

**New York State Judicial Committee on Women in the Courts**  
**Annual Meeting – March 24, 2021**

(Pre-Recorded Remarks)

Good afternoon,-- and welcome to our Annual Meeting of the New York State Judicial Committee on Women in the Courts. Let me start by thanking Judge Ellerin for her kind introduction,-- and for all that she has done over her absolutely remarkable career to promote fairness and equal treatment in the courts, and in the justice system in our state. – Betty Ellerin is a role model not only for women, but for all lawyers,-- and we thank her for all that she has done. --

It is an honor and a privilege to address the members of the Committee on Women in the Courts, and the leaders of our “Local Gender Bias and Fairness Committees.” It should be a source of satisfaction and great pride that for the last 37 years the New York State courts have maintained a strong and continuing institutional focus on issues of gender equity,-- starting back in May 1984 with the New York State Task Force on Women in the Courts, created by then-Chief Judge Lawrence Cooke for the purpose of examining the court system to identify and remedy the existence of gender bias.

The Task Force engaged in a comprehensive review, which included public hearings, listening sessions and an extensive survey of attorney experiences, all of which resulted in the landmark 1986 report which concluded,-- and I quote: “gender bias against women litigants, attorneys and court employees is a pervasive problem with grave consequences.”

In 1986, Chief Judge Wachtler took the baton handed to him by Chief Judge Cooke and created the New York State Judicial Committee on Women in the Courts, the purpose of which was to guide implementation of the Task Force’s immediate recommendations,-- and to serve as a permanent institution dedicated to securing equal justice, equal treatment and equal opportunity for women in the courts and the justice system.

Chaired initially by Judge Kathryn McDonald,-- and for the last 25 years by Betty Weinberg Ellerin,-- the Committee on Women in the Courts has worked tirelessly,-- including during the COVID-19 pandemic,-- to carry out its mission by: conducting education and training programs for judges and professional staff;... advocating for changes in our laws;... policies;... and procedures;-- and creating gender bias and fairness committees that work on these issues at the local level,-- in order to achieve change from the bottom up.

There can be no doubt that this sustained commitment to issues of gender fairness in the courts,-- together with the contributions of our partners in the organized bar,-- have led to important advances,-- increased representation of women in the judiciary, and, importantly, in positions of leadership in our courts. -- Since the Committee on Women in the Courts was formed, two women have now served as Chief Judge of our State;... two women have served as Chief Administrative Judge of the Courts;... and women have, at different points in our recent history, made up a majority of the members of the New York Court of Appeals, our state's highest court,-- and of the Appellate Division, Second Department, not only our state's busiest appellate court, but the busiest appellate court in the country.

All good news,-- and all encouraging progress. But,-- even with these notable advances, we know that equality is not a given in our society. We know,-- and we understand, that the existence or even the perception of sexism or racism or bias anywhere in our institution undermines public trust and confidence in the important work of our courts,-- and that it undermines our ability to command the public's respect and confidence, and carry out our mission,-- and uphold the rule of law.

That is why, last June, I asked former Secretary of Homeland Security Jeh Johnson to conduct an independent, no-holds-barred review of our court system’s policies, practices and procedures as they relate to issues of racial bias. And as you know, we have fully embraced Secretary Johnson’s findings and recommendations, which we are now in the process of implementing,-- and I have made the commitment, as Chief Judge of the State of New York,-- and on behalf of our entire court system,-- to achieve a policy of zero tolerance for racial bias and discrimination in our system.

In 2019, the Committee on Women in the Courts undertook an extensive “Gender Fairness Survey” of more than 5,300 randomly selected private attorneys, judges and law clerks across the state in order to ascertain what progress had been made since 1986 to foster a justice system that is free of gender bias. And, given the many areas of overlap and intersection between racism and sexism, it comes as no surprise that many of the Committee’s recommendations parallel those of Secretary Johnson,-- and we are, of course, equally committed to following through on the Gender Fairness recommendations in order to move us ever closer to our goal of a truly bias-free court system.

Women are often reminded through everyday experiences that sexism and gender bias are alive and well in our society, a reality that was indeed confirmed by the 2020 Gender Survey. Notwithstanding improvement in some areas,-- such as in the issuance and enforcement of orders of protection in domestic violence matters, and as mentioned earlier, in the growing number of women serving on the bench and in court leadership positions,-- the survey also found a troubling lack of progress with regard to sexual harassment and demeaning treatment of women in the courts. Almost two-thirds of women lawyers reported that they still experience inappropriate or offensive verbal comments;... jokes;... or obscene gestures made by other attorneys;... court staff;... and judges.

Importantly, the Survey also provided a wealth of valuable data addressing the fairness and efficacy of court policies;... procedures;... and outcomes in many critically important legal contexts that are of paramount concern to women, including the need for: further protection of domestic violence complainants;... safe, accessible supervised visitation programs;... legislative reforms addressing the adequacy of child support and maintenance awards;... and enhancement of court programs and facilities to better meet the basic needs of female court users, including: expanding our Children's

Centers;... providing dedicated lactation space;... and installing baby changing stations in court restrooms.

And so, we know that work remains to be done,-- and we owe a debt of gratitude to the Committee on Women in the Courts for continuing to pursue that work, and for conducting the 2020 Gender Survey. The updated data generated by the survey will help us devise intelligent and effective reforms to change the status quo on behalf of women involved in, and interacting with the courts and the justice system in our state.

So, thank you, Judge Ellerin, for your inspiring leadership of this Committee over so many years. We look forward to your continued leadership, and we thank the Committee's wonderful, wonderful Vice-Chair, the indomitable Fern Schair;... we applaud the work of the 25 dedicated, and hard-working members of the Committee;... and we thank your terrific Executive Director, my friend and colleague of many years, Charlotte Watson.

Finally, I want to thank the "Local Gender Bias and Fairness Committees,"-- the leaders and members,-- for the year-round work that you are doing: to educate and raise awareness about the persistence of gender bias, and the harm it causes to women;... for staying focused on the issues notwithstanding the many challenges that

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we've all had to deal with over the last year;... and for being the strong voices and advocates critical to achieving equal justice and a bias-free court system.

Thank you all for your extraordinary service,-- and my best wishes for a productive meeting.