

LAW DAY REPORT

CORNERSTONES OF DEMOCRACY: CIVICS, CIVILITY, AND COLLABORATION



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New York State Unified Court System

Mission Statement

The mission of the Unified Court System (UCS) is to deliver equal justice under the law and to achieve the just, fair and timely resolution of all matters that come before our courts.

In the service of our mission, the UCS is committed to operating with integrity and transparency, and to ensuring that all who enter or serve in our courts are treated with respect, dignity and professionalism. We affirm our responsibility to promote a court system free from any and all forms of bias and discrimination and to promote a judiciary and workforce that reflect the rich diversity of New York State.

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Foreword from Deputy Chief Administrative Judge for Justice Initiatives

Hon. Edwina G. Richardson-Mendelson



The first Law Day was formally recognized on Thursday, May 1, 1958. A day to reflect on the role of law in our society, Law Day was originally conceived by American Bar Association President Charles S. Rhyne and was later established through an official proclamation by President Eisenhower. That proclamation offered several stirring reasons for the designation of a day solely devoted to reflection on the role of law in our lives, including that "the principle of guaranteed fundamental rights of individuals under the law is the heart and sinew of our Nation."

The law is indeed the "heart and sinew" of our nation, but the law is also the soul and conscience of our nation, the thread that ties together this beautifully diverse tapestry of people of different backgrounds, different perspectives, and different perceptions. It unifies us as a people with the solemn and sacred pledge of equal justice for all-all includes those with wealth and those who are impoverished, those with power and the powerless, those with popularity- however fleeting, and the unpopular, and those with privilege and those without.

That promise of equal justice has yet to be fully achieved. There are those among us—neighbors, friends, family members—who have lost trust in all public institutions, including the courts, and feel helpless and marginalized. While we have not fully delivered on the hallowed promise of equal justice for all, we must passionately and tirelessly pursue that goal and ensure that the cornerstones of our democracy remain firm and strong.

The American Bar Association, in describing this year's Law Day theme "Cornerstones of Democracy: Civics, Civility, and Collaboration," invites "all the people of the United States to join [together] in rebuilding trust in our institutions, respect for one another, and our willingness to collaborate to address the challenges that face our nation."

Those who perceive lawyers as people who argue for a living may find it ironic that this year's Law Day calls upon those in the legal profession to "lead the way" in promoting and advocating for civics, civility, and collaboration to mend the rifts and injustices in our society. However, we in the legal profession, and especially those who serve in public institutions, are perfectly positioned to use the rule of law to restore faith and trust in our systems of justice. There is tremendous potential in the rule of law, and those who work within it, to be a force for good. I have repeatedly witnessed this firsthand - not just potential, but tangible, positive change - occurring within our New York State Unified Court System.

The office that I lead with great pride, the Office for Justice Initiatives, administers programs in courthouses across our state, all in service of our mission to provide meaningful access to equal justice. We rely on the power of partnerships and collaboration to ensure that our administration of justice is the most fair and accessible it can possibly be. In the following pages of this report, you will learn about these efforts, the programs that we administer, the resources we offer, and our numerous endeavors since last year's Law Day Report.

We partner with myriad colleagues both within our court system and beyond to obtain and retain the broadest possible reach. We rely on the court system's Division of Technology and Court Research, Division of Professional & Court Services, Office of Language Access, Grants and Contracts Office, and the Office of Diversity & Inclusion (ODI). We work closely with the Permanent Commission on Access to Justice, the Permanent Judicial Commission on Justice for Children, the Franklin H. Williams Judicial Commission, the Richard C. Failla LGBTQ Commission, and the Judicial Committee on Women in the Courts. We strategize with the Commission to Reimagine the Future of New York's Courts, the Statewide Advisory Committee on Alternative Dispute Resolution, the Advisory Committee on Access for People with Disabilities, the Commission on Parental Legal Representation, the Domestic Violence Task Force, the NYS Justice Task Force, the Center for Justice Innovation, the Historical Society of the New York Courts, bar and judicial associations, court-affiliated affinity organizations, law schools, legislative and rules committees, and others. This is not a job for one person or one entity. Equal justice is a responsibility shared by our entire society.

In 2020, former Secretary of Homeland Security Jeh Johnson was asked by the Chief Judge to closely examine the court system's policies and practices, and essentially give us a very public report card. His report, produced

after interviewing more than 300 people, revealed a second-class system of justice, primarily in the high-volume courts and impacting people of color and those experiencing poverty. Secretary Johnson's report challenged the court system to implement 13 recommendations designed to foster equal justice. The court system eagerly embraced the challenge, and I was tasked with leading our New York State courts' Equal Justice endeavors.

Over the past two years, I have engaged with judges, court managers and court staff in every corner of the state. I've met frequently with fraternal organizations, affinity groups and other stakeholders to ensure broadbased input from our justice partners as we develop our implementation plans. I also participate in panel discussions, meetings and presentations with bar associations, judicial associations and community organizations, as well as meeting privately with individuals who share what they have observed and what they have experienced.

As I said previously, this is anything but a one-person job. We are gifted beyond measure to have the assistance, guidance, wisdom and support of our local Equal Justice Committees. These committees - our eyes and ears at the local level - are comprised of dedicated volunteers in

the court system who recognize the problems we have and are eager to act. They include judges and nonjudicial staff, clerks, court officers, analysts, court attorneys, court reporters, interpreters, stakeholders, and justice partners, all working to advance equity in their local courts and communities, not because they have to, but because they want to, and because they care.

As we celebrate Law Day 2023, I am proud to share this report highlighting this past year's achievements of the Office for Justice Initiatives. I am especially pleased to offer this year's Law Day Message in this season of welcoming our newly sworn Chief Judge. It is my true pleasure and deep privilege to serve the cause of justice with Chief Judge Rowan D. Wilson, Chief Administrative Judge Joseph A. Zayas, and their leadership team.

Thank you for reading our Law Day Report. We welcome your feedback, and we look forward to our ongoing collaboration with our justice partners - and we are all, each and every one of us, justice partners - as we work to advance civics, civility and meaningful access to equal justice as a cornerstone of our democracy.



The Office for Justice Initiatives

The mission of the Office for Justice Initiatives (OJI) is to ensure meaningful access to equal justice for all those passing through the doors of every New York State court - regardless of income, background, or ability. In service of this mission, the Office provides leadership and oversight of the New York State Unified Court System's justicebased initiatives, including:

- Community outreach efforts to develop, coordinate, and participate in public events and region-specific community outreach initiatives, to broaden access to the courts and improve civic understanding of the legal system.
- CourtHelp, a free website designed specifically to help court users access information about the law and court procedure. The website is written in plain language, and includes links and access points to useful court resources for unrepresented court users.
- Court Navigator Program (CNP) volunteers to support unrepresented court users by providing information, support, and guidance.
- DIY (Do-It-Yourself) document assembly programs to assist court users in filling out court forms.
- Help Centers located in court buildings and community sites throughout the state where unrepresented court users can speak with court employees and obtain free legal information, resources, and referrals to legal representation.
- Volunteer Attorney programs which provide services ranging from legal advice to limited scope representation for the day.
- New York City Housing Court's Guardian Ad Litem (GAL) Program which provides Housing Court Judges with a pool of recruited and trained GALs to safeguard the legal rights of New York City's most vulnerable people in eviction proceedings.
- Promotion of legislative and public support for the New York State Judiciary's proposals relating to access to justice matters.

- Virtual Court Access Network (VCAN) hubs, safe and private locations within the community that allow the public, particularly those in low income and rural areas, to engage with the court system without the need to physically travel to a courthouse.
- Programmatic oversight of all New York State Judiciary Civil Legal Services (JCLS) program grantees, where 82 civil legal services and access to justice organizations are charged with assisting vulnerable New Yorkers obtain help with legal problems affecting their most basic needs, such as food, shelter, jobs and access to healthcare.
- Problem-solving courts which employ innovative approaches to address the underlying issues which bring people into contact with the court system, such as judicial monitoring, coordination with outside services, and treatment where appropriate.
- The Child Welfare Court Improvement Project, a federally funded effort in support of the Family Court's mandate to promote safety, well-being and permanent homes for abused and neglected children.
- Child welfare, juvenile, adolescent, and emerging adult justice initiatives, including implementation, training, and ongoing operational support for courts on legislation raising the age of criminal responsibility in New York State.

OJI also aims to secure stable and adequate non-profit and government funding for civil, criminal, and family legal services programs, and partners with other UCS departments, external agencies, bar associations, courtaffiliated affinity organizations, law schools, and others. Our continuing goals and objectives include:

- Education and training of judges and non-judicial personnel on race equity, cultural awareness and humility, procedural justice, and all forms of bias, including bias based on race, ancestry, ethnicity, disability, sex, sexual orientation, gender identity, gender expression, pregnancy, age, marital or parental status, religion, socioeconomic status, national origin, military service or veteran status, body size, weight, and others.
- Disparate impact analysis of Unified Court System internal policies, protocols, and legislative recommendations. Disparate impact, often referred to as unintentional discrimination, occurs when policies, practices, rules, or other systems that may appear to be neutral on their face result in a disproportionate impact on a particular group.
- Virtual models for Court Help Centers and courtbased volunteer attorney programs.
- Statewide development and expansion of Virtual Court Access Network (VCAN) hubs.
- Expansion and multi-language translation of the CourtHelp website.

- Creation of plain language and simplified court forms and publications.
- Expansion and development of virtual and community-based models for the Court Navigator Program.
- Ongoing judicial and court staff training on the Raise the Age legislation and amendments.
- Expansion of emerging adult courts and furthering best practices in all courts.
- Expansion of mental health courts and furthering best practices in all courts.
- Creating elder abuse detection tools.
- Expanding statewide availability of guardians ad litem to assist elderly and impaired court users.
- Expanding Do-It-Yourself form document assembly programs to include additional subject matters and, with the Division of Technology and Court Research, expanding capacity for E-Filing completed DIY Forms.
- Facilitating navigation of courthouses through user-friendly, plain language signage.

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Division of Access to Justice

Ensuring meaningful access to equal justice in every corner of the state is a multifaceted challenge requiring a multifaceted strategy. The Division of Access to Justice, through collaboration with legal service provider organizations, law schools, colleges, universities, individual courts, and other community partners, oversees a myriad of programs and projects to further OJI's mission. These efforts include community outreach endeavors, Help Centers, court navigators, the Guardian Ad Litem program, Volunteer Attorney Programs, Pro Bono Week events, and deploying technological resources.

Community Outreach and Civic Engagement

The Office for Justice Initiatives is committed to fostering civic engagement with New Yorkers as well as visitors to our state. Court tours provide interested members of the public with the opportunity to visit courthouses and engage with judges and court staff to learn more about the importance our courts, while also observing day-to-day operations. OJI supports court tours through coordination and by providing informational and promotional materials.



On November 22, 2022, OJI welcomed twenty-four students from the University of Amsterdam Law Student Association, our first in-person group since the pandemic. The students spent the morning portion of their visit with Hon. Shahabuddeen Ally, Supervising Judge of the NYC Civil Court, where they observed proceedings with represented and unrepresented parties. They were then greeted by DCAJ Edwina G. Richardson-Mendelson, and were provided with a short presentation of the work led by the Office for Justice Initiatives. The afternoon concluded with a meet and greet with Hon. Adam Silvera, Administrative Judge of the New York County Supreme Court - Civil

Term. The group also received a tour of the historic courthouse at 60 Centre Street, which included the rotunda and the jury assembly room.

In 2022, OJI continued to partner with the Brooklyn Public Library to provide the public with a series of Know Your Rights workshops. In January 2022, the event focused on Tenant's Rights and Evictions in New York City in 2022. The event was facilitated by Jane Matchak from the Brooklyn Public Library's Justice Initiatives team. Presenters included Hon. Cheryl Gonzales, then Supervising Judge, Kings County Housing Court; Kristie Ortiz-Lam, Director of the Preserving Affordable Housing Program at Brooklyn Legal Services Corporation A; and Katie Brennan, Senior Supervising Attorney, Tenant Rights Unit at the New York Legal Assistance Group. The presenters discussed current protocols and procedures for court hearings, and the eviction moratorium. The event was live streamed on the Library's YouTube Channel.

In April 2022, Ms. Matchak from Brooklyn Public Library's Justice Initiatives team facilitated another workshop in New York City with a focus on child support. Presenters included Tracy Woods-Trudden, Court Clerk Specialist, Queens Family Court and Jessica Stadmeyer, Director of Legal Resources and Community Engagement at Family Legal Care (formerly known as LIFT). The presenters discussed current protocols and procedures for court hearings and described how to navigate the child support process without an attorney. The workshop was livestreamed on the Brooklyn Public Library's YouTube Channel.

The Office for Justice Initiatives had the distinct honor of hosting Mr. Seyi Onitiri, a barrister visiting from Australia charged with learning about the New York State courts and access to justice programs. Mr. Onitiri was awarded the Churchill Fellowship which provided him the opportunity to

travel to New York for two months, where he observed the Court Navigator program and assessed whether it may be replicated in his home country. He observed the operations of the program in the 9th JD at the Westchester County Courthouse where the program is fully operational. Mr. Onitiri had the unique opportunity to observe Court Navigator interviews, in-person trainings and walkthroughs and observe new Navigators in action.

As part of our Law Day celebration, OJI invites high school students in New York State to participate in an annual Law Day art contest inspired by that year's Law Day theme. The winner of the 2022 Law Day Art Contest (with the theme of "Toward a More Perfect Union: The Constitution in Times of Change") was Julianna, a tenth grade student from the 5th Judicial District. Her artwork, titled "Be Fierce and Pierce," was displayed in courthouses around the 5th Judicial District from September 2022 to April 2023.

For this year's art contest, the Office for Justice Initiatives partnered with the Historical Society of the New York Courts. All contestants received a certificate of participation, with the winner's artwork being featured on our Access to Justice website until May 2024. Cash prizes, courtesy of the Historical Society of the New York Courts, were awarded to the first, second and third prize winners. The Office for Justice Initiatives offers our congratulations and thanks to all participants. This year's winners are:



"The Threads of Our Nation" by Liane, 6th JD (Tompkins)



"Unity" by Molly, 10th JD (Suffolk)



"We Work Together as One" by Chanely, 10th JD (Nassau)

Help Centers



Help Centers promote public confidence in the court system while creating effective and practical solutions for court users. The Office for Justice Initiatives works with legal service providers and the

bar to extend free legal services to individuals in need.

Help Centers are designed to provide unrepresented court users with free information about the law and court procedure. They are staffed by law librarians or other court personnel and provide court forms, information sheets, and available referrals. Many Help Centers provide free Wi-Fi and have computer terminals available to access DIY Form Programs and conduct legal research. In addition to the direct services Help Centers provide, they set an example for how court users can engage with government civilly and collaboratively.

In 2022, new Help Centers were established in Saratoga, Schenectady, and St. Lawrence counties in partnership with Public Access Law Libraries. More than 123,600 people were assisted in 2022 by Help Centers throughout New York State.

The Division of Access to Justice holds meetings with Help Center personnel each quarter to provide staff from across the state with the opportunity to collaborate, discuss common themes and identify resources to enhance their ability to assist the public. Professional development opportunities are also offered to support Help Center staff. Additionally, in early 2023, a reporting tool was launched for internal court use which will allow Help Center staff and the Division of Access to Justice to better assess trends and identify areas of law where resources may need to be enhanced or developed.

Court Navigator Program



The Court Navigator Program is an extension of Help Centers that brings assistance directly into the hallways of the courthouse. It was established in February 2014 by Administrative Order of the Chief Adminis-

trative Judge to allow for qualified Navigators to provide free, essential non-legal services to unrepresented court users with consumer credit and housing cases. Court Navigators provide general information, written materials, and one-on-one assistance to eligible unrepresented court users. They also provide moral support to court users, help to access court forms, and assist with organizing paperwork accessing interpreters and other vital services, including explaining what to expect and the role that each person in the courtroom plays.

As a result of the COVID-19 public health crisis, the in-person program was temporarily suspended, and a virtual pilot Navigator program was launched. The second phase of the pilot program began in summer 2022. The program was primarily staffed by students from CUNY John Jay's APPLE Corps. The virtual program was built upon the foundation of the in-person program and incorporated technological support to improve the court user's virtual court experience. Students attended a weeklong training which included tutorials in topics such as Microsoft Teams (and Virtual Appearances on Microsoft Teams), Online Resources, DIY (Do-It-Yourself) Form Programs, NYSCEF & EDDS e-filing, Trauma Informed Care, as well as substantive and procedural information related to cases decided in the courts to which Navigators were assigned. During phase two of the pilot program, the 9th Judicial District hosted in-person Court Navigators and continues to operate the program in person.

New York City Housing Court Guardian Ad Litem Program

The New York City Housing Court's Guardian Ad Litem (GAL) Program recruits, trains, supervises, and maintains a pool of qualified GALs for Housing Court Judges to appoint for people facing a Housing Court proceeding who are mentally impaired and cannot fully participate in resolving their housing case. GAL advocacy includes attending court appearances, securing One–Shot–Deal

financial assistance to pay for rental arrears owed, arranging heavy duty cleanings to render an apartment safe, reinstating lost entitlements or securing new ones, or connecting court users to services to prevent further court contact. GALs are provided at no cost to court users.

"Being a Guardian Ad Litem is one of the most spectacular roles I've ever performed."

-GAL, NYC Housing Court, 2022

NYC Housing Court GALs are trained by a panel of experts in the fields of legal and social work advocacy and landlord-tenant law. Both attorneys and non-attorneys can participate in the program. In fact, approximately 50% of the program's current GALs are not attorneys, yet have a wealth of social work advocacy experience. To safeguard the interests of the population served, GALs undergo a background check and complete an interview and reference check before being invited to participate in the program. These measures ensure that highly qualified people are added to the appointment list. GALs are compensated by the New York City Human Resources Administration (HRA) but must also agree to accept at least three pro bono appointments per year in cases that do not qualify for compensation. To retain a high-quality roster of GALs, OJI successfully advocated for the HRA to increase compensation for GALs appointed to NYC Housing Court matters (the compensation increase is expected to soon go into effect). Court forms have consequently been updated and reformatted to incorporate plain language principles as well as information on CourtHelp (the court system's legal information website), ADA accommodations, and the availability of language interpretation services.

In May 2022, DCAJ Edwina G. Richardson-Mendelson convened a Statewide Landlord Tenant Guardian ad Litem Working Group, made up of judges and non-judicial court leaders representing judicial districts throughout the State of New York. The purpose of the Working Group is to support courts statewide in their efforts to protect the rights of vulnerable court users at risk for eviction through GAL appointments and programmatic initiatives. Working Group members have benefited from concrete guidance on developing a successful landlord-tenant GAL Program, legal and informational resources, judicial training and presentations from NYC

and Westchester County governmental agencies designed to provide ideas for securing funding for program development. The Working Group Chair, Denise Colón, Esq., MSW, OJI's Special Counsel for Court-based Interdisciplinary Programs, meets with various judicial districts to facilitate program planning with potential community partners. OJI remains committed to supporting each judicial district in their efforts to ensure that the program they develop is legally sound, sustainable and impactful.

Volunteer Attorney Programs

Navigating the court system without the advice and representation of legal counsel can be overwhelming and challenging. The Office for Justice Initiatives, in collaboration with the City Bar Justice Center's Civil Court Project, offers free online and phone consultations to people who do not have an attorney representing them in New York City Civil Court. Civil Court Project volunteer attorneys provide legal advice and guidance on a wide range of Civil Court matters, including small claims matters, name changes, security deposits for residential leases, warranties of habitability, consumer debt, judgment collection/payments, and service of papers. The volunteers are trained to explain the legal process for unrepresented court users who are confused and overwhelmed. Volunteers also assist with court forms and advise court users on how best to represent themselves in court, providing unrepresented court users with information about their legal rights and options.

The Family Court Volunteer Attorney Program provides volunteer attorneys and law students with the opportunity to assist unrepresented court users with initial pleadings in support, paternity, custody, visitation, family offense, and guardianship matters. This service helps to reduce delays, ensures more efficient and fairer outcomes, empowers court users to pursue their cases to final resolution, and helps court users better understand the critical legal rights involved in Family Court cases.

Since the virtual program launched in May 2021, the program has helped more than 1,250 litigants. The virtual program has been staffed through recruitment in the following large law firms and corporate law departments, which have committed to the virtual program and trained their attorneys for their virtual volunteer service:

- Alston & Bird, LLP
- Arent Fox LLP
- Bank of America
- Barclavs
- Blank Rome LLP
- **BNP** Paribas
- Cadwalader, Wickersham & Taft LLP
- Citigroup
- Colgate Palmolive
- Cooley LLP
- Davis Polk LLP
- Debevoise & Plimpton, LLP
- Dechert LLP
- **DLA Piper LLP**
- Duane Morris LLP
- Greenberg Traurig LLP
- Hughes Hubbard & Reed LLP
- JPMorgan Chase Bank, N.A.
- Kirkland Ellis LLP
- Kramer Levin Naftalis & Frankel LLP
- Kroub, Silbersher & Kolmykov PLLC
- Mintz, Levin, Cohn, Ferris, Glovsky, and Popeo, P.C.
- Morgan, Lewis, & Bockius LLP
- Morgan Stanley
- Morrison Foerster LLP
- **Natixis**
- Paul, Weiss, Rifkind, Wharton, & Garrison LLP
- Pfizer Inc.
- Proskauer Rose LLP
- Robinson & Cole LLP
- Ropes & Gray LLP
- Shearman & Sterling LLP
- Skadden, Arps, Slate, Meagher & Flom LLP
- Stroock & Stroock & Lavan LLP
- **UBS Wealth Management Americas**
- White & Case LLP

New York City residents who find themselves involved in debt collection proceedings are overwhelmingly unrepresented by counsel and face major obstacles in handling their cases. The disparity in representation, coupled with the complexity of the litigation, can significantly impact a defendant's case. The Volunteer Lawyer for the Day Consumer Debt Program has had a huge impact in assisting clients to efficiently resolve these cases. The program is conducted in partnership with the NYC Civil Courts, the New York County Lawyers' Association, the New York Legal Assistance Group (NYLAG) and Access Justice Brooklyn (formerly the Brooklyn Bar Association's Volunteer Lawyer Program).

In Westchester County, a Residential Foreclosure Volunteer Lawyer for the Day Program was available from May 2022 to the end of the year through the Westchester County Supreme Court Help Center. The program was developed in partnership with the Ninth Judicial District Pro Bono Committee, the law firm of Pepper Hamilton and the corporate law department of Regeneron.

"I am writing to you to give my sincere thanks again to [the volunteer attorneys] for their determination and tenacity in the Civil Court case against me. Without their help and assistance, I would have been probably depressed and in severe debt with my rent, medical bills and more importantly with my daughter who is in college that counts on me to support her throughout these tough financial times for both of us. Luckily, these two ladies were there to help me close this wrongful lawsuit and help me understand my rights as a consumer. Again, my most heartfelt thank you to everyone who allow this to be over and done with."

-Court User, 2022 VLFD Consumer Debt Program

Pro Bono Awards



In celebration of pro bono service provided through their programs, the Office for Justice Initiatives, the New York

State Bar Association, and the New York County Lawyers' Association co-sponsored a virtual pro bono volunteer recognition event in October 2022. The annual awards ceremony joined events across the nation to promote and recognize pro bono service and spotlight the difference lawyers can make in their communities.

DCAJ Edwina G. Richardson-Mendelson, Sherry Levin Wallach, President of the New York State Bar Association, and Vincent T. Chang, President of the New York County Lawyers' Association, presented the awards.

The event honored 23 volunteers who received commemorative plaques for their outstanding pro bono service. Additionally, 105 volunteers received certificates recognizing their distinguished service in OJI's Access to Justice and Attorney Emeritus programs.

Special recognition and Certificates of Excellence were also awarded to those individuals who were instrumental in developing the Special COVID Intervention Parts (SCIP) in the 7th Judicial District. Judges and court staff joined with community partners in the district to ensure tenants with dire needs who were hit particularly hard by the pandemic would have access to courts and related legal and social services in their eviction cases, especially in Town and Village Courts where COVID restrictions presented additional challenges to hearing cases and accessing legal assistance. This collaborative partnership was honored for its extraordinary efforts in creating this unique model and providing access to vital services when they were essential.

Technological Resources



The Office for Justice Initiatives offers resources which extend beyond the courthouse to further aid court

users and demystify the court system. These technological initiatives and resources are available any time, day or night and can be accessed by computer, tablet, or mobile devices with an internet connection.

CourtHelp (www.nycourthelp.gov) is an online information portal that provides free information about the law for court users who do not have an attorney. The main page includes topical headings and subheadings to guide the court user in accessing information. The website also includes access points to many resources such as free DIY Form Programs, Ask A Law Librarian, the Americans with Disabilities Act (ADA) page, Find a Lawyer, LawHelp, the Help Center directory and more. In 2022 there were over 4 million visits and almost 14 million CourtHelp page views.



Free DIY (Do-It-Yourself) Form Programs are also available for specific Supreme, Family, Surrogate's, New York City Civil, County, District, City, and Town & Village Courts. These document assembly computer programs ask questions, and based on the answers entered by court users, develop the paperwork and instructions needed to file in court. An internet connection and printer are needed to use the program and print the completed forms. The paperwork is generated in .pdf format and no special software is needed. DIY Form Programs are only available for unrepresented court users who cannot afford a lawyer, and legal services and pro bono attorneys and staff helping such court users. A private attorney using the DIY Form program must submit a Pro Bono Affirmation when filing DIY Forms.



In 2022, the Division of Technology and Court Research developed a brand new Support DIY Form Program. The program is scheduled to launch later in 2023. The Office for Justice Initiatives will provide training for judges and court personnel in anticipation of the launch once user testing for the program is complete.

Virtual Court Access Network Locations

"[I] felt relieved someone helped me with the papers... I would have not received this kind of help anywhere else"

-VCAN Users

To enhance access to justice and bridge the digital divide, OJI is overseeing the expansion of Virtual Court Access Network (VCAN) locations that provide the public with a safe and

private location within their community to access court services and resources. Community locations include public libraries, community centers and houses of worship. The Virtual Court Access Network (VCAN) aims to help those who may not have access to a computer and/or the internet or are unable to get to the physical courthouse for any reason including lack of transportation, childcare needs or personal safety. VCAN sites create a friendly, safe, and secure space for community members to get their court needs met, all within the comfort of their own community.

Expansion is possible through partnerships with the Statewide Rural Justice Task Force Working Group, the Division of Technology and Court Research, the Center for Justice Innovation (CJI), the Permanent Commission on Access to Justice, various legal service provider organizations and grant funding secured by the Child Welfare Court Improvement Project to enhance virtual access to Family Courts. Additional sites for potential VCAN locations have been identified in the 3rd, 5th and 9th Judicial Districts.

Inside New York City, the Center for Justice Innovation, New York City Family Court and New York City Civil Court have opened VCAN sites at the Community Justice Centers in both Harlem and Red Hook.





Division of Judiciary Civil Legal Services

A comprehensive evaluation of the unmet civil legal needs of low-income New Yorkers was performed in 2010 in furtherance of the Unified Court System's Equal Access to Civil Justice initiative. Four regional public hearings were held with testimony from stakeholders throughout the state, as well as extensive research and analysis and the formation of a Task Force to Expand Access to Civil Legal Services in New York. Subsequently, the Unified Court System, in partnership with the State Legislature, adopted the recommendation to make funding for a Civil Legal Services program available within the Judiciary's budget to help close the civil justice gap in New York. The Office for Justice Initiatives provides programmatic oversight over the Judiciary Civil Legal Services program.

\$96.7 Million

82 Contracts for civil legal services providers

\$16.9 Million

New York State Interest on Lawyer Account (IOLA) Fund

The New York State Unified Court System's Civil Legal Services program provides a permanent and stable funding source for the delivery of civil legal services to poor and low-income New Yorkers. The Civil Legal Services program provides \$96.7 million in funding towards the NYS Judiciary Civil Legal Services (JCLS) grant, and \$16.9 million in funding to the NYS Interest on Lawyer Account (IOLA) Fund.

OJI collaborates with IOLA to support its mission to ensure effective access to justice by helping low-income people in New York obtain help with civil legal problems affecting their most basic needs, such as food, shelter, jobs, and access to healthcare.

Civil Legal Service Support

The JCLS program funds 82 civil legal services organizations and access to justice organizations to help New Yorkers with some of the most difficult legal challenges which threaten the stability of the lives of many vulnerable individuals and families across New York State. Since 2011, JCLS has helped hundreds of thousands of New Yorkers secure the essentials of life in areas such as housing, family matters, healthcare, education, public benefits, immigration, and individual rights with legal services and access to justice services.

To restore confidence in the legal system and attain equal justice for all, regardless of social or economic status,

JCLS funding has helped thousands of New Yorkers avoid or delay evictions, prevent foreclosures, access medical benefits, get reinstated in school, enforce child and spousal support orders, obtain safe and healthy housing, obtain custody and visitation orders, secure separations and divorces, obtain protective orders and safety planning for domestic violence victims, obtain public benefits, secure unemployment insurance, get wages or back pay, secure federal bankruptcy protection, stop debt collection and garnishments, get utility services, get protection from predatory lending, obtain special education services, obtain long term care planning, secure disability accommodations, get medical and treatment plans in institutional settings, obtain redress for constitutional violations, attain citizenship and adjustments to immigrant status, secure employment authorization, cancel removals in immigration proceedings, get assistance with tax problems, get assistance with healthcare proxies, power of attorney or drafting wills, obtain name changes, and many other legal benefits.

In addition to providing legal services in the form of advice and counsel, extensive services, settlement negotiations, and limited scope and full legal representation, JCLS grantees also develop community legal education programs, provide web-based legal assistance and pro se assistance through clinics and workshops, and offer alternative dispute resolution services.

Community Legal Education

Simultaneously enforcing civic learning and the empowerment of individuals with "Know Your Rights" legal education - often in multiple languages to increase access - legal services providers have developed legal materials, webinars, toolkits, and online content in the areas of workers' rights, housing rights, immigration, consumer law, benefits access, employment law, family law, education law, economic development, LGTBQ+ rights, juvenile law, mobile home law, and many other areas of law. To increase access to such critical legal information, JCLS grantees have also partnered with organizations that have broad online outreach, such as LawHelpNY, to make civic rights education and protections accessible to all New Yorkers and anyone on the internet. JCLS grantees have also partnered with Legal Hand sites, Family Justice centers, law schools, public libraries, social services organizations, food pantries, and other organizations to provide access to legal information in local communities.

JCLS grantees that are part of the Community Dispute Resolution Centers program collaborate with trained volunteer mediators, which provide parties in conflict with an active listening forum to promote civil dialogue, understanding, consensus building, self-determination and collaborative decision-making towards the resolution of disputes. With a strong focus on promoting family stability in New York, many of the Alternative Dispute Resolution (ADR) services offered by JCLS grantees are in the areas of custody, visitation, child support and divorce. Restorative justice programs are also provided to help repair the harm caused to individuals and communities affected by crime. The effective and peaceful resolution of conflicts, mediation and other forms of ADR helps foster civility in many communities throughout New York State.

Collaboration with the Bar

JCLS funding also provides for collaborations with the private bar to train attorneys in legal services and the delivery of these services to low-income New Yorkers. Through these pro bono partnerships, the availability of legal services has been expanded in the areas of eviction prevention, immigration relief, domestic violence, elder care in nursing homes and residential facilities, wage theft, disability benefits, housing habitability, foreclosure, healthcare coverage, neighborhood entrepreneur projects, discharging consumer debt, and many other legal areas.

To help close the gaps in civil justice, increase access to justice, and enhance legal service delivery, JCLS grantees collaborate with other legal services providers, and community-based organizations, nonprofits, community centers, schools, universities, business councils, and elected officials. These partnerships have helped to increase the impact of the interventions of JCLS grantees, as well as allow for more in-depth knowledge and understanding of the legal needs in low-income and marginalized communities. Through the formation of partnerships, working groups, consortiums, coalitions, and task forces, JCLS grantees work closely with many organizations to jointly address pressing legal issues through joint virtual presentations, the staffing of helplines or live help on the internet by multiple organizations, and the development of awareness and advocacy campaigns. These efforts have helped to establish the right to counsel in various areas of law, the passage of laws that protect low-income populations, prevented illegal evictions, have helped vulnerable communities get access to emergency services, have increased medical care management for the mentally ill and people with cancer and HIV, have provided for homeowner stability, and much more.

Advocacy

JCLS grantees also engage in advocacy to address and dismantle socioeconomic barriers to justice. By leveraging individual client representation into law reform litigation and advocacy, JCLS grantees can assist vast numbers of vulnerable populations, while achieving systemic reforms that would not be possible solely through individual representation.

JCLS grantees form coalitions and advisory groups at the national, state, and local level, where they focus on service delivery, share best practices, develop recommendations for systemic improvements, and work together for collective advocacy. JCLS grantees also succeed in changing the law by engaging in policy analysis, research and advocacy, impact litigation and legislative advocacy, such as providing testimony and public comment on proposed changes to the law.

Through policy analysis, systemic advocacy and class action lawsuits, JCLS grantees have prevented the eviction of hundreds of low-income tenants, promoted medical care advocacy, promoted immigrant justice, removed impediments to estate planning, increased

WHAT WE DO

JCLS funding supports the provision of legal assistance to address Essentials of Life areas, such as:



housing matters (including evictions, foreclosures, and homelessness);



family matters (including domestic violence, children, and family stability);



access to health care and education;



subsistence income (including wages, disability and consumer debts); and



immigration (including, naturalization, asylum, DACA and work authorization).



In addition to supporting the provision of direct legal representation, JCLS funds support access to justice services in the form of community legal education, pro se assistance, web-based legal assistance and alternative dispute resolution services.

FUNDING



Since its establishment, the JCLS program has awarded funding to civil legal services providers throughout the State for this critical initiative that benefits millions of New Yorkers annually by providing access to vital legal services.

consumer bankruptcy protections, increased support for crime victims, improved access to government benefits, secured the implementation of special education plans for youth, increased adult protective services, secured victim compensation, reduced the impact of property taxes on the loss of homes, improved the system for foster care placements, and more.

Diversity & Inclusion

In furthering the principles of equality and justice within their own organizations, many JCLS grantees have focused on developing internal practices to increase equity among staff, and institutional change to create inclusive work environments. Additionally, many grantees also provide training for their staff to be culturally conscious and sensitive to the marginalized nature of their clients' lives and lived realities.

Through policy review and revisions, and internal collaborations with management and human resources departments, JCLS grantees have developed diversity, equity and inclusion (DEI) goals and have hired DEI experts to implement more strategies to promote equity from recruiting to retention. These practices include examining the recruitment processes to diversify their boards, and deploying interview processes and performance evaluation practices with the intention of ensuring equity in hiring and promotion processes.

Some JCLS grantees have created DEI committees consisting of Board members and staff and employee resource groups. They also offer further education around these issues, provide opportunities for staff to discuss any patterns of inequity within their organizations, and implement policies to address them.

JCLS grantees offer various DEI trainings and anti-oppression workshops for staff, pro bono attorneys and community partners on transformative approaches to trauma, implicit bias, anti-racism and inclusion restorative practices. In many DEI training courses, JCLS grantees center the identities and experiences of their clients, educate about disparities and inequities, and discuss strategies to challenge injustice.

To help clients access services in an affirming, safe, and culturally sensitive environment, grantees have developed policies internally to enter client demographic information into case management systems to more accurately reflect clients' race/ethnicity, sexual orientation, gender identity, and expression (SOGIE).

The New York State Unified Court System's collaboration with legal services organizations and access to justice organizations through the JCLS program promotes the rule of law over injustice and helps to secure equal justice under the law for all New Yorkers, regardless of one's social or economic status, thereby increasing confidence in the courts and the justice system in our state.



Division of Policy and Planning

In furtherance of our mission to provide meaningful access to equal justice, the Division of Policy & Planning (DPP) establishes and oversees the Unified Court System's 300+ Problem-Solving Courts (PSCs). These courts include drug and opioid courts, veterans' treatment courts, mental health courts, human trafficking intervention courts, family treatment courts, domestic violence, and integrated domestic violence courts. They are designed to address the needs of justice-involved individuals by creating alternatives to incarceration and addressing the root causes of their involvement in the criminal justice system. Collaboration is key to the success of the problem-solving courts, which depend upon multidisciplinary teams that assemble to review each case, coordinate service plans, monitor progress, and take corrective actions when necessary. The most effective problem-solving courts draw support from treatment providers, the medical community, and peers with lived experience to address the specific needs of the participants. DPP also helps to develop statewide policy initiatives around behavioral health issues related to these courts.

Problem-Solving Courts

Much of DPP's work centers around developing and sustaining the PSCs throughout the state. For example, in 2022, DPP helped build eight new mental health courts, and this year we have already helped open several Veterans' Treatment Courts while working towards opening several Family Treatment Courts. DPP also provides continuing support to their judicial officers, court staff, and local counties through trainings, webinars, and educational seminars on a variety of issues. DPP is currently examining ways to improve our judicial responses to issues involving substance use disorders and mental illness which impact our court users across the board by developing more comprehensive and proactive solutions to address these problems. One long-term goal is the development of a universal screening tool which will enable the courts to better identify individuals with substance use disorders, mental illness, and trauma related conditions at the earliest intercept point in the court system to refer them to the appropriate treatment courts and/or services.

A first step in this process is DPP's recent partnership with the Center for Justice Innovation on a four-year project with an almost two million dollar grant to develop an Adult Treatment Court Comprehensive Screening Approach. While the Unified Court System has utilized various screening approaches since the early 2000s, this project seeks to engage eligible participants at all entry points in the criminal justice system in all courts throughout New York State to increase treatment court participation, with universal screening for treatment court eligibility as our long-term goal.

Problem-solving courts rely heavily on federal grants for support and technical assistance. Two important grants we are implementing are the establishment of eight new opioid courts in our rural counties along with the country's first Opioid Court Center of Excellence, and our Equal Justice in the Treatment Courts grant, through which we seek to identify and eliminate racial and other inequities in the treatment courts.

DPP also recognizes that a key to the development of effective strategies is to strengthen its partnerships with stakeholders, community organizations and other agencies that intersect with the courts. This includes a focus on building relationships with New York's executive agencies, including the Office of Addiction Services and Supports (OASAS), the Office of Mental Health, the Department of Health, the Department of Corrections and Community Supervision, the Office of Children and Family Services, and law enforcement. One of our newest partnerships is with the Department of Health's NY MATTERS program, a statewide referral network that uses an electronic platform to rapidly connect participants to medical professionals for evaluations, medical services, behavioral health treatment and peer support. DPP has partnered with NY MATTERS to allow opioid courts access to their platform, which has historically only been available to emergency medical departments and correctional facilities. In addition, DPP has worked to strengthen the existing partnership with OASAS by collaborating on a project that will develop opioid courts in eight rural communities and bring treatment enhancements and recovery support services to OASAS providers in those communities.



Domestic Violence, Integrated Domestic Violence, and Gender-Based Violence

The Division of Policy & Planning provides support to the Unified Court System's domestic violence and integrated domestic violence courts through training and resource mapping and serves as the court system's liaison to other agencies which address gender-based violence. For example, the New York State Office for the Prevention of Domestic Violence created ten regional councils designed to study the impact of domestic violence on victims and communities. DPP representatives have actively participated in these meetings since their inception.

Another important relationship between the Unified Court System and the community is the ongoing Remote Family Offense Petition Project. Anyone seeking an order of protection in a Family Court can do so remotely with the assistance of an intimate partner violence advocacy organization which can file a petition on their behalf requesting a virtual hearing for the order of protection. All 62 counties in New York State have organizations which participate in this program.

Supervised visitation is another critical area of collaboration, but one that will require a substantial influx of resources in the years to come. In this regard, many counties, especially those that encompass New York's rural communities, have very few - if any - organizations that provide supervised visitation services. To study this issue, Policy & Planning recently organized a statewide Supervised Visitation working group which includes not just court personnel, but also advocates, family court attorneys, and other government agencies. DPP also created a Supervised Visitation Guide for Best Practices to be used by agencies and courts. Equipped with the Guide, the Working Group members are focused on learning from the lived experiences of those impacted by safe exchange and supervised visitation issues.

Human Trafficking

Human Trafficking Intervention Courts serve trafficking survivors and others facing exploitation in the commercial sex trade. They do so by employing a collaborative, multidisciplinary approach with a dedicated team of stakeholders who link individuals to services like counseling, intensive case management, drug treatment, mental health and medical services, vocational and job training, and immigration services. In recent years there has been an increasing recognition of the victimization and criminalization of sex workers by the legal system, resulting in a major change in the arrest and prosecution of individuals for prostitution related offenses. The overall decrease in prostitution arrests around the state,



Panelists Gigi Prieto, Sara Kruzan and Chantal La-Fon participated in a Human Trafficking Intervention Court training program.

however, has not eliminated the existing number of sex trafficking victims in this state, or the fact that they may be in the court system on other charges. These victims are just harder to detect, further marginalized, and rendered invisible, highlighting the need for courts to take an active role in properly identifying individuals at high risk of trafficking to address their needs. A systemwide response should therefore include, among other things, wide dissemination of screening tools designed to aid in this process.

Victims of trafficking and other persons whose lives have been changed by the trauma of gender-based violence are often prosecuted for a range of charges in our courts. Many Human Trafficking Intervention Courts currently hear cases involving persons believed to be trafficked or at high risk of trafficking, and broader screening is expected to reveal more victims. As part of this process, OJI convened the first in-person statewide conference on human trafficking since the COVID pandemic, bringing together over a hundred stakeholders, court staff, judicial officers, trafficking survivor leaders, and subject matter experts to explore current issues around labor and sex trafficking.

Elder Justice

New York's Elder Justice Innovation Project, a partnership between the Unified Court System, Project Guardianship, and JASA, is the result of a \$1,000,000 grant from the US Department of Health and Human Services. With this funding, DPP has been working towards modernizing the Unified Court System's internal guardianship case processing operations and increasing access to court services for those elderly court users who are indigent, disabled or have limited English proficiency.

Prior to this grant, the decentralization of data systems rendered it exceedingly difficult to monitor compliance, much less extrapolate information or implement uniform operational protocols. In just a year's time, the UCS Department of Technology and Court Research has modified our Universal Case Management System to include a completely redesigned user interface for court personnel, enhanced administrative capabilities, new case management functionalities, and improved report ing tools and compliance monitoring.

Painstaking work is also being undertaken to develop a set of plain language motion and order templates designed to be used by lay guardians but are suitable for anyone, including judges and members of the bar. Well over 30 forms are in development and undergoing plain language



Statewide Coordinating Judge for Problem-Solving Courts Toko Serita at a Human Trafficking Intervention Court training in September 2022

review. Once completed, these forms, along with an array of educational videos, links to resources, and general information, will be placed on a brand-new guardianship homepage on the Unified Court System website.

DPP also distributed a survey to court staff, fiduciaries, guardians, and other individuals involved in the guardianship process, and received almost 1,000 responses. Their feedback will drive future improvements to our guardianship system.

Mental Health

In his recent State of the Judiciary address, then Acting Chief Judge Anthony Cannataro announced the creation of a blue-ribbon committee, chaired by Kings County Administrative Judge Matthew D'Emic, to address the New York State court system's response to mental illness. The committee is tasked with implementing recommendations of the National Judicial Task Force to Examine State Courts' Response to Mental Illness. As the committee takes shape, work has continued in reviewing the recommendations of the National Task Force and evaluating their applicability to New York.

Most recently, a delegation from the New York courts traveled to Miami, Florida to visit the Eleventh Judicial Circuit's Criminal Mental Health Project, which is unique in that it is centered around a large multipurpose facility designed to serve its population. While the concepts behind that facility are at least partly replicable here, the site visit highlighted the need and the enormous benefits of working across branches of government to better coordinate interventions and services.

Foreclosures

The Division of Policy and Planning is responsible for monitoring the statewide inventory of foreclosure matters and recommending systemwide improvements. These include instituting safeguards for unrepresented homeowners, standardizing court operations, developing (and re-developing) uniform settlement conference forms and motion templates, developing new case tracking procedures, and creating informational materials.

To ensure that statewide foreclosure practices are fair to all parties and uniformly applied throughout the State, the Office for Justice Initiatives has been tasked with serving as a liaison between the Unified Court System and the foreclosure bar. In this regard, lender and loan servicer attorneys, civil legal services providers, members of the private defense bar, and housing counseling agencies all have an open line of communication with court administrators.

OJI staff are also actively involved with the New York City Bar Association's Mortgage Foreclosure Task Force, which meets monthly to discuss current trends, comment on legislation, and organize CLE for practitioners and court staff.

Division of Child Welfare and Family Justice

The Division of Child Welfare and Family Justice administers the Child Welfare Court Improvement Project (CWCIP), a federally funded initiative that supports the Family Court's mandate to promote the safety, permanency, and well-being of abused and neglected children. In recognition of the integral role courts play in charting the course for children who are the subject of abuse, neglect, foster care, termination of parental rights and adoption proceedings, the project provides resources, technical assistance, and data metrics to support local interdisciplinary collaboratives throughout the state. Local collaboratives engage in systems change efforts at the intersection of the legal/ judicial and child welfare systems through a continuous quality improvement process.

With the 2023 Law Day theme "Cornerstones of Democracy: Civics, Civility and Collaboration," the American Bar Association has issued a call to action to rebuild trust in our institutions, respect for one another, and a willingness to collaborate to address challenges. The New York State Child Welfare Court Improvement Project works on several fronts to answer that call. The CWCIP, in partnership with the Office of Children and Family Services (OCFS), supports the statewide and local multidisciplinary child welfare collaborations that bring stakeholders from the family court and legal community together with child welfare professionals and others to improve outcomes for children and families who intersect both systems. These local collaboratives have access to local and statewide data, multi-disciplinary training at no cost, and technical assistance to implement national and state best, promising, and emerging practices.

Additionally, on a state level, we have built partnerships with OCFS and other executive branch agencies, such as the Office of Addiction Services and Supports, the Department of Health (DOH), the Office of Mental Health (OMH) and not-for-profit agencies such as the Center for Justice Initiatives and Casey Family Programs to improve the courts' response to families impacted by substance use disorder and engaging parents and youth impacted by the family courts and child welfare system. We are also working to build relationships with tribal nations whose land New York State resides on. Since 2021, we have been building relationships with parents and youth affected by the family court and child welfare system to increase transparency in our work and to help raise awareness about the importance of family preservation and reunification, and to implement trauma informed care practices and solution focused strategies to improve civility and reduce exposure to trauma.

Statewide Collaborative Projects

Better For Families

The New York State Unified Court System received a grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to work with other state agencies in 2020. Goals include prioritizing early identification of families in need of substance use disorder treatment while supporting enhanced access to quality treatment. The grant allows the Child Welfare Court Improvement Program to build on its Better for Families project pilots—originally funded through a prior OJJDP grant—and continue to expand training and technical assistance that promotes Family Treatment Court (FTC) best practices in counties without FTCs.

The grant also supports the enhancement and expansion of FTCs in collaboration with the Division of Policy and Planning. The project provides resources and technical assistance to promote continuous quality improvement through sharing data, cross-training, supporting the use of universal screening, access to quality assessments, more frequent court reviews, and integration of trauma informed care practices. The project is overseen by an Executive Committee that includes representation from the Office of Court Administration, the Office of Children and Family Services, Office of Addiction Services and Supports, Department of Health and the Office of Mental Health, a peer mentor with lived experience, a parent attorney, an attorney for the child, and a representative from the Center for Justice Innovation to oversee and support this project.

Program materials were collaboratively created and distributed at the Annual New York Association for Treatment Court Professionals Conference in Saratoga Springs in

March. We are currently planning an in-person regional training for the 6th, 7th, and 8th JDs for September 26th and 27th, 2023. Additionally, five multi-disciplinary, Substance Abuse Disorder online training modules are in development. Some counties, such as Chautaugua and Oswego, have already implemented Better for Families, and have completed full or half day refresher trainings, while several other counties have begun implementation discussions.

The Indian Child Welfare Act

The Indian Child Welfare Act (ICWA) was enacted in 1978 to ensure tribal sovereignty rights in child custody matters for the governance of Tribal Nations of their children/ people, and to uphold traditional customs and practices of tribal communities.

In New York State, ICWA applies to any federally recognized Tribal Nations, all Tribal Nations recognized by New York State and any other nation or tribe recognized by any other state in the United States. This means that New York State casts the widest net for ICWA protection of Indian children who are connected to Tribal Nations.

In 2020, in partnership with OCFS Native American Services, CWCIP began hosting biannual regional-based ICWA roundtables to build relationships and form collaboratives with local tribal nations and family courts in Western New York. Biannual regional roundtables have been implemented in Central and Northern New York as well, with another downstate roundtable anticipated for 2023.

The statewide ICWA Committee has rolled out support in the Universal Court Management System (UCMS) for collecting and tracking tribal affiliation and jurisdiction to improve adherence to ICWA, and a training was provided to court clerks in Fall of 2022 on entering this data into the UCMS. Tribal notification will be included in the next round of UCMS build projects.

The CWCIP also partners with the Tribal Court Improvement Project grantees in the Saint Regis Mohawk Tribe to host the annual ICWA conferences, the 5th of which was held in Syracuse on May 2nd and 3rd this year. Most recently, a workgroup was created among CWCIP staff to create a Land Acknowledgment for statewide use by the Unified Court System at the beginning of meetings, trainings and conferences.

Court-based Projects

Child Permanency Mediation Program

Permanency mediation is a consensual dispute resolution process for child welfare cases in which a specially trained mediator helps parties to identify issues, clarify perceptions and explore options for a mutually acceptable outcome. The permanency mediation program utilizes a statewide, court-based roster. Mediators are admitted to the court roster pursuant to Part 146 of the Rules of the Chief Administrative Judge. Part 146 articulates minimum training and experience requirements for mediators. Child permanency mediation program roster mediators are experienced mediators who have participated in training in advanced family mediation techniques, child welfare laws and regulations, large group facilitation techniques, trauma informed care and cultural humility/implicit bias. The program is available statewide virtually and in person in certain counties.

A four-day mediator training was conducted in February 2023 for the 7th Judicial District with nine new mediators trained, four of whom have already been accepted to the statewide roster. The child permanency mediation 2022 statistics show four new counties in New York State have started utilizing the Child Permanency Mediation Program, as well as an increase in participation rates from 75% to 81%. Although the program went virtual in 2020 due to the COVID pandemic, local courts have begun to allow in-person mediations for specific case types.

Family Preservation/Reunification Workgroup

In May of 2021, CWCIP created a workgroup composed of multidisciplinary stakeholders and parents and youth with lived family court and child welfare system experience to identify ways to commemorate National Reunification Month in June. The workgroup recommended that the Chief Judge issue a statement on the importance of family preservation. The statement was issued in June 2021, and again in June of 2022, creating a new tradition that will continue each June. Additionally, the group produced a Family Preservation Roundtable Discussion moderated by DCAJ Edwina G. Richardson-Mendelson. The video recording of the discussion was used in a training series in June 2022 for all Family Court staff statewide. The workgroup also created a training subcommittee which meets at least monthly to plan training that focuses on the importance of family



unity and preservation, the historical harms and trauma of removal, and best practices for successful reunification. The first training will take place on June 1st and 15th as a two-part training series called "Listen and Learn, Seen and Heard: Families Know Best."

Engaging Parents and Youth with Lived Experience Expertise Workgroup

In Partnership with the Permanent Judicial Commission on Justice for Children, CWCIP convened parents and youth interested in working with us on program and policy development. The first meeting was held in May 2023.

Trauma Informed Care and Solution Focused Strategies

Trauma Informed Care (TIC) and Solution Focused Strategies (SFS) are evidence-based models that promote an organizational and culture shift in how we operate. This project offers a series of trainings and facilitated dialogues for practitioners to integrate TIC and SFS into their work at the direct case level and across systems to elevate the principles of the Adoption and Safe Families Act (ASFA), through improving time to permanency, increasing reunifications and reducing recidivism rates

in child welfare matters. Vicarious resilience is also examined, and participants are educated on the definitions and distinctions between worker burn out, secondary traumatic stress, vicarious trauma, compassion fatigue, and re-traumatization. Participants also learn the construct of post-traumatic growth while exploring the impact and possibilities within their work and the child welfare system.

Trauma Informed Care and Solution Focused Strategies modules can also be modified for those jurisdictions and collaboratives that are not ready to make the commitment of an 18-month project. The modules can be tailored to court personnel and court officers as well as provided to multidisciplinary groups of cross system professionals including attorneys, jurists, caseworkers and community-based professionals.

The following counties and entities have participated in the project: Chautauqua County CIP Collaborative, Albany County CIP Collaborative, Suffolk County CIP Collaborative, Niagara County CIP Collaborative, Oswego County CIP Collaborative, Erie County Assigned Counsel Program, Legal Aid Bureau of Buffalo, Attorneys for Children Unit, Schenectady County, Mental Hygiene Legal Services Unit, Appellate Division, 1st Department.



In recent years, CWCIP has adapted a curriculum for Trauma Informed Organizational Change. It is a curriculum that can be used within or across organizations to promote organizational transformation in policies, practices and care in a trauma-informed manner. The CWCIP team is launching the curriculum now to aid with development and implementation across the court and stakeholder agencies. The four-hour kickoff session was held on March 13th with monthly sessions to continue through 2024. Additionally, we will be providing Trauma Informed Care and Solution Focused Strategies and judicial wellness training for the judges at the Summer Seminars.

Reasonable Efforts Judicial Academy

The Reasonable Efforts Judicial Academy (REJA), also known as The Academy, is a highly interactive two-day training for Family Court Judicial Officers who preside over removal and permanency hearings. The REJA provides instruction on the 'black letter law,' the art of making reasonable efforts findings, a discussion on the Indian Child Welfare Act and Active Efforts. Judicial Officers learn new skills to prevent unnecessary removal of children from their homes and to ensure those who are removed are returned to their parents or achieve permanence as quickly as possible.

Each Academy requires pre- and post- training court observations for at least five of the participating judges. Court observations are conducted by CWCIP staff and serve to assess the effectiveness of the training academy. The Academy is co-sponsored with CWCIP by the NYS Judicial Institute, and the American Bar Association's Capacity Building Center for Courts. The first Academy took place in February 2023 with 30 judges enthusiastically participating from across the state. As a follow-up, we are bringing the judges back together to discuss opportunities to keep reasonable efforts at the forefront. A second Academy is scheduled to be in person at the Judicial Institute on October 18th and 19th, 2023.

Division of Youth and Emerging Adult Justice

The future of our democracy is our young people. The Office for Justice Initiatives is committed to ensuring that young people who are involved in our juvenile justice system are treated appropriately and given the best opportunities to prevent becoming involved with the criminal justice system again, while also protecting our local communities and those who reside within them.

The United States Supreme Court, in Roper v. Simmons, 543 U.S. 551 (2005), noted juvenile offenders' "lack of maturity and... underdeveloped sense of responsibility... [resulting] in impetuous and ill-considered actions and decisions." That precedent recognized that the criminal justice system may not uniformly treat juvenile offenders in the same manner that it treats adults, due to their vulnerability to outside influences and peer pressure, and the transitory development of their character. The Office for Justice Initiatives is committed to ensuring that young people involved in our juvenile justice system are treated appropriately and given the best opportunities, so that the criminal justice system does not become a revolving door, while also protecting our local communities and those who reside within them.

OJI is committed to developing a court model that produces sustained positive outcomes for New York's justice system involved youth. In collaboration with state and local agencies, non-profit and child-serving organizations and other stakeholders, OJI will promote necessary reforms and develop new strategies to establish a more efficient and fair juvenile justice system.

The Division of Youth and Emerging Adult Justice is principally involved in two areas in the realm of juvenile justice:

Raise the Age

New York State was formerly one of only two states in the nation where 16- and 17-year-olds were automatically prosecuted as adults in the criminal justice system. On April 10, 2017, New York State enacted legislation raising the age of criminal responsibility to 18. The "Raise the Age" legislation includes reforms and updates to a variety of New York State statutes, including the Criminal Procedure Law, the Penal Law, and the Family Court Act. It was implemented in two stages, October 1, 2018, for 16-year-olds and October 1, 2019, for 17-year-olds.

Following this phased implementation, 16- and 17-yearolds accused of committing a felony-level crime are designed "Adolescent Offenders," and have their cases heard in a superior court Youth Part, presided over by a Judge specially trained on juvenile justice. DCAJ Edwina G. Richardson-Mendelson and the OJI were instrumental in leading statewide implementation of this seminal law raising the age of criminal responsibility and continue to troubleshoot issues and provide guidance and support.

Adolescent Offenders accused of non-violent crimes may be eligible to have their cases removed to Family Court, where more opportunities to receive intervention and evidence-based treatment to reduce recidivism are available. These young people may be placed in specialized juvenile detention facilities certified by the Office of Children and Family Services, in conjunction with the State Commission of Correction, in lieu of adult jails or prisons. Cases involving significant physical injury to a victim, the display of a firearm, sexual offenses, or extraordinary circumstances may remain in the Youth Part.

In late 2022, the Legislature passed the "Raise the Lower Age" bill, which raised the minimum age of juvenile delinquency jurisdiction to 12. Those who are younger than 12 but engage in behavior that would otherwise bring them under juvenile delinquency jurisdiction may be directed to restorative justice programs, peer supports, and substance use intervention.

The Raise the Age law also includes new sealing provisions allowing individuals of any age who have been crime free for ten years after serving their sentence to apply for the sealing of previous criminal convictions. Individuals who were convicted of two or more felonies, a sex offense, violent felony, or other serious felonies will not be eligible to have their records sealed.

On October 13, 2022, the Franklin H. Williams Judicial Commission and OJI hosted a Raise the Age Summit



at the Syracuse University College of Law. A wideranging discussion on the impact of Raise the Age on the court system and local communities was held with justice system stakeholders, including judges, district attorneys, members of the defense bar, attorneys for children, and others. DCAJ Edwina G. Richardson-Mendelson delivered a keynote address on the implementation of Raise the Age, and the progress that our courts have made in reforming the juvenile justice system. Another Raise the Age Summit for Youth Part and juvenile deliquency judges and court staff is currently being planned for 2023.

Emerging Adult Justice

Young adults in the 18-to-25 range — when their brain is still developing cognitive skills, emotional intelligence and social behaviors — are sometimes referred to as "emerging adults." As the emerging adult engages, or fails to engage, in critical life events such as employment, residential stability, educational milestones, and strengthening family connections, they form trajectories - ideally into fully mature adulthood without future criminal justice

contact. However, during this period, emerging adults are also more motivated by risk-taking behavior and susceptible to peer pressure, which can lead to more involvement in criminal activity and alter these trajectories into functioning adulthood.

Emerging adults make up 10% of the population, both nationally and in this state, yet account for 29% of the arrests in the country and 24% of the arrests in New York State. Several judges and courts in New York have begun to develop models and practices to effectively address emerging adults in recognition of the transitional phase of these young people's development, while also prioritizing community safety and the public interest. While emerging adults are considered full adults for statutory purposes, emerging adult courts are largely founded on policies informed by stakeholder involvement that uniquely work best with the communities and local populations that those courts serve. Emerging adult courts can be found in the New York City boroughs of Manhattan, Brooklyn and Queens, as well as in Mount Vernon and New Rochelle in Westchester County. OJI supports the work of these groundbreaking courts.

Equal Justice in the Courts

Civic education plays a major role in laying the groundwork for longstanding and positive change in our courts and other public institutions. For civic education to be effective, the public must be given the confidence that they have the power to influence change in the court system they use. If our civic engagement does not instill in our communities - particularly our youth - the idea that they are valued by the court system that is in place to serve them, something must change.

As part of the "Equal Justice in the Courts" (EJIC) initiative - which combats bias and discrimination and promotes equity and inclusion in New York's Courts - DCAJ Edwina G. Richardson-Mendelson tasked court leaders in each of New York's thirteen judicial districts to generate creative local programs through local EJIC Committees to assist in this mission. Our local equal justice committees understand the importance of providing the public with wide-ranging information about our courts and have been unrelenting in their commitment by conducting school visits, court tours and Careers in the Courts programming. Below are a few highlights:

Second JD: Participated in career day at Brooklyn High School for Leadership and Community Service and held "C3: Courts and Communities in Conversation" sessions with the Iran, Muslim, Puerto Rican and Hispanic National bar associations. During these sessions, community members discussed their perceptions of our courts and offered ways to improve the courts' relationship with the community.

Third JD: Visited 11 schools, held four Court tours and attended several Career Fairs at local higher education institutions. Additionally, they secured funding for a Careers in the Courts video to aid in recruitment efforts; post-production is currently underway.

Fourth JD: In February 2023, the Fourth Judicial District's Equal Justice in the Courts Committee, in partnership with the Solomon Northup Legacy, the Fort Edward Historical Association, the Saratoga County Clerk's Office and the Office for Justice Initiatives hosted the Inaugural Solomon Northup Ceremony at the Saratoga County Supreme Court. Solomon Northup, whose life was also depicted in the film Twelve Years a Slave, was a free Black man from New York who had been kidnapped in Washington, D.C., and sold into slavery. Henry B. Northup was a white lawyer who represented Solomon in Saratoga County court to help him obtain his freedom. DCAJ Edwina G. Richardson-Mendelson was surprised with the honor of receiving the inaugural Henry B. Northup Award for Excellence in Enhancing Equal Justice in the Courts.



Fifth JD: Transitioned seven virtual court access kiosk sites to Onondaga County-based public libraries, for a total of 11 virtual court access kiosks established throughout Onondaga County. The Fifth JD Access to Justice Committee also convened a Faith Leaders Breakfast to engage leaders from all faiths in the Syracuse area.

Sixth JD: Created a Survey Feedback Poster to facilitate and encourage feedback from court users and staff on improving service and equal justice in the courthouse.

Seventh JD: Hosted their first Asian American Pacific Islander Heritage Month event in conjunction with Santa Clara County, California. The Black History Month Committee also held a Book Club Discussion focused on Ta-Nehisi Coates' "Between the World and Me," a letter written to his son about the harsh realities of being Black in America.



Eighth JD: Held a Muslim and Immigrant Youth Careers in the Courts and Legal Field panel and provided a tour of the courts for University at Buffalo Law School first year students.

Ninth JD: Co-sponsored Black History Month and Equal Justice in the Courts programs with the Franklin H. Williams Judicial Commission.

10th JD (Nassau): Hosted a diverse group of eighth grade students from St. John's Law School Summer Legal Outreach Program and premiered a Careers in the Courts film dedicated towards promoting, educating, and inspiring communities of color to consider a career in the courts. Approximately 100 guests attended the premiere, including superintendents and other school personnel.

10th JD (Suffolk): Created a community-based workshop on employment opportunities within the court system with information on the various job opportunities, how to apply, preparing the application, resume building, test prep and interview tips.

Kings County Family Court: Held a monthly "Perspectives Series: Brown Bag and Video Discussion" wherein they have a viewing and discussion of videos about different perspectives relating to equal justice matters.

Queens Supreme Court, Civil Term: Presented at various local Queens middle schools and high schools. The students were provided with information about the role of the court within the community and introduced them to future employment opportunities in the courts. The school presentations have included judges, law clerks, clerks, officers, and secretaries.

New York City Civil Court: Held a book discussion of "So You Want to Talk About Race" by Ijeoma Oluo, which offers a revelatory examination of race in America and guides readers of all races through subjects ranging from police brutality and cultural appropriation to the model minority myth. In preparation for Ramadan 2023, Hon. Carolyn Walker-Diallo, Administrative Judge of the Civil Court of the City of New York, shared helpful information concerning the Muslim holiday to offer insight about the obligations of those who celebrate and fast during the holy month.

Major Tawya Young of the New York City Civil Court Equal Justice Committee organized a very successful community outreach event at John Jay High School in Brooklyn, in partnership with the Court Officers Academy and the NYPD Options program. Court officers held an engaging and interactive discussion with students on procedural justice, tactical perception, and implicit

WOMEN JUDGES IN THE NEW YORK STATE COURT SYSTEM: **WE'VE COME A LONG WAY**









Left to right: DCAJ Edwina G. Richardson-Mendelson; DCAJ Deborah Kaplan; Court of Appeals Judge Shirley Troutman; Presiding Justice (Ret.) Betty Weinberg Ellerin, Appellate Division, First Department.

bias. The conversation focused on the importance of increasing awareness and fostering positive interactions with the public to provide professional, courteous, and effective service. A subsequent event was also held at the High School for Law Enforcement and Public Safety in Jamaica, Queens.



Richmond County: Held an event titled "Civic Engagement & You: Jury Service Matters" in the Central Jury Room at the Richmond County Courthouse. Students from Curtis High School and members of the legal community were in attendance.

Women in the Courts

The Judicial Committee on Women in the Courts, chaired by Hon. Betty Weinberg Ellerin, is made up of members appointed by the Chief Judge and tasked with securing equal justice, treatment, and opportunity for women in the court system. A previous group, the 1986 New York Task Force on Women in the Courts, issued a report after a lengthy investigation which revealed that "gender bias against women litigants, attorneys and court employees is a pervasive problem with grave consequences."

The Women in the Courts committee released a more recent report revealing the results of a survey that garnered over 5,000 responses from attorneys registered in New York State. The results, compiled and released in 2020, revealed that while the treatment of women in the court system had improved since 1986, there are still significant reports of gender-based bias, discrimination, and harassment.

Subject areas examined by the 2020 survey include:

- Courthouse Environment/Sexual Harassment
- Credibility and Court Interaction
- Domestic Violence

- Domestic Violence and Custody, Support, and Visitation
- Child Support
- Equitable Distribution and Maintenance Guidelines
- Gender-Based Violence
- Appointments and Fee-Generating Positions
- Negligence and Personal Injury
- Court Facilities

The 2020 Gender Survey contains several recommendations on how to combat instances of bias, discrimination and harassment related to these subject areas. These recommendations are addressed not just to court administration, but to a variety of groups within the legal community, including bar associations, judicial leaders, law schools, state legislators, and others. DCAJ Edwina G. Richardson-Mendelson leads the implementation of the 2020 Gender Survey's court-based recommendations as a critical part of Equal Justice in the Courts endeavors.

Some of the reforms recommended in the 2020 survey which have already been implemented include:

- Substantial improvement in the complaint process, including where to find more information on the process on the court's website and courthouse signage.
- Clarifying and promoting the existing complaint policies to assuage concerns about filing complaints.
- Training for Supervising and Administrative Judges, Deputy Chief Administrative Judges, District Executives, and Chief Clerks (among others) for handling such matters seriously and through a trauma-informed lens.
- Incorporating key principles of problem-solving courts into Human Trafficking Intervention Courts to provide better trauma-informed responses to victims of sex trafficking, including specially trained judges, judicial monitoring, and links to services.

Equal Justice Year in Review Report

On March 8, 2023, then Acting Chief Judge Anthony Cannataro announced the release of the "Equal Justice in the New York State Courts: 2022 Year in Review" report updating the achievements of the court system's Equal Justice work, led by DCAJ Edwina G. Richardson-Mendelson. The report highlights the court system's statewide efforts over the past year to promote diversity and inclusiveness on the bench and in the courts' workforce and foster a safe, welcoming and bias-free environment, consistent with the recommendations of Secretary Jeh Johnson, Special Adviser on Equal Justice in the Courts. We encourage you to read this report and reach out to us with your thoughts.





n furtherance of our mission, the UCS has developed this guidance on what court users can expect and their responsibilities when they come to court.

COURT USER EXPECTATIONS

- Fair and impartial treatment tatus, disability, predisp characteristic familial status ling pregnancy), m
- Courtesy, respect, profes and court staff:
- Free court interpreters, upon
- Clear and understandable information; and
- Assistance navigating court

COURT USER RESPONSIBILITIES

Courts users should:

- Arrive on time;
- Cooperate with court security when you enter the courthouse;
- Treat everyone, including judges, coustaff, attorneys and other court users, with courtesy and respect;
- Maintain proper conduct and decorum as directed by the judge or other court
- Respect the judge's rules in the
- Notify court staff in advance, when possible, if you need an interpreter or odation for a disability (ADA): and
- Not use electronic devices while in a courtroom without the permission of

Juror Outreach

Jury service is one the highest duties of American citizenship. A critical component of civics education is learning about our Constitutional right to have a trial by an impartial jury. During Jury Week 2022, the office of Statewide Jury Coordinator Jessica Simard sponsored a weeklong social media campaign to stress the importance of serving as a juror. Each day featured a different message — including a posting of the QR barcode empowering citizens to volunteer for jury service - published on Unified Court System social media pages such as Facebook and Twitter.



The 13th JD held an event entitled "Civic Engagement & You: Jury Service Matters" in the Central Jury Room at the Richmond County Courthouse. Students from Curtis High School and members of the legal community were in attendance.

To ensure the fair, impartial and meaningful administration of justice, it is crucial that everyone engaged with the court — judges, court officers, court personnel, jurors and parties - behave civilly. Displays of decency, respect and common courtesy for all form the basis of a safe and welcoming court environment, which, in turn, fosters a mutual dignity and civility among all those who engage with our court system.

LGBTQ+ Benchcards

Judges have an obligation to foster a judicial environment free of bias, prejudice, and harassment. It is misconduct to discriminate based on sexual orientation, gender identity, or gender expression. Where a party or attorney has advised the court that their chosen gender pronoun is "they," a judge may not require them to instead use "he" or "she."

As part of an effort led by Westchester County Supreme Court Justice James Hyer and the 9th JD Access to Justice subcommittee to better assist Judges with fostering inclusive environments in the courtroom, the New York State Unified Court System issued a two-page bench card describing best practices to guide Judges in using LGBTQ+ inclusive language and pronouns. The New York State Bar and ABA subsequently voted to approve the use of LGBTQ+ inclusive language in court proceedings nationwide.



OFFICE FOR JUSTICE INITIATIVES



Edwina G. Richardson-Mendelson • Deputy Chief Administrative Judge for Justice Initiatives

DIVISION OF ACCESS TO JUSTICE

The Access to Justice Division's mission is to provide access to justice in all New York State Courts for people of all backgrounds, incomes, and abilities. The Division develops and supports pro bono attorney programs, self-help services, technological tools and endeavors to secure stable and adequate non-profit and government funding for civil legal services programs.

DIVISION OF YOUTH AND EMERGING ADULT JUSTICE

The Youth and Emerging Adult Justice Division provides oversight, guidance and training on youth justice matters in New York State, primarily centered on the Raise the Age legislation, and development and support of emerging adult courts.

DIVISION OF CHILD WELFARE AND FAMILY JUSTICE

The Child Welfare Court Improvement Project ("CWCIP") is a federally-funded initiative that supports the Family Court's mandate to promote the safety, permanence and well-being of abused and neglected children. The program provides resources, technical assistance, and data metrics to support local interdisciplinary collaboratives throughout the state.

DIVISION OF POLICY & PLANNING

The Division of Policy & Planning (DPP) provides guidance and support to judges and non-judicial personnel throughout the New York State Unified Court System in our 300+ problem-solving and accountability courts. DPP is also responsible for the statewide inventory of residential and commercial foreclosure matters, leads ongoing elder justice initiatives, and manages numerous special projects on behalf of the Unified Court System.

DIVISION OF JUDICIARY CIVIL LEGAL SERVICES

The Judiciary Civil Legal Services (JCLS) Division provides programmatic oversight of the JCLS grant. By providing a stable funding source for the delivery of civil legal services and access to justice services, the grant promotes meaningful access to the courts for low-income New Yorkers and the legal assistance they need to secure the essentials of life.

EQUAL JUSTICE IN THE COURTS

Equal Justice in the Courts is a multi-faceted, enduring effort committed to rooting out all forms of bias and discrimination in our court system including but not limited to race, age, creed, color, sex, sexual orientation, gender identity, gender expression, religion, national origin, disability, marital status or socioeconomic status, weight, body size, and more. In furtherance of our mission, we continue to partner with our local equal justice committees, various court agencies, bar associations, affinity organizations and the public to create a court system that is fair, just and welcoming to all court users and court employees.



We thank you for taking time to review the Office for Justice Initiatives' 2023 Law Day Report. As we work to strengthen our democracy by rebuilding trust in our institution, we pledge to enhance our civic engagement within our local communities. We likewise reaffirm our commitment to providing meaningful and equal access to justice for all New Yorkers who enter and who serve in our courts.

We invite you to contact the Office for Justice Initiatives with any questions, suggestions or feedback:

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