

MESSAGE FROM CHIEF JUDGE JANET DIFIORE

March 29, 2021

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 start today's message with a status report on last week's resumption of jury trials. In New York City, a total of 5 cases were tried to verdict; 3 trials are still in progress; 15 other cases resulted in settlements or plea bargains; one case was adjourned to next month after jury selection; and one case was dismissed.

Outside the City, 4 cases were tried to verdict; 6 trials are still in progress; 9 others resulted in settlements or plea bargains; and several were converted to bench trials or adjourned.

And for this coming week, we have scheduled 28 jury trials statewide, fewer than scheduled last week due to the Passover and Easter holidays.

I want to thank our Administrative Judges, trial judges and professional staff for their leadership and hard work to make sure that our facilities were ready for the safe return of jurors, attorneys and witnesses. I also want to take a moment to publicly thank and recognize the nearly two thousand New Yorkers who reported for jury service last week, honoring their civic responsibility and sending the clear message that they are ready to see our courts functioning as normally as possible and are confident in our ability to prioritize and safeguard their health and safety. This is a very significant step forward for all New Yorkers, and we thank everyone who has participated and cooperated in this process.

Baked into our plan, and anticipating resolutions, many of the cases that were scheduled for trial last week did, indeed, resolve through settlements and plea bargains. Again, this is a normal and expected outcome, and one that we prepared for by scheduling as many back-up trials as possible in order to avoid down time in our trial parts, and out of respect for the time of prospective jurors reporting for service.

While we are very pleased and encouraged with last week's restart of jury trials, I want to remind everyone of the success of our "virtual" courts, and of the many thousands of virtual bench trials and hearings conducted since last July, proceedings that will continue and remain a focus of our efforts. Last week, we commenced almost 1,300 virtual bench trials and hearings, and our judges and staff remotely conferenced almost 24,000 matters; settled or disposed of nearly 5,700 of those matters; and issued over 2,400 written decisions on motions and other undecided matters.

Moving away from operations, I turn now to an issue that continues to be a primary focus of our attention, implementation of the Equal Justice recommendations and specifically the need to enhance trust between our Court Officers and our communities.

I'm pleased to announce that our Department of Public Safety has entered into a partnership with the NYPD's Community Affairs Bureau, a partnership that will enable New York State Court Officers to engage in outreach programs with community leaders, civic organizations and other concerned citizens in order to learn about community concerns, open lines of communication, educate the community about the work

of our courts and develop positive relationships to help resolve problems and concerns when they arise.

These efforts began last week with representatives of our Department of Public Safety participating in a citywide virtual meeting of Community Board Presidents. Our collaboration with the NYPD is but the first step in our plan to build a statewide “Court Officer Community Affairs Program” in which our Officers will engage in a broad range of virtual and in-person outreach efforts, including community listening sessions, interaction with schools, clergy and youth organizations, participation in state and county fairs, and social media outreach.

Moving forward, we will train and appoint Court Officers to serve as Project Leaders to help develop specific strategies for outreach in their communities and lead and coordinate our community affairs programs at the local level. By this coming Fall, we expect to have a robust Court Officer Community Affairs structure in place across the state.

Also this Fall, we will train and appoint “Community Affairs Officers” who will be stationed at information desks in our courthouse lobbies to interface with members of the public, address complaints and concerns and provide basic help and information to court users.

And by the end of next month, we will implement Secretary Johnson’s recommendation for Court Officers to wear nameplates on their uniforms while on duty. Our Court Officers serve as the public face of our court system and are often the first individuals the public encounters upon entering our facilities. Wearing a nametag, something the NYPD has done since the early 70s, is a simple way to foster an environment of trust and accountability. It is human nature to want to put a name to a face when interacting with people we don’t know, and being able to address a Court Officer by his or her name sends an important and humanizing message.

Along with our efforts to improve community trust, we will provide Court Officers with mandatory training to address issues of implicit bias;... cultural awareness;... and basic tenets of customer service. This training program has been specifically developed for New York State Court Officers,-- and it will start in June.

Our New York State Court Officers are skilled, highly trained professionals who are charged with challenging duties and responsibilities. They do an excellent job of serving and protecting our judges and staff and the millions of New Yorkers who enter our court facilities every year. The initiatives announced today will reaffirm our commitment to treat all court users with equal dignity and respect, enhance our skills and professionalism, strengthen our ties to the communities we serve, and allow our Court Officers to carry out their official duties with professionalism, respect, courtesy and humanity.

I want to express my gratitude and appreciation to the NYPD's Chief of Community Affairs, Jeffrey Maddrey, for partnering with us and putting his experienced community affairs staff and resources at our disposal. And, of course, I want to thank Chief of Public Safety, Michael Magliano, and Chief of Training, Joseph Baccellieri, for their leadership as we follow through on our commitment to enhance trust between our court officers and our communities. I also want to thank and acknowledge Lieutenant Vincent Sinclair and Lieutenant Erica Prosper for all of their hard work in developing and implementing the statewide structure for our Community Affairs program. Thank you to all of them.

The vital importance of our work to combat racism and bias was underscored by the unspeakable acts that resulted in the killing of 8 people in Atlanta on March 16th, including 6 Asian women, reminding us that the pain and destruction of racism and bigotry run both deep and wide. I want to take this opportunity, on behalf of our entire court system, to express our solidarity and support for our Asian-American colleagues and members of our court family. Not only do we stand as one in condemning racially motivated violence and rhetoric, but we are more determined than ever to follow through on our commitment to achieve a culture of zero tolerance for racism, bias and disparate treatment in our courts.

Finally, I want to close today's Message by taking a moment to acknowledge my dear friend and colleague, Judge Paul Feinman, who retired from the Court of Appeals last week to attend to health concerns. Judge Feinman enjoyed a magnificent 25-year career on the bench as a brilliant trial and appellate judge and nationally recognized pioneer and champion for LGBTQ lawyers and judges. During his tenure, Judge Feinman made an indelible impact on the Court of Appeals and the law of our state. We wish him a full and speedy recovery, and we salute him on an extraordinary career devoted to public service.

Thank you for your time, and please continue to remain disciplined in doing all that you can and should be doing to keep yourselves and those around you safe.