

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

**May 17, 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.

Back on January 4th, in my first Monday Message of the New Year, I pointed to a number of significant challenges facing our court system in 2021. As I said then: “Of all the challenges that are lined up for us in the new year, none is more important than following through on the recommendations in Secretary Johnson’s Equal Justice Report.”

Today, we have issued a public update on the extensive steps we have undertaken to carry out Secretary Johnson’s Equal Justice recommendations, including our efforts to reinforce the commitment I have made, on behalf of our entire court system, to achieve a policy of zero tolerance for bias and discrimination in our courts, including a new

“Anti-Discrimination and Anti-Harassment” policy addressing electronic and social media communications.

We have begun the work to provide mandatory, in-depth training, starting this summer, for all judges (including Town and Village Justices) and nonjudicial staff, including Court Officers, on implicit bias, cultural awareness and related issues.

We have updated juror materials and orientation videos to address issues of juror bias. We are strengthening the roles of organizations like the Franklin H. Williams Judicial Commission, and our Office of Diversity and Inclusion. We are educating court staff and court users about the mission and work of the Inspector General’s Office and the Bias Matters Unit. And we are working to build deeper trust between court officers and local communities; mandating name tags for all uniformed court personnel; creating equal justice working groups at the local court level; improving human resources practices, and the transparency of hiring, performance evaluation and promotional processes; and we are publicizing our newly adopted “Mission Statement for the Unified Court System,” which incorporates critically important principles of equity and inclusion.

This brief summary of the work that we have begun, which only touches on the tremendous efforts underway to implement Secretary Johnson's recommendations, underscores our commitment to create a strong culture of fairness, equality and meaningful inclusion in our courts. And I want to thank Deputy Chief Administrative Judge Edwina Mendelson for her excellent leadership of the implementation team that is actively engaging with our judges, court staff and internal court groups, as well as our justice partners and stakeholders across the state, to ensure broad-based input into all of our equal justice measures. I also want to thank our Administrative Judges and court managers who are leading the way and engaging our judges and professional staff at the local court level in order to change the culture and reaffirm our commitment to equal justice.

And, of course, I am grateful to Secretary Johnson for providing the motivating blueprint for our efforts, and, of course, to Alphonso David, for his ongoing guidance and support in monitoring our progress. Once again, there can be no higher priority for us as an institution than ensuring that every person is treated with equity, dignity and respect, and I look forward to working with all of you to continue the progress we have made in pursuit of equal justice for all.

Turning now to operations, I'm pleased to report that we are now just one week away from the return of all judges and court staff to their assigned courthouses. This is a significant milestone for our court system, marking the beginning of our "next normal," which we are determined will be a "new and better normal" for all of us.

Our return to full courthouse staffing will enable us to support the state's economic reopening, continue expanding in-person proceedings and jury trials, 65 of which are scheduled for this coming week, and resume the great progress we were making under the Excellence Initiative to provide timely, efficient and high-quality justice services to the lawyers and litigants in our courts.

And, of course, to ensure that our judges and staff are returning to safe and healthy workplaces, we are maintaining our extensive safety protocols, including: COVID screening and temperature checks, use of PPE and face masks, social distancing and strict cleaning and sanitizing.

As we leave the pandemic behind and get back to the forward progress we were making under the Excellence Initiative, there is no doubt in my mind that our court system is stronger in many ways than it was 15 months ago. This is true because of the new skills and expertise gained by our judges and staff during the pandemic, and the powerful new virtual platform that we have developed to safely and efficiently move cases forward to resolution -- a platform that will complement and enhance our in-court operations, and that lawyers and litigants are increasingly embracing and supporting for its convenience, efficiency and cost-effectiveness.

And with regard to our virtual courts, I'm pleased to report that well over 1,100 online bench trials and hearings were commenced last week, and that our judges and staff remotely conferenced more than 18,000 matters, settled or disposed of more than 4,200 of those matters, and issued nearly 2,000 written decisions on motions and other undecided matters.

Over the last 15 months, I've had the privilege of highlighting the outstanding work of judges and court staff who did not hesitate to step outside their comfort zones in order to put the needs of the courts and

the public first. A case in point: our call, late last year, for volunteer Supreme Court Justices and Acting Supreme Court Justices to hear newly-filed child custody, visitation and guardianship matters in the New York City Family Court.

45 JSCs and Acting JSCs, including 7 Administrative Judges, answered our call, and their participation in this pilot program has been a success on many levels. From start-up in early February through late April, over 700 matters were heard and nearly 300 of those matters were resolved. This means that hundreds of families and children in crisis were able to have their urgent, time-sensitive matters heard, and resolved, as expeditiously as possible. And a fair number of these matters were ultimately resolved through referral to mediation, enabling the parties to formulate their own parenting plans, which, as we know, generally lead to better compliance and outcomes in those matters.

The work of our volunteer judges is not only promoting speedy access to justice, but it is helping to stem the build-up of backlogs in the Family Court, freeing up Judges and Referees in that Court to try more cases and resolve the more complex, longstanding matters on their

dockets. And on a broader level, this pilot sends an important message that we are one unified court system, committed to using our resources efficiently and flexibly to meet our caseload challenges systemwide and ensure timely access to justice for all litigants in our courts.

So, while we are excited and eager to expand this pilot program for the benefit of the families and children in New York City, some of our volunteer judges have returned to trying cases in their courts and now have less time to hear these Family Court matters. However, we are looking forward to the return to the bench of a number of highly-experienced Supreme Court Justices who recently accepted our invitation to renew their applications for certification following the positive change in circumstances last month affecting our court system's budget. The welcome return of these seasoned jurists will undoubtedly increase our judicial capacity and help us meet the increased demand for justice services in courts like the New York City Family Court.

I want to personally thank the 45 volunteer judges who stepped up and answered our urgent call. I also want to thank George Silver, our Deputy Chief Administrative Judge for the New York City Courts, for

coordinating the response. And Family Court Administrative Judge Jeanette Ruiz, Deputy Administrative Judge Anne-Marie Jolly, and Chief Clerk Doreen Hanley for training the volunteer judges and their court attorneys and creating and staffing dedicated virtual parts in each of the City's five counties.

And with that positive news, I close this week's Message by thanking you for "tuning in," and once again urging you to remain disciplined in doing all that you can and should be doing to keep yourselves and those around you safe. Thank you.