

MESSAGE FROM CHIEF JUDGE JANET DIFIORE

June 20, 2022

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 the combined weekend of Father's Day and Juneteenth, celebrating the fathers in our lives and the vital role they play as caregivers, mentors and protectors, and commemorating the freedom, progress and achievements of Black Americans in our nation's history.

I begin today's message with an important update on the changes to our Unified Court System Covid-19 masking policy that took effect last Thursday, June 16th. Based on the continuing decline in Covid-19 cases and evolving public health guidance on Covid mitigation, we have re-implemented the following mask policy:

Judges and court employees displaying a valid, unexpired "Orange Card," reflecting proof of a booster or third vaccine dose, may once

again enter and work in all areas of our court facilities without a face covering.

Attorneys or staff of public and private agencies who regularly conduct business in our facilities and show valid I.D. and proof of vaccination or booster may obtain a “Green Pass” permitting them to bypass daily Covid screening and conduct business in all areas of the courthouse without a mask.

And jurors and court visitors who show valid ID and proof of vaccinated or boosted status may obtain a temporary “white lapel sticker” allowing them to enter our courthouses without a face covering.

All judges and staff who need to update or extend the expiration date of their UCS “Orange Cards” should take this opportunity to upload proof of a booster or third shot to our “Revised Mask Policy Sharepoint Site.”

Finally, and importantly for purposes of our return to full operations, the three-foot physical distancing requirement has been lifted and is no longer required in any area or for any operation within a UCS facility.

For additional information and full details about the eligibility requirements and exceptions to the revised masking policy, please carefully review the June 15th memo from Nancy Barry and Justin Barry that was sent to all Judges and UCS employees, which is available on our UCS website for your convenience.

Thank you, again, for your continued cooperation, and for honoring your responsibility to keep yourself, and those around you, safe and healthy.

Turning now to the topic of our 2022 Judicial Summer Seminars, which I am pleased to announce will be attended and presented **in-person** for the first time since 2019.

The Seminars are set to kick off next Tuesday, June 28th. This year's theme is "Empowering the Judiciary to Pursue and Achieve Excellence Through Education," and the curriculum has been specially designed to support our return to full operations, and the dramatic progress that we were making, pre-pandemic, to move our dockets efficiently, reduce backlog and delay and improve the quality of our justice services.

This year's laser-focus on "effective caseflow management" reflects the reality that we have a lot of work ahead of us in order to clear away the backlogs that have built up as a result of the pandemic's

extended impact on court operations. And this year's Seminar is all about empowering judges to combine the successful lessons of the Excellence Initiative with the innovations of the pandemic, including our new hybrid model of court operations, in order to help speed the flow of cases and drive down our backlogs for the benefit of all litigants across the state.

The deep dive on effective caseflow management will include court-specific sessions led by experienced and skilled judges who will present helpful strategies, best practices and practical resources tailored to how we move cases forward to resolution and minimize delay imposed on the parties litigating in each of our unique and different courts.

Judge Kathie Davidson, the Dean of our Judicial Institute, and her dedicated staff, deserve our thanks and appreciation for putting together a timely agenda that, in addition to supporting our re-start of the Excellence Initiative, advances the core knowledge and skills of our judges, including programs on the benefits of early presumptive ADR, advances in court technology and court data, legal updates on important changes in the law, including criminal discovery and bail, presentations on the vital importance of a strong and ethical judiciary and, of course, a progress report on the equal justice reforms that

continue to be implemented all across our system. Empowering the judiciary to excel through education.

Turning now to the value of technology in the context of the services we provide. A bold example of how the use of remote technology during the pandemic has empowered us to reimagine the future of court operations is our innovative “Virtual Jury Selection” pilot. The first of its kind in the state, and among the first in the nation, it’s set to begin on July 6th, when a randomly selected group of Manhattan residents will participate in jury orientation and jury selection online through the use of Microsoft Teams.

Judge Bill Taylor, our Administrative Judge in the 7th Judicial District, who deserves much of the credit for developing and launching this pilot, will oversee the online jury selection process, and the jurors selected for service will be instructed to appear in-person for a one-day summary jury trial over which Judge Taylor will preside in the New York County Supreme Court, Civil Term.

Thanks to a \$10,000 grant from the National Center for State Courts, prospective jurors lacking an internet connection or internet-capable devices will be provided with the necessary equipment in advance of their jury service, and IT professionals will be on hand to provide technical support in advance of and during jury selection.

We think that this exciting experiment involving remote technology and online operations holds considerable promise for a more convenient and efficient jury selection process, allowing courts in the future to select jurors and schedule trials while limiting courthouse traffic and relieving busy New Yorkers of the need for courthouse travel.

We look forward to carefully assessing the results of the pilot, including the demographics of the participants and the extent to which the “digital divide” affects prospective jurors, in order to refine and improve the process for possible replication and expansion to other jurisdictions, including rural communities that would surely benefit from remote jury selection.

In addition to Judge Taylor and the National Center, we are grateful to New York County Clerk, Milton Tingling; Statewide Jury Coordinator, Jessica Simard; Director of the Division of Technology and Court Research, Christine Sisario, and their respective staffs, for their support of this forward-leaning effort to modernize and improve the jury selection process for the benefit of all New Yorkers.

And, finally, during this “Pride Month” of June, the Richard C. Failla LGBTQ Commission has announced that the inaugural “Paul G. Feinman Award,” created to honor Judge Feinman’s legacy as the first

openly Gay judge to sit on the New York Court of Appeals, will be awarded later this week to Judge Adam Silvera, Administrative Judge of the Supreme Court, Civil Term, in New York County, in recognition of his extraordinary dedication to advancing justice for LGBTQ individuals.

Congratulations Judge Silvera, and thank you for all that you have done to honor Judge Feinman's legacy as an excellent judge, devoted public servant and courageous pioneer and role model for lawyers and judges in the LGBTQ community.

And thank you all for tuning in to this week's message, thank you 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 be doing to keep yourselves and those around you safe.