
IRVINGTON	(914) 231-0300
LARCHMONT	(914) 834-6230
MAMARONECK	(914) 777-7710
PELHAM MANOR	(914) 738-7030
PLEASANTVILLE	(914) 769-2027
PORTCHESTER	(914) 939-2243
RYE BROOK	(914) 939-3305
SCARSDALE	(914) 722-1120
SLEEPY HOLLOW	(914) 631-2783
TARRYTOWN	(914) 631-5215
TUCKAHOE	(914) 961-4787

LEGAL SERVICES

PACE WOMEN'S JUSTICE CENTER	(914) 422-4069
MY SISTER'S PLACE	(914) 683-1333
LEGAL SERVICES OF THE HUDSON VALLEY	(877) 574-8529
LEGAL AID SOCIETY OF WESTCHESTER	(914) 286-3400
HUDSON VALLEY LEGAL SERVICES	(877) 574-8529

COMMUNITY RESOURCES

AIDS/HIV SERVICES	
HUDSON VALLEY COMMUNITY SERVICES	(914) 345-8888
ADDICTION RESOURCES	
ALCOHOLICS ANONYMOUS OF NEW YORK	(212) 647-1680
NARCOTICS ANONYMOUS	(212) 929-6262
AL-ANON AND ALATEEN	(800) 425-2666
DEBTORS ANONYMOUS	(800) 421-2383
BRAIN INJURY RESOURCES	
BRAIN INJURY ASSOCIATION OF NYS	(518) 459-7911
CHILD ABUSE	
NYS CHILD ABUSE HOTLINE	(800) 342-3720
CHILD SUPPORT	
NYS CHILD SUPPORT SERVICES	(888) 208-4485
CHILD CARE RESOURCES	
CHILD CARE COUNCIL OF WESTCHESTER	(844) 387-7525
CHILDREN WITH SPECIAL NEEDS RESOURCES	
WESTCHESTER INSTITUTE FOR HUMAN DEVELOPMENT	(914) 493-8150
CRIME VICTIM SERVICES	
NEW YORK STATE OFFICE OF VICTIM SERVICES	(800) 247-8035
CRISIS SUPPORT/HOTLINES	
CRISIS TEXT LINE	TEXT GOT5 TO 741741
ONASIS HOPELINE (GAMBLING/CHEMICAL DEPENDENCY)	877-8-HOPENY OR TEXT HOPENY
NATIONAL SUICIDE PREVENTION LIFELINE	(800) 273-8255

DOMESTIC VIOLENCE	(800) 942-6906
CONSUMER PROTECTION	
NYS DEPARTMENT OF CONSUMER PROTECTION	(800) 697-1220
DISABILITY SERVICES	
NYS OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE	(518) 473-1090
DOMESTIC VIOLENCE	
NYS OFFICE FOR PREVENTION OF DOMESTIC VIOLENCE	(800) 942-6906
ELDER ABUSE	
ELDER PHARMACEUTICAL FRAUD HOTLINE	(800) 542-0424
EMPLOYMENT DISCRIMINATION COMPLAINTS	
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION	(800) 669-4000
EVICION PREVENTION	
WESTCHESTER EVICTION PREVENTION	(914) 995-5889
FINANCIAL ASSISTANCE PROGRAMS	
NYS FINANCIAL COUNSELING	(800) 308-2227
FOOD INSECURITY	
NYS CHILD AND ADULT CARE FOOD PROGRAM	(800) 942-3858
FORECLOSURE PREVENTION	
LOCAL	
FOSTER PARENTING	
NYS OFFICE OF CHILDREN & FAMILY SERVICES	(800) 345-5437
HEALTH INSURANCE	
NEW YORK CHILD HEALTH PLUS (CHIP)	(800) 698-4543
HEAR, SNAP OR TEMPORARY ASSISTANCE	
NYS HOTLINE	(800) 342-3009
HOSPICE COMPLAINTS	
NYS HOSPICE COMPLAINT HOTLINE	(800) 628-5972
HUMAN RIGHTS	
NYS DIVISION OF HUMAN RIGHTS	(888) 392-3644
IMMIGRATION SERVICES	
HUDSON VALLEY JUSTICE CENTER	(914) 308-3490

LABOR LAW VIOLATIONS	
NYS DEPARTMENT OF LABOR	(888) 469-7365
MEDICAID	
NYS MEDICAID HOTLINE	(800) 541-2831
MEDICARE	
NATIONAL MEDICARE HOTLINE	(800) 633-4227
NURSING HOME COMPLAINTS	
NEW YORK STATE DEPARTMENT OF HEALTH NURSING HOME COMPLAINT HOTLINE	(888) 201-4563
ORGAN/TISSUE DONOR	
DONOR HOTLINE	(866) 693-6667
PARENTING/BABY SUPPORT GROUPS	
NYS OFFICE OF CHILDREN & FAMILY SERVICES	(518) 473-7793
POISON CONTROL	
NYS POISON CONTROL HOTLINE	(800) 222-1222
QUITTING SMOKING	
NEW YORK QUILTS SMOKING HOTLINE	(866) 697-8487
SHELTERS	
WESTCHESTER OFFICE OF TEMPORARY HOUSING ASSISTANCE	(914) 995-2099
SENIOR SERVICES	
NYS OFFICE OF THE AGING	(800) 342-9871
SOCIAL SECURITY ADMINISTRATION	
SSA NYS REGIONAL OFFICE	(800) 772-1213
UNEMPLOYMENT BENEFITS	
NYS DEPARTMENT OF LABOR	(518) 457-9000
VETERAN'S SERVICES	
VETERAN'S CRISIS HOTLINE	(800) 273-8255, PRESS 1



Hon. Lissette G. Fernandez

**Immigrant’s Rights Subcommittee
Co-Chairperson**



Hon. Thomas Quiñones

**Immigrant’s Rights Subcommittee
Co-Chairperson**



First Deputy Commissioner John Befus

**Immigrant’s Rights Subcommittee
Co-Chairperson**

Immigrant’s Rights Subcommittee Report

The Immigrant’s Rights Subcommittee is proud to announce its 2nd Annual Immigrant’s Rights Symposium to be held on October 19, 2022, from 10:00 a.m. to 4:00 p.m. The program will be presented in-person and virtually, offering participants, regardless of membership, free Continuing Legal Education credits through the Westchester County Bar Association.

The program will include vital information in several areas of immigrant’s rights, including refugees, mental health, housing, and the courts. Those in attendance will receive a free lunch provided by the County of Westchester’s Department of Social Services.

!!!!!! Save the Date !!!!!

THE 9TH JD ACCESS TO JUSTICE COMMITTEE
IMMIGRANT RIGHTS & SERVICES SUBCOMMITTEE
Celebrates
Hispanic Heritage Month
"UNIDOS: Inclusivity for a Stronger Nation"

Live Hybrid Professional Conference
**Immigration Issues:
Refugees, Mental Health,
Housing and the Courts**

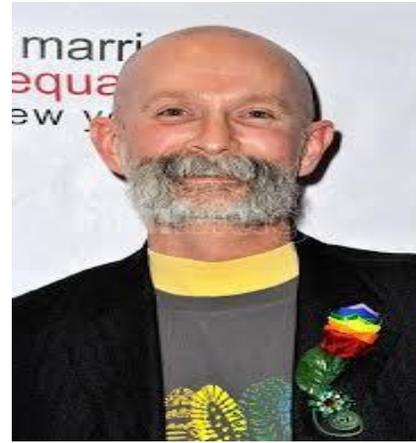
****FREE CLE****
October 19, 2022
10:00 am – 4:00 pm

Option to join virtually via MS Teams or in-person at the Westchester County Courthouse Ceremonial Courtroom - 200
Registration details to follow



Hon. David Fried

LGBTQ+ Subcommittee Co-Chairperson



Robert Voorheis

LGBTQ+ Subcommittee Co-Chairperson

LGBTQ+ Subcommittee Report

The LGBTQ+ Subcommittee has engaged in efforts to address issues pertaining to the LGBTQ+ community within the New York State Court System through the following projects:

1. **PJI/New York Style Book Review** – The Subcommittee formed a working group led by David Markus, Esq. that is reviewing both the New York State Pattern Jury Instructions and New York Style Book to provide recommendations for revisions to address LGBTQ+ concerns.
2. **Community Visibility** – The Subcommittee appeared at six Pride Events in Newburgh, Brewster, Nyack, Yonkers, Granite Springs, and Walden. At each event, a booth was set up by members of the Subcommittee to provide information pertaining to the Court System.



Yonkers Pride



Newburgh Pride

3. Community Needs Assessment – The Subcommittee formed a working group led by Alan Gray, Esq., which has prepared an 11-question Community Needs Assessment Questionnaire to be circulated, in electronic and hard-copy form, to community stakeholders to assess the needs of the LGBTQ+ community within the 9th Judicial District. This Questionnaire will be circulated electronically using Court System software so that the responses will be easily digested into figures that may be reviewed by the Court. Hard copy responses will be collected and reviewed manually. The Subcommittee plans to circulate the Questionnaire by the end of 2022 and to provide community stakeholders a period of 90 days to respond. Once the responses are received, they will be compiled into a report to be provided to the 9th Judicial District Administrative Judge with the Subcommittee’s recommendations. The questions to be asked are as follows:

- a. Have you ever accessed, or needed to access, the New York State court system? (If “Yes,” please describe).
- b. Have you, or has someone you know, ever experienced discrimination within or by the New York State court system on the basis of LGBTQ+ identity? (If “Yes,” please describe).

Using a scale from “1” to “5,” please rate the extent to which you agree with each of the following statements:

- c. The New York State court system provides equal access to justice for people who identify as LGBTQ+.
- d. The New York State court system provides equal access to justice for people who identify as gender nonbinary/nonconforming.
- e. The New York State court system provides sufficient assistance to court users who are not represented by an attorney.
- f. New York State court personnel would benefit from training on the use of pronouns.
- g. New York State court personnel should receive LGBTQ+ training.
- h. The New York State court system has taken adequate steps to communicate with, and reach out to, the LGBTQ+ community.
- i. The LGBTQ+ community is adequately represented within the New York State court system.

j. How can the New York State court system be improved to address the needs of the LGBTQ+ community?

k. (Optional) Please indicate:

- your gender identity.
- your sexual orientation.
- your County of Residence in New York State.
- whether you are a member of any LGBTQ+-focused organizations.
- whether you are a current or former employee of the New York State Unified Court System.

4. **Transgender Bench Card** – The Subcommittee formed a working group led by Joann Prinzivalli, Esq., which prepared for consideration by the Office of Court Administration a Bench Card which provides New York State judges information pertaining to the transgender and gender non-conforming community, proper use of pronouns within the court system, and ethics references. The draft was presented for review by the Failla LGBTQ Commission of the New York State Courts and following approval, was then submitted to the 9th Judicial District Administrative Judge for review with the request that it be submitted to the Office of Court Administration for approval and distribution.

THE NEW YORK STATE UNIFIED COURT SYSTEM
UCS Benchcard and Best Practices for Judges
USING LGBTQ+ INCLUSIVE LANGUAGE AND PRONOUNS

The words used in court – whether by a judge or anyone else – matter, as does a respectful and inclusive tone. The use of pejorative terms, incorrect gender-signifying pronouns, or the transgender person's former name ("deadname") will often be viewed to indicate disrespect or bias. By using inclusive language judges and other court personnel can ensure that all participants in the legal process will feel that they are being treated equally and with respect.

It isn't always easy. The connotations of some terms have changed over time—and they continue to evolve. What was once acceptable now can suggest insensitivity or bias. To stay up to date, we recommend judges consult the *Stylebook Supplement on Lesbian, Gay, Bisexual, & Transgender Terminology*, published by the National Lesbian and Gay Journalists Association. <https://www.nlgajournalists.com/stylebook/>

While the legal landscape for LGBTQ+ relationships and parents has evolved dramatically in recent years, be mindful that there are still unique struggles and challenges faced by LGBTQ+ individuals and many may still not have access to the necessary resources to formalize relationships to each other or their children.

WHAT DOES "LGBTQ+" MEAN?

The term "LGBTQ+" refers to lesbian, gay, bisexual, transgender, and queer or questioning people. LGBTQ+ is a widely used and reasonably inclusive term, including those of non-heterosexual sexual orientations and transgender people.

Other shorthand terms used with some frequency include the letters "I" for "intersex," "A" for "asexual" or "ally," "2S" for "two-spirit" (in Native American culture) and possibly others.

NEW USAGES

Within the LGBTQ+ community there has been a reclamation of some words historically used pejoratively against LGBTQ+ persons. For example, some in the community use "queer" and "dyke" as positive, respectful terms. Although LGBTQ+ people may use these terms, they are often seen as derogatory when used by others. Judges and court officers should exercise extreme caution with respect to such words.

"TRANSGENDER" AND PRONOUN USE

"Transgender" is a broad term that includes people who do not identify with their birth sex and may not conform to traditional gender expression. The term "trans*"—with or without the asterisk—is commonly used shorthand. There are others who

may choose another term such as non-binary, genderqueer, or queer. Judges and court personnel should keep in mind that being transgender, regardless of a person's gender expression, is entirely unrelated to sexual orientation. Transgender individuals, like others, may be attracted to partners of any gender.

A key point: there is no precise measure of when the process of changing one's gender or sex is complete. Surgery of any kind is *not* a prerequisite to being transgender, but for some it is a necessity. A transgender person may have some surgery, many surgeries or none at all. The process of confirming gender is sometimes referred to as transition, of which Gender Confirmation Surgery ("GCS") may be just a part. GCS, sometimes referred to as bottom surgery, was once called "sex change surgery" a term now disfavored. Transition often includes social and legal components as well. If unsure of which pronouns to use to refer to a person, ask the person – it is not considered rude, indeed, asking is seen by most as a sign of respect. When referring to past events of a transgender person, maintain the individual's chosen pronouns presently in use for the historical narrative. For example, "Defendant lived with her wife until separation."

Other terms related to or associated with transgender issues include:

The **difference** FTM (female to male) and MTF (male to female): an acronym indicating that the person has transitioned from one sex to the other, while the **preferred** MBT (man born trans) and MBT (man born trans) or AFAB/AMAB (Assigned [Female]/[Male] at Birth) are more acceptable acronyms indicating that the individual's initial sex designation was in error.

Gender identity: an individual's perception of their own gender. **Gender expression:** the way a person demonstrates their gender through outward manifestations such as clothing, mannerisms, style, etc., this may not match gender identity.

Gender non-binary: identifying as neither male nor female. **Gender nonconforming:** Not identifying with a recognized gender.

Transsexual: A term indicating that someone has transitioned medically from one sex or gender to another (difference because of the "change" implication).

Intersex: A term used to describe natural differences in sexual development/traits that affect approximately 1.7% of the population.

Please note that this list is not exhaustive!

The following terms or associated terms should always be avoided: hermaphrodite, she-male, he-she, transsexual, tranny. There are many variations in gender-nonconforming/oral-pronouns. Some persons may have a pronoun choice other than the common he/him/his/himself, she/her/hers/herself, or they/their/theirs/theirsself. The pronoun list that follows is not an exhaustive list:

- she (or ze, or zay/hir/hers/hirself)
- ahen/ahe/hirself
- ah/hen/hah/himself
- ah/hen/hah/himself
- per/per/hers/herself
- ahen/ah/hirself

USING INCLUSIVE LANGUAGE IN THE COURTROOM

The use of inclusive language in the courtroom conveys the message that all people, regardless of orientation, gender identity or gender expression, will be treated with dignity and respect.

Using gender-inclusive language helps to avoid misgendering people in the courtroom. When judges and lawyers share volunteer their own pronouns, it reduces the perception that pronouns are only relevant for gender diverse persons. If a judge becomes aware that a party is or may be transgender, the judge should consider asking questions such as:

- What name do you usually go by?
- Is your birth/legal name different?
- Which names do you want me to use with you?
- How would you like to be addressed? For example, I use [the judge's] pronouns.

Beyond that, incorporating gender inclusive language into the courtroom shows compliance with the recent changes to the official and professional rules that govern the conduct of attorneys and judges.

- Attorneys can volunteer their chosen pronouns during appearances.
- Courts can list the pronouns of judges on signage in courthouses and courtrooms.
- Judges and attorneys can state their chosen pronouns during jury introductions.
- Use the name of the person or gender-neutral words such as, "haha," "gacha," "jama" and "kamaal."
- Eliminate the use of terms and phrases that are gender-specific such as "ladies and gentlemen of the jury," "sir" and "ma'am."

- **Realize a person's chosen pronouns may change, and that some people may have pronouns that are fluid or interchangeable (such as "they/thir").**
- **Neoflexia:** In addition to Mr./Ms./Mx/Ms., there are gender-neutral choices, such as U or W.

*Adapted from: Hines, Wallace and Brendo, *Examining Judicial Civility in New York Courts for Transgender Persons in the State of United States v. Fowler* (NYSDA, Latest News 4.18.2021)*

CODE OF JUDICIAL CONDUCT

Judges have an obligation to foster a judicial environment free of bias, prejudice, and harassment. Section 100.3 of the Code of Judicial Conduct provides:

"A judge should perform the duties of judicial office impartially and diligently." The canon further specifies, *inter alia*, under 21 NYCRR 106.3(d) *Administrative Responsibilities*, at §§ 106.3(d), (4), and (5) that require that judges be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, and of each, court officials and others subject to the judge's direction and control, that judges shall perform their duties without bias or prejudice against or in favor of any person. A judge in the performance of judicial duties shall not, by words or conduct, manifest bias or prejudice, including but not limited to bias or prejudice based upon age, race, creed, color, sex, sexual orientation, gender identity, gender expression, religion, national origin, disability, marital status or socioeconomic status, and shall require staff, court officials and others subject to the judge's direction and control to refrain from such words or conduct.

and judges shall require that lawyers refrain from manifesting such prejudice or bias, but does not preclude legitimate advocacy when age, race, creed, color, sex, sexual orientation, religion, national origin, disability, marital status or socioeconomic status, or other similar factors are issues in the proceeding.

JUDICIAL ETHICS OPINION 21-09 (1/28/2021)

Digital: Where a party or attorney has advised the court that their preferred [chosen] gender pronoun is "they," a judge may request them to instead use "he" or "she."

RULES OF PROFESSIONAL CONDUCT

The New York Rules of Professional Conduct (RPC) provide that it is "unethical" to discriminate based on sexual orientation, gender identity, or gender expression, providing that a lawyer of law firm shall not... (g) intentionally discriminate in the practice of law, including in hiring, promoting or otherwise determining conditions of employment on the basis of age, race, creed, color, national origin, sex, disability, marital status, sexual orientation, gender identity, or gender expression.

THE NEW YORK STATE UNIFIED COURT SYSTEM
UCS Benchcard and Best Practices for Judges
USING LGBTQ+ INCLUSIVE LANGUAGE AND PRONOUNS



Valerie Buzzell

**Information &
Technology
Subcommittee
Co-Chairperson**



Terry Kirchner

**Information &
Technology
Subcommittee
Co-Chairperson**

Information & Technology Subcommittee Report

The Information & Technology Subcommittee has endeavored to prepare and present relevant educational programs to the community. These presentations have targeted both attorneys and the larger community and sought to underscore what an important resource the court system law libraries are.

On June 29th of this year, Zoya Golban, Principal Law Librarian for the Ninth Judicial District presented, **“The Supreme Court Law Library: What Can Court Libraries Do for Us?”** The goal of this presentation was to educate community librarians about how they can access court libraries and connect community library users with the law librarians. As the 9th Judicial District includes the Westchester Library System, Mid-Hudson Library System and Ramapo Catskill Library System, invitations were circulated to librarians in each system. Dozens of community librarians participated. The program was recorded and is planned to be posted on the 9th Judicial District website and the link to be circulated to the three library systems so that additional community librarians can watch it or post it on their own library sites.

The Subcommittee has partnered with the New York State Bar Association and will hold three additional presentations offering free Continuing Legal Education credits to participating attorneys including the following (regardless of NYSBA membership):

1. **“Law Library E-Resources & Remote Services”** - October 18, 2022, at 1:00 p.m., virtually.
2. **“Beyond Google: How to Utilize Free Internet Resources for Your New York and Federal Legal Research”** - October 25, 2022 at 1:00 p.m.
3. **Article 81 Training/CLE** – A free webinar, on a date to be determined in November, will offer participants in the 9th Judicial District no-cost training, which is required for attorneys to be eligible for enrollment in the Part 36 Eligibility List. This will allow a broad range of attorneys, including those who would ordinarily be unable to participate due to cost, to complete this training, thereby facilitating a larger and more diverse Part 36 List from which the courts may appoint.



Elizabeth Smith, Esq.

**Guardian Ad Litem
Subcommittee in
Landlord-Tenant
Proceedings
Chairperson**



Kwaku Agyeman, Esq.

**Guardian Ad Litem
Subcommittee in
Landlord-Tenant
Proceedings
Chairperson**

Guardian Ad Litem Subcommittee in Landlord-Tenant Proceedings Report

This Subcommittee has sought to explore the expansion of the Guardian Ad Litem in Landlord-Tenant Proceedings program existing in the City of New York throughout the 9th Judicial District by doing the following:

- (1) Monitoring and supporting the Westchester County Pilot Program, including preparing training materials for Westchester Municipal Court Judges; and
- (2) Conducting a Needs Assessment for the expansion of the program throughout the 9th Judicial District on a permanent basis.

Guardian Ad Litem (“GALs) are appointed pursuant to New York State Civil Practice Law and Rules Article 12 which permits judges in any “court in which an action is triable” to appoint a GAL upon the court’s determination that a litigant is “incapable of adequately prosecuting or defending his rights.” The appointment can take place at any stage of the proceeding either *sua sponte* or upon the motion of “an infant party if he is more than fourteen years of age; a relative, friend, a guardian or committee of the property or conservator; or any other party to the action.” GALs have a dual responsibility to the court and to the litigant. On the litigant’s behalf, the GAL mobilizes necessary resources to address the root cause of the case and sees the case through resolution. The GAL also makes a recommendation to the court for settlement based on the facts and circumstances presented and what they perceive to be in the litigant’s best interest.

In the early 1980s, New York City Housing Court Judges began informally appointing volunteer GALs through a grassroots referral system, and over time, the New York City Human Resources Administration (HRA) and the New York City Bar Association compiled a list of volunteers willing to serve as appointed GALs. In 2000, the Administrative Judge of the City of New York established the current program utilizing the HRA list to recruit GALs to serve on the initial panel. Funding for compensation of GALs flat fee of \$600.00 is by Title XX federal funds through HRA, and the City of New York appears to pay for the administrative costs of two staff members, along with other ancillary costs of the program.

The Westchester County Program was established by the County Executive by allocating \$75,000.00 to Westchester County Department of Law. The total amount budgeted covered the cost of GAL appointments, each having a total flat payment of \$750.00. While no

portion of the funding was allocated towards administrative costs, processing of GAL vouchers and issuance of payments has been made through the County Attorney’s Office, and training has been facilitated through the Court System with Westchester County assistance.

The Subcommittee has confirmed that attorneys, judges, litigants, and GALs involved in cases where a GAL was appointed all have had positive feedback, that the appointment of a GAL was of significant use, and that they support the expansion of the program throughout the 9th Judicial District.

In an effort to obtain larger feedback from the stakeholders throughout the 9th Judicial District about whether the program should be expanded in the 9th Judicial District and if so, to what degree, a Needs Assessment was circulated to three groups: (1) Bar Associations; (2) Indigent Legal Service Organizations (Hudson Valley Legal Services); and (3) Municipal Courts. The Needs Assessment sought feedback as to how many GAL appointments would be projected to be requested or made in a twelve-month period in each specific county (for attorneys) or court (for the municipal courts). The responses received from the Courts are as follows:

Municipal Court Guardian Ad Litem Subcommittee in Landlord-Tenant Proceedings Needs Assessment Results	
County	Projected Number of GAL Appointments
Westchester	140
Rockland	43
Orange	29
Putnam	21
Dutchess	60

The bar associations’ responses were minimal, and the responses from indigent legal service organizations were as follows:

Indigent Legal Service Organizations Guardian Ad Litem Subcommittee in Landlord-Tenant Proceedings Needs Assessment Results	
County	Projected Number of GAL Requests
Westchester	45
Rockland	5
Orange	10
Putnam	10
Dutchess	6

Based upon these results, the Subcommittee will continue to work with the 9th Judicial District Administrative Judge to monitor the Westchester Pilot Program and explore opportunities to expand the program throughout the 9th Judicial District.



Hon. Jeffrey A. Cohen (Ret.)

**Hasidic & Orthodox Outreach
Subcommittee
Chairperson**

Hasidic & Orthodox Outreach Subcommittee Report

This Subcommittee was formed to identify and address the needs of the Hasidic and Orthodox communities within the 9th Judicial District, including, but not limited to, the following:

- 1. Communication** – This Subcommittee will serve as a vehicle whereby community leaders will be able to share concerns and suggestions regarding community needs in relation to the Court System.
- 2. Training** – This Subcommittee will seek to identify training opportunities for court staff, judges, attorneys, and court-appointed fiduciaries to better interact with the community.
- 3. Resources** – This Subcommittee will endeavor to identify and introduce community resources to the Court System which may assist in the administration of justice, and Court representatives will seek to identify Court resources that are available but may not be fully realized by the community.

While this Subcommittee was only recently formed, under the leadership of the Hon. Jeffrey A. Cohen (Ret.), there are many projects being planned which will be reported in the 2023 Annual Report of the 9th Judicial District Access to Justice Committee.



“Equal justice under law is not merely a caption on the facade of the Supreme Court building; it is perhaps the most inspiring ideal of our society. It is one of the ends for which our entire legal system exists. It is fundamental that justice should be the same, in substance and availability, without regard to economic status.”

- United States Supreme Court Justice Lewis Powell, Jr.