

FRANKLIN H. WILLIAMS JUDICIAL COMMISSION RELEASES RECOMMENDATIONS FOR THE NEW YORK CHARACTER AND FITNESS PROCESS

New York, NY – The Franklin H. Williams Judicial Commission has released a report recommending changes to New York State’s Character and Fitness process. The recommendations are meant to result in uniformity, transparency, and increased diversity.

Each Appellate Division currently has its own process to select the attorneys who sit on the Character and Fitness committees responsible for screening candidates to the bar. The Williams Commission noted that the Committees needed to attract and maintain a more diverse group of members.

The Williams Commission Report recommended that the four Departments create a uniform application process and onboarding materials for Committee members; implement mandatory anti-bias and interview training; utilize voluntary mentoring programs; collect self-identified demographic data from Committee members; and consider member term limits.

With respect to candidate interviews, the Williams Commission recommended that the interviews be conducted in a courthouse, government office or remotely. The interview process should be clear and consistent with respect to the time, place, and manner that the interviews will be conducted. The Williams Commission also noted that the uniform rules for waiving interviews should be implemented across Departments to ensure equity.

A key recommendation is that the four Departments create a clear and uniform process for candidates to report complaints of inappropriate conduct by interviewers. As of the report’s date, no formal applicant complaint mechanism currently exists, though the Department’s Presiding Justices were open to creating one.

“We thank the Presiding Justices, counsel, clerks and other staff who met with us during the past several months to discuss the methods by which we could improve the process,” said the Honorable Troy K. Webber, Associate Justice of the Appellate Division, First Department, and Williams Commission Co-Chair. “These very candid and helpful discussions formed the basis of this report.”

“We believe the recommendations will benefit candidates to the bar and the Character and Fitness Committee members alike, and we look forward to working with the four Departments on implementation,” said the Honorable Shirley Troutman, Associate Judge of the Court of Appeals, and Williams Commission Co-Chair.

For more information about the Report, or the Franklin H. Williams Judicial Commission’s work, please contact FHWilliams@nycourts.gov.

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About Franklin H. Williams Judicial Commission

The Franklin H. Williams Judicial Commission is an independent commission that works to educate and advise decision makers in the New York Court System on issues affecting both employees and litigants of color, and implements recommendations developed to address said issues. The Commission, which is co-chaired by Associate Judge Shirley Troutman (New York Court of Appeals) and Associate Justice Troy K. Webber (Appellate Division, First Department), develops programs to improve the perception of fairness within the court system and to ensure equal justice in New York State. Learn more by visiting the Williams Commission website at www.nycourts.gov/FHW.