

## **MESSAGE FROM CHIEF JUDGE JANET DIFIORE**

**December 28, 2020**

Thank you for giving us a few minutes of your time for an update on the latest COVID developments affecting our courts and the justice system.

I hope that you and your families enjoyed a wonderful Christmas and holiday weekend. Even as we celebrate the season and look forward to the new year with good cheer, we know that we must continue planning and preparing for the challenges that lie ahead. And that is why we recently put out a call for volunteer judges to hear the growing volume of child custody and visitation disputes in the New York City Family Court. And I'm pleased to report that 35 Supreme Court Justices and Acting Supreme Court Justices have volunteered to assist their Family Court colleagues in tackling that important docket. Those judges with prior Family Court experience will begin hearing cases as soon as next week, while the majority of volunteers will receive training and begin their assignments by the end of January.

I want to thank these volunteer judges for responding to our need in Family Court and stepping outside their comfort zones to help us resolve urgent, time-sensitive matters involving children and families in crisis. I also want to thank George Silver, our Deputy Chief Administrative Judge for the New York City Courts, for stimulating this excellent response, and Family Court Administrative Judge Jeanette Ruiz, Deputy Administrative Judge Anne-Marie Jolly and Chief Clerk Doreen Hanley for training and integrating these volunteer judges into the Family Court's operations.

On another high note, next week I am looking forward to the privilege of welcoming 66 newly-elected and -appointed judges to the Bench during the Judicial Institute's virtual "New Judges Seminar for 2021." These judges join us at a unique and historic moment in time, when the continued spread of COVID-19 has compelled us to temporarily postpone in-person appearances and rely on remote technology in order to safely meet the demand for our services.

Quite the unusual introduction, but we do have a strong program in place to properly orient them. And to begin the training, they will hear from Chief Administrative Judge Lawrence Marks, and from each

of our three Deputy Chief Administrative Judges -- Vito Caruso, George Silver and Edwina Mendelson -- all of whom will impart their wisdom and experience to help assist in their transition to the Bench. Our court leaders will also update our newest judges on the unique challenges and opportunities that now face the judiciary, including the opportunity we have before us, in response to Secretary Jeh Johnson's "Equal Justice Report and Recommendations," to strengthen public trust and confidence in our courts and the justice system by eliminating all forms of racial bias and discrimination from our institution. So, congratulations to our new judges, and I know you will all join me in extending a warm welcome to each one of them.

Staying on the topic of new judges, I'm pleased to report that on January 1st, 62 newly-elected Town and Village Justices will be taking the bench in municipalities across the state after having completed a five-day virtual "Taking the Bench Certification Training Program" conducted by our Office of Justice Court Support earlier this month. Using the Microsoft Teams platform, the new Justices were trained on essential topics, such as criminal arraignments and procedures, civil proceedings, fiscal recordkeeping and reporting and judicial ethics.

The training program was excellent, it was comprehensive, and it is critical to maintaining the high quality of operations and justice services in our state's 1300 local courts which serve hundreds of thousands of New Yorkers in a broad range of vehicle and traffic, small claims, evictions and criminal matters. Thank you to our Director of the Office of Justice Court Support, Justice Nancy Sunukjian, Deputy Director Anthony Ross, and all of the instructors and staff for their excellent programming and year-round training and support of our Town and Village Justices.

Last week, we received excellent news in the form of the Final Report of the Governor's "Raise the Age Implementation Task Force," on which our Deputy Chief Administrative Judges Mendelson, Caruso and Coccoma served as members. The Task Force's final report found that the landmark legislation enacted in 2017 to raise the age of criminal responsibility in New York from 16 to 18 is achieving the intended purpose of diverting young people out of the adult criminal justice system and into our Family Courts, where we've seen a significant expansion in rehabilitative options and services. The Task Force found that as of June 2020, no young people under the age of 18 were detained with adults or sentenced to local jails or state prisons,

and that confinement of young people, when necessary, is now taking place in specialized, youth-appropriate facilities.

The Task Force's report also made clear the key role that the court system played in the smooth implementation of "Raise the Age." Our Administrative and Supervising Judges, trial judges and professional staff who worked tirelessly to implement major operational changes and accommodations in our criminal and family courts deserve much credit for helping to promote better outcomes and futures for our young people. A spectacular achievement for New York State! Kudos and congratulations to all who have worked so hard and so passionately to accomplish this milestone achievement.

Switching now to a most painful issue, the issue of racial bias and discrimination in our court system. This past December 3rd, the Court Officer who posted vile and racist images on Facebook in early June was terminated from her position. The determination to terminate the Officer was made based upon the recommendation of the Judicial Hearing Officer who heard the evidence presented at a disciplinary hearing and found that the allegations of misconduct against the Officer were substantiated by the evidence.

The determination to separate the offending Officer from her service sends a clear message, and it underscores our commitment to eliminate racial bias and intolerance from our court system. It also serves to remind us of the urgent work that lies ahead of us to implement Secretary Johnson's "Equal Justice Report and Recommendations," and ensure that every person who works in our courts, or comes through the courthouse doors, is served by equal justice and treated with equal dignity and respect. And we look forward to working together to implement each of the Report's recommendations.

And now, I'd like to take a moment to commend our Administrative Judges and court managers for being sensitive to and proactive in addressing the mental health and emotional well-being of our judges and professional staff during what has been a prolonged, stressful and draining public health crisis for all. It can be very easy to overlook taking care of one's self when so much urgent responsibility is placed on our shoulders. But our wellness folks have not allowed that to happen. They have taken great care to tend to our needs. They have offered regular webinars, led by our Judicial Wellness

Coordinator, Dan Lukasik, focused on sensitizing judges and staff to the pressures on our mental health, and on the mindfulness and meditation techniques that can be most helpful in maintaining a healthy outlook and balance in our professional and personal lives.

The programs that have been organized have received rave reviews, including a session presented just last week at the request of Fifth District Administrative Judge James Murphy for Chief Clerks and nonjudicial supervisors. I encourage all of you to be mindful of your emotional well-being during these stressful times, and to take advantage of the wellness resources we have made available for you.

So, this is my last “Monday Message” of 2020. Who would have ever thought that 2020, a year dawning with so much promise and potential for our trial and appellate courts, and with our Excellence Initiative running so successfully, would have resulted in the need for weekly updates for the courts and the legal community on a fast-moving, deadly pandemic that turned our professional and personal lives upside down and inside out? It has been a remarkable, humbling, and, at times, frustrating journey -- and, in many ways, it has been an

inspiring one as well, thanks to all of you. Your commitment and devotion to our shared mission has been absolutely awesome.

And as the year closes, I want to publicly acknowledge and thank our dedicated “Monday Message” production crew who were here with me, without fail, through the darkest of days: Lucian Chalfen, our excellent and ever-ready Director of Public Information; Nick Ullo, our talented videographer; Philip Yow, our Website Systems Director; Martin Huynh, Network Systems Engineer and leader of our Courtroom Modernization Initiative; Fred Brucale, our Facilities Liaison here at 25 Beaver Street; and everyone who has allowed me the privilege and important task of keeping you informed and up to date on our efforts to navigate the challenges of the 2020 COVID-19 pandemic. Thank you to all of them.

So, once again, on behalf of Judge Larry Marks and the entire leadership team, please accept our thanks for your hard work and dedication throughout this past year, and our warmest wishes to you and your families for a happier, healthier and more prosperous new year. Please celebrate safely, and remain careful and disciplined in protecting yourselves and all those around you. Happy New Year!