

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

**May 31, 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.

Let me start by wishing everyone a happy Memorial Day. I hope that the beginning of our return to our new normal brought some joy and relaxation to you and your families over the holiday weekend.

I am pleased to report that last week, our first week of full in-person staffing in our courts, went smoothly, and that our judges and staff report that they are happy and excited to be back in their buildings, working with colleagues to provide a full range of in-court services to lawyers and litigants, including an expanded number of jury trials and other in-person proceedings.

We have come a long, long way together since last Memorial Day, when the state had just entered Phase 1 of its economic reopening, and our court system was entering only its second week of limited in-person operations in six regions outside the New York City metropolitan area. Since then, we have successfully navigated the ups and downs of the pandemic by working together, staying united, and being disciplined -- yet flexible -- in our approach to fulfilling our mission and our responsibilities.

And now, a year later, we are back in our courthouses, ready to meet the challenges that lie ahead, and ready to resume the significant progress we were making under the Excellence Initiative to improve the efficiency of court operations, and the quality of judicial decision making throughout the state. We have gained new expertise and skills, including a sound understanding of how to use the power of our new virtual court platform to appropriately and effectively improve court access and efficiency in the future.

Last week, I highlighted as a point of pride how, notwithstanding the relentless operational pressures and challenges presented by the pandemic, our staff and our judges and court leaders have never

stopped working to reform our systems and practices and improve the administration of justice. Last week's Annual Conference of the National Consortium on Racial and Ethnic Fairness in the Courts, at which several of our judges and professional staff presented, is yet another case in point -- and a point of pride for all of us. The theme for this year's Conference was: "From Promise to Practice: The Role of Courts in Ensuring Equal Protection, Due Process, and Access to Justice in the 21st Century." The attendees were treated to a thoughtful and insightful "Fireside Chat" on the topic led by: Troy Webber, Co-Chair of the Franklin Williams Commission, and Associate Justice of the Appellate Division, First Department, and Commission member Richard Rivera, one of our excellent judges who sits in Albany County Family Court.

Judge Webber updated the National Consortium on the extensive equal justice work of the Williams Commission in support of the progress we are making to implement Secretary Johnson's recommendations to eliminate bias and discrimination from our courts. And Williams Commission member Dr. Betty Campbell, our Commissioner of Jurors for Westchester County, delivered an

informative presentation on “Model Practices for Supporting Diverse and Inclusive Juries.”

I want to extend my thanks and appreciation, on behalf of all of us, to the Co-Chairs and members of the Franklin Williams Commission for the impactful work being done to promote racial and ethnic fairness, not only in New York but at the national level. And the Commission, which is celebrating its 30th anniversary this year, certainly has a lot to be proud of, including last week’s announcement that the Commission has been selected to receive the prestigious “2021 Silver Telly Award for Television Documentary,” in recognition of its wonderful PBS Documentary, “A Bridge to Justice: The Life of Franklin H. Williams.” Just fantastic. And I enthusiastically suggest, if you haven’t already done so, that you set aside the time to view the documentary, which is available to all on YouTube.

And as I hope you know, the reform efforts of our judges and staff extend to other critical areas of concern, including our youth justice system, and the need to foster positive outcomes and equal justice for court-involved children and families. This week, the Youth Justice Institute at the State University at Albany is sponsoring a four-day

“COVID-19 and Youth Forum,” attended by judges, practitioners, advocates, and experts from New York and across the nation -- experts who are working to capitalize on the lessons we have learned, and the positive innovations we have implemented to improve youth justice services over the last 15 months.

In addition to my participation, delivering keynote remarks at the Forum, I am proud of the judges and staff who will also be participating as presenters and organizers of the Youth Forum, including: Deputy Chief Administrative Judge Edwina Mendelson, who oversees our family and youth justice reform initiatives; Craig Doran, Administrative Judge of the Seventh Judicial District; and Kristen Conklin, Executive Director of the Permanent Commission on Justice for Children, which is chaired by Karen Peters, former Presiding Justice of the Appellate Division, Third Department. Kudos to them, and to all of the participants in the Forum, for leading the way and advancing the national dialogue on how we can reimagine a more humane, effective and racially equitable youth justice system.

Turning now to our appellate courts, I want to thank Governor Andrew Cuomo for his attention to the needs of the Court of Appeals,

and the Appellate Division of the Supreme Court. Last week, Governor Cuomo nominated two exceptional individuals, Madeline Singas, the District Attorney of Nassau County, and Anthony Cannataro, the Administrative Judge of the New York City Civil Court, to fill vacancies on the Court of Appeals created by the retirement of Judge Leslie Stein, and the untimely passing of our dear friend and beloved colleague, Judge Paul Feinman. I want to congratulate District Attorney Singas and Judge Cannataro on their well-deserved nominations, and I want to express my appreciation to the members of the Commission on Judicial Nomination for moving with speed and efficiency to recommend a well-qualified and diverse slate of candidates for the Governor's consideration.

In addition, Governor Cuomo also appointed Hector D. LaSalle to serve as the new Presiding Justice of the Appellate Division, Second Department, one of the busiest and most important state intermediate appellate courts in the nation. Presiding Justice LaSalle has served as an Associate Justice of the Second Department since 2014, and he is a highly experienced and respected jurist who we are excited to welcome as the leader of the Second Department and newest member of the Administrative Board of the Courts, which sets statewide standards for

the court system and the legal profession. And on behalf of the Board, I want to take this opportunity to express our deep appreciation to Justice William J. Mastro for his excellent service as the Acting Presiding Justice of the Second Department over the last five months.

We are also grateful to Governor Cuomo for the appointment of 7 new Justices to the Appellate Division in the First and Second Departments, and 8 new Judges to the Court of Claims. Not only are the services of these judges urgently needed, but the superb qualifications and diverse backgrounds of these individuals will enhance our continuing efforts to build a stronger, more inclusive judiciary.

Before I close, I want to recognize a lawyer and public servant who recently retired as the longest-serving local court Justice in New York State, Arnold P. Etelson. Until recently, Justice Etelson served as the Village Justice of Montebello, New York, in Rockland County. First elected to the local bench in 1967 as the Police Justice of the Village of Spring Valley, Justice Etelson has spent the last 54 years faithfully delivering justice to literally thousands upon thousands of folks who have appeared before him in all sorts of criminal and civil matters,

including vehicle and traffic cases, eviction proceedings and small claims cases.

And while Justice Etelson has certainly seen it all over the last half century, and even presided over his share of well-publicized cases, he has never lost sight of the fact that our Town and Village Courts are the courts closest to the people, the courts where, in his words, “the people get a chance to tell their story.” And so today, on behalf our entire justice system, we salute Justice Arnold Etelson, and thank him for his unmatched dedication to serving the justice needs of “the people.” Thank you, Justice Etelson.

And on that uplifting note, I thank you for “tuning in,” and once again I urge you to remain disciplined in doing all that you can and should be doing to keep yourselves and those around you safe, especially as we return to full staffing in our courthouses. Thank you.