

## MESSAGE FROM CHIEF JUDGE JANET DIFIORE

July 5, 2022

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

I hope that you and your families enjoyed the Fourth of July weekend, joining Americans across New York and the country in commemorating the official adoption of the Declaration of Independence, -- taking a moment to reflect on the importance of our guiding principles of liberty and equality, -- and to rededicate ourselves to meaningful efforts to advance equal justice and opportunity within the New York State Courts and beyond.

And in that very spirit, -- among this year's Fourth of July celebrations was a naturalization ceremony at the Empire State Plaza in Albany during which 20 individuals from various parts of the world, -- seeking greater safety, autonomy and opportunities, -- were sworn in as U.S. citizens by Acting State Supreme Court Justice, Kimberly O'Connor. The applicants, ranging in age from 19 to 67, hail from 14 countries, including Afghanistan, Bangladesh, Burma, Colombia, Ecuador, El Salvador, Guyana, India, Iraq, Nepal, Pakistan, Peru,

Trinidad and Tobago, and Yemen. We congratulate these new citizens, and wish them the very best in all their future endeavors. The Albany ceremony was part of the “U.S. Citizenship and Immigration Services” annual Independence Day celebration, -- with naturalization ceremonies taking place across the country throughout the week and we are pleased and proud to have participated.

I turn now to court operations, where we continue to make substantial strides in our return to full-scale court operations, -- accelerated by the lifting of the three-foot physical distancing requirement in all areas of our UCS facilities, -- which, -- based on the COVID metrics and latest public health guidance on COVID mitigation, -- was implemented on June 16th.

Toward this end, our Administrative Judges, District Executives and Chief Clerks have worked diligently, -- thoughtfully reconfiguring courtroom space in our efforts to further expand trial capacity. -- And jury commissioners in each of New York’s 62 counties are safely increasing capacity in our central jury rooms as additional civil and criminal trials are proceeding in courthouses across the State. --

Thank you to our Administrative Judges, District Executives, Chief Clerks, Commissioners of Jurors, -- and all our judges and staff, -- for their ingenuity and adaptability as we continue to navigate the evolving

stages of the COVID-19 pandemic. -- And we are grateful to our jurors, -- and to all who do business in and visit our courthouses, -- for their cooperation, and patience as we have moved to our “new” normal.

Also, in regard to court operations, -- ADR, as you know, has been integral in our efforts to enhance operational efficiency and improve the quality of justice services -- encouraging settlements and helping clear case backlogs resulting from the pandemic’s impact on court operations. -- And so, -- I am pleased to announce that our “Office of ADR” recently concluded a year-long initiative to provide continuing education on ADR skills and topics to over 400 mediation-trained judges and court staff.

This bi-monthly series featured programs on: Overcoming Impasse; Best Practices for Court Staff Neutrals; and Neuroscience and Mediation, among other areas. The series has been so well-received that the ADR Office will be offering this program on a regular basis, starting this fall. So thank you to Statewide ADR Coordinator, Lisa Courtney, and the ADR Office staff for their hard work,-- and for their ongoing technical support as the New York State Courts continue to expand the appropriate use of mediation and other forms of ADR.

Additionally, -- two Administrative Orders recently issued by Chief Administrative Judge Marks raise the continuing education standards

for mediators and other ADR practitioners: -- one requires all mediators and neutral evaluators serving on court rosters, -- arbitrators and special masters who serve in court-sponsored programs, -- and mediators and neutral evaluators who provide services as a part of the Court System's Community Dispute Resolution Center Program, to complete at least two hours of anti-bias training every two years; -- the other order requires all Family Court and Matrimonial Part mediators to take four hours of training on Screening for Intimate Partner Violence, - - and two hours of continuing education on IPV every two years to ensure the safety of litigants who may be victims of intimate partner violence.

Both orders take effect on January 1, 2023, -- exemplifying the New York State Courts' commitment to a bias-free environment and to the provision of safe, high-quality ADR services. --

I now turn my focus to an issue of national concern that has dominated recent news, -- an issue that poses tremendous challenges to our justice system -- the mental health crisis, which has been further exacerbated by the pandemic. In response, the Conference of Chief Justices and the Conference of State Court Administrators created the National Judicial Task Force to Examine State Courts' Response to Mental Illness. The Task Force is working to develop tools, resources,

best practices and policy recommendations to guide state courts in addressing the complex needs of justice-involved individuals with mental illness as we seek to break the cycle of mental illness and crime, -- and to enhance public safety and the quality of life in our communities.

In late June, the Task Force which is co-chaired by Chief Administrative Judge Marks, hosted here in New York, delegations from Delaware, the District of Columbia, New Jersey and Pennsylvania, -- along with our local delegation, -- at the 2022 Mid-Atlantic Region Mental Health Summit, -- billed as “Improving the Court and Community Response to Individuals with Mental Illness.”

Our New York multidisciplinary delegation included behavioral health and justice system experts who are leading reform efforts to improve court and community responses to individuals with mental health conditions. Representing the New York State Courts at the Summit, in addition to Judge Marks, were Deputy Chief Administrative Judge for Management Support Tamiko Amaker; Statewide Coordinating Judge for Problem-Solving Courts Toko Serita; and Administrative Judge for Criminal Matters in the Second Judicial District and Presiding Judge of the Brooklyn Mental Health Court, Matt D’Emic. Presenters included Queens County Acting State Supreme Court Justice

Marcia Hirsch and our Deputy Chief Administrative Judge for Justice Initiatives, Edwina Mendelson.

We extend our appreciation to the Summit attendees for their participation – and to the Task Force and the Court System’s Office for Justice Initiatives and Division of Policy and Planning, -- headed by Judge Mendelson, -- for their commitment to this critical issue, -- and for their efforts in developing such an excellent agenda and assembling the distinguished panels. -- I look forward to their recommendations which will inform and generate future discussions. --

And in another bright spot, we are pleased to highlight Mount Vernon City Court’s “Emerging Adult Justice Part” -- in my home county, Westchester, -- which recently marked its first-year anniversary, and is proof of the positive outcomes that innovative court practices can bring about in the lives of its participants. The Part provides meaningful alternatives to conventional prosecution, sentencing and incarceration for young people, ages 18 to 25, charged with misdemeanors, violations and non-violent felonies.

Many of these young adults have a history of poverty, substance use and trauma, -- and so the work done in the Part is designed to link them to age-appropriate interventions and services, including counseling, substance use treatment, mental health services, housing,

education and job training. Among the success stories over the past year are participants who passed their GED exams, enrolled in community college and pursued law enforcement or other careers.

The emerging Adult Justice Part is a partnership of our Ninth Judicial District, -- led by Administrative Judge Anne Minihan, -- the Westchester County District Attorney's Office, the defense bar and the Youth Shelter of Westchester Programs, -- which coordinates youth services and mentorship opportunities, placing participants on a path of self-autonomy. We thank Judge Minihan and our EAJP partners for their collaboration, and, -- of course, -- thank you to Mount Vernon City Court Judge Lyndon Williams, who presides over the Part and whose dedication and adept stewardship have made it a model of success.

Thank you for tuning in and for the opportunity to update you on so much positive activity in the New York State Courts, -- and thank you for remaining disciplined in doing all that you can and should to keep yourselves and those around you safe.