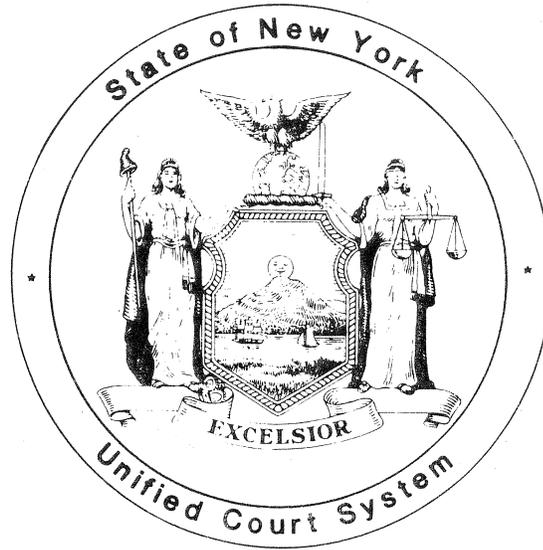


**Unified Court System  
Office of Court Administration**



**SECOND REPORT  
OF THE  
COMMITTEE TO IMPLEMENT RECOMMENDATIONS  
OF THE  
NEW YORK TASK FORCE  
ON  
WOMEN IN THE COURTS**

May 1988



STATE OF NEW YORK  
**UNIFIED COURT SYSTEM**  
**NEW YORK CITY FAMILY COURT**  
(OFFICE OF COURT ADMINISTRATION)  
60 LAFAYETTE STREET  
NEW YORK, NEW YORK 10013  
(212) 374-3711

**ALBERT M. ROSENBLATT**  
Chief Administrative Judge

**MILTON L. WILLIAMS**  
Deputy Chief Administrative Judge  
New York City Courts

**KATHRYN A. McDONALD**  
Administrative Judge  
New York City Family Court

May 20, 1988

Honorable Sol Wachtler  
Chief Judge  
New York State Court of Appeals  
Court of Appeals Hall  
Albany, New York 12207

Dear Judge Wachtler:

On behalf of the Office of Court Administration's Women in the Courts Committee, I present you with our second-year report on your program to rid the New York State court system of bias against women. We are pleased to report continuing progress, not only in the concrete form of activities in the areas of training, administration and legislation, but also in the more abstract form of a pervasive shift in the attitude of court system participants. We see a legitimization of the problem of gender bias as a matter deserving of our concern. Both kinds of achievements have been transforming the performance of our courts.

In the past year, we have improved our own training program for judicial and nonjudicial personnel. Judicial training has emphasized the integration of gender bias instruction into standard substantive and procedural areas of the law and has drawn more heavily upon scholarly expertise in women and the law. Additionally, we are especially pleased to note the development outside the court system of several independent training programs for judges and lawyers: testimony, we believe, to the enhanced interest throughout the community in the problem of gender bias and recognition of it as a matter worthy of serious, thoughtful attention.

Honorable Sol Wachtler

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May 20, 1988

On the administrative front too we have not been idle. Central administration continues to press for improvement in many areas including personnel, childcare space, and gender neutral forms and has taken the initiative in several new areas as well. Administrative judges across the state, as ex officio members of our committee, have established lines of communication with regional bar and community groups to better the local administration of justice for women. Finally, in the area of administration too, we see a heightened activity and concern beyond the confines of the court system: for example, in the formation by several bar associations of gender bias complaint units, in the revision of domestic violence arrest procedures by the New York City Police Department, and in the Stern Commission's special recognition of the issue in its 1988 Annual Report.

In short, under your steady and committed leadership, we have moved unmistakably forward and are looking forward to the challenges of the next year.

Sincerely,

  
Kathryn McDonald

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## INTRODUCTION

This is the second-year report of the Committee to Implement Recommendations of the New York Task Force on Women in the Courts.<sup>1</sup> Shortly after the release of the Committee's first-year report, the second year of our work began at the June 1987 Committee meeting, attended by Chief Judge Sol Wachtler. At that meeting, Judge Wachtler expanded the Committee through the appointment of four new members<sup>2</sup> and through the designation, in response to the Committee's recommendation, of each administrative judge in the state as an ex officio member. He also announced his plan to include the subject of gender bias in the agenda of each of the quarterly state administrative judge meetings.

In its second year, the Committee has focused not only upon the continuation and refinement of programs begun during its first year of operation, but also upon the development of new initiatives. In particular, this year has seen a major thrust to incorporate instruction on gender issues inherent in the substantive law into the judicial training curricula and steps toward the institutionalization of gender bias training for all nonjudicial personnel. The Committee has continued to work with centralized court administrators to complete the implementation

of administrative reforms begun last year and to initiate new ones. Finally, the Committee has been working with administrative judges to heighten awareness of gender bias through improved communication with court system participants and community groups and to fashion curative administrative procedures on the local level.

#### I. EDUCATION AND TRAINING

Many of the Task Force recommendations directed to judges and court administrators concerned the need to sensitize and educate both judges and nonjudicial court personnel about gender bias. Accordingly, the Committee concentrated its first-year efforts on working with OCA to develop experiential gender bias training segments designed to heighten awareness about manifestations of gender bias in the court system. Those initial efforts resulted in a mandatory three-hour consciousness-raising presentation, entitled "Courtroom Dynamics: Women and Justice," at the 1986 Annual Judicial Seminar; a modified version of the same presentation at the December 1986 New Judge Orientation Program; and the incorporation of yet another version into the Town and Village Justice Program. For nonjudicial personnel, OCA developed a similar experiential gender bias component, designed to familiarize court clerks, law librarians and commissioners of jurors with the Task Force findings and to stimulate thought about correction and prevention. This course was piloted at a September 1986 City Court Clerks Seminar.

Having made significant progress in structuring awareness training into educational programs to expose all present and future court personnel to it at least once, the Committee commenced the second phase of gender bias training. In the second year, the Committee worked with the Education and Training Office to develop faculty and curricula for judicial programs which concentrate on the objective, substantive elements of unfair treatment of women. Emphasis has been placed upon integrating gender bias instruction into the general curricula to demonstrate that the problem of gender bias, when it occurs, is inextricably bound up in the legal decision-making, administrative, and operational work of the court system.

In addition to the Committee's centralized training efforts through the Education and Training Office, several administrative judges have developed a variety of local training programs on bias against women for judicial and nonjudicial personnel in their districts.

Informal evaluation and feedback about this seminar coming to the Committee's attention concerned two areas in particular. Some participants felt that not all seminar materials and presentations had been purged of gender-biased language. Additionally, some felt that, while efforts to integrate gender bias into the courses were apparent, gender bias issues required more concentration in oral presentations.

Since the conclusion of the 1987 Seminar, the Committee has endeavored to address these concerns in the context of its continuing efforts to improve the general quality of the gender bias instruction at the Annual Judicial Seminars. Specifically, the Committee has made recommendations to the Director of Education and Training about the selection of members of the curriculum committees and faculty as well as topics and material to be included in the 1988 Seminar curriculum. Additionally, OCA created a special gender bias curriculum team, consisting of Judges Ellerin and McDonald from the Committee and two representatives of each of the curriculum committees. With the hope of tapping the expertise on gender issues found outside the court system, this team has solicited suggestions from interested members of the bar, legal academic community, and various community groups about how best to integrate gender bias material into the substantive courses offered at the 1988 Seminar.

## 2. New Judge Orientation Program

The week-long NJOP program, held annually in December for newly elected and appointed judges, provides instruction on legal and administrative matters. The 1986 program included an experiential segment, entitled "Lessons from the Report of the New York Task Force on Women in the Courts," which was presented by two outside educators from the CUNY Law School faculty. To ensure that each new judge would have the benefit of this introductory awareness training, Judge McDonald conducted a discussion at the December 1987 NJOP, designed to stimulate awareness of gender bias in the court system. Additionally, copies of the Task Force Report were once again made available to all judges in attendance, and, as in the 1986 program, the lectures integrated gender bias material whenever practicable.

## 3. Town and Village Justice Training

Each new nonlawyer Town or Village Justice must attend a six-day course prior to being certified to hear and determine cases (Uniform Justice Court Act, §105). This basic course continues to include a presentation on the law pertaining to orders of protection in family violence cases and a review of the developing caselaw on judicial misconduct involving gender bias.

All justices --lawyers and nonlawyers -- must attend an advanced continuing education program each year. This advanced course features a review of new legislation regarding gender issues relevant to the jurisdiction of Town and Village Courts. Additionally, in 1986, Judge McDonald and the Education and Training Office developed a two-hour "Court Decorum and Demeanor" course, described at greater length in the 1987 Committee Report, to examine gender bias among other subjects. Faculty were specially trained to teach the course, and it was offered at each of the thirty advanced continuing education programs in 1987. Copies of either the full Task Force Report or the summary have been made available through this training program to each Town and Village Justice.

B. Nonjudicial Education and Training

Seminars held in conjunction with various court associations offer court clerks, law librarians and commissioners of jurors practical courses on court operation and administration, personnel, and court procedures. Each seminar generally runs for three to four days every year.

In the 1987 Report, we noted that a model training segment on gender bias was developed and then piloted at the City Court Clerks' Seminar in September, 1986. This two-hour pilot session included a general discussion of issues raised by the Task Force Report, an assessment of which issues had arisen or were likely to arise in each clerk's court, and discussion designed to stimulate thinking about correction and prevention. Since that time, the pilot course was refined and expanded, and it was offered in its new form at the June 1987 Supreme and County Court Clerks' Seminar.

Beyond this, the Education and Training Office is presently developing a course on sexual harassment to be offered at these court association seminars, and plans are afoot to expose other court system personnel to this training as well.

For the benefit of all nonjudicial employees, OCA launched a large-scale, formal nonjudicial training program in 1987. The day-long, mandatory "Mission and Organization" course was designed as an orientation to provide all present and future employees with basic information about court system administration. A member of the Equal Employment Opportunity staff participated in each of the forty offerings of this course in 1987 and gave a lecture on equal employment issues, including gender bias in particular.

Equal employment issues specifically concerning women were also built into a three-day seminar, entitled "Supervision in the Public Service," which was offered eight times in 1987 to groups of first-line supervisors (JG 14-21) selected by their courts to attend.

Finally, the Court Officer Academy has for a number of years offered a training segment on family conflict resolution to each entering class of court officers. At the September 1987 training program, Judge Ellerin and a woman battered by her spouse made presentations on domestic violence. The course will continue to be offered to future entering classes at the Academy.

C. Training Sponsored by Groups Outside OCA

One of the most heartening developments since the release of the 1987 Report has been the outcropping of several gender bias educational programs offered by groups outside the court system for court system participants. For example, the Institute of Judicial Administration, in cooperation with the New York University Law School, is conducting a series of three workshops over the spring and early summer of 1988 for all New York City judges. The workshop entitled "Economic Relief and Gender" considers factors present in women's economic situations that

should be taken into account in support, equitable distribution, and personal injury awards and will examine how judges might elicit this information. The second workshop, "Non-economic Relief and Gender," will address how judges elicit and utilize information about women's circumstances that indicate the need for noneconomic remedies, such as orders of protection and exclusive occupancy. The third workshop, "Women in the Courts," focuses on the effect women attorneys or witnesses have upon the perceptions and reactions of judges, juries, and other participants in court proceedings.

The Victim Services Agency of New York City has been particularly active in training over the last year. On numerous occasions, it has offered training sessions throughout the City for judges, nonjudicial personnel, assistant district attorneys, and probation officers. These sessions have covered such subjects as the realities of domestic violence, services for victims of domestic violence, and the batterers' program operated by Victim Services.

Another three-session training seminar for lawyers on the representation of victims of domestic violence was co-sponsored by the Council of New York Law Associates and the New York Women's Bar Association. This program, offered in New York City in September, 1987, was part of a program begun by the Council to provide free legal counsel for indigent battered women.

In February, 1987, and again in January, 1988, the Center for Women in Government held a conference for members of the uniformed services, entitled "Integrating and Retaining Women in the Uniformed Services - How Can We Make it Work?" Court officers from Westchester and Suffolk Counties attended these conferences.

These educational programs, and others like them, are a significant contribution to the court system's effort to eliminate gender bias from its courtrooms and back offices. They represent not only a vitalizing bridge between the courts and the community, over which community expertise can travel to the benefit of the court system, but they also reflect the growing legitimization of gender bias as an issue with which we all must be concerned.

\* \* \*

The education gains of the last two years notwithstanding, the Committee has identified certain respects in which court system gender bias training can be improved. First, we recommend the institutionalization of the gender bias curriculum team for the Annual Judicial Seminars. The effective integration of substantive gender bias instruction into mainstream judicial education is facilitated by the special focus and outreach to experts that this team provides.

We also would like to see an introductory awareness training component, to familiarize new judges with the findings of the Task Force and to stimulate thought about gender bias as it affects decision-making, built into the standard curriculum of the annually offered December New Judge Orientation Program. Similarly, we recommend the institutionalization of a similar component in the certification course for new Town and Village Justices.

On the nonjudicial training front, we recommend that OCA redouble its efforts to ensure that each present and future employee is exposed to the findings of the Task Force Report, particularly in the areas of work environment, equal employment, and sexual harassment. We similarly urge that the Court Officers Academy include training on these subjects in courses for new court officers.

## II. EMPLOYMENT WITHIN THE COURT SYSTEM

A major finding of the Task Force was that women have traditionally been underrepresented in the higher levels of the Unified Court System. In our 1987 Report, we analyzed the historical reasons for their underrepresentation in the higher titles and described procedures institutionalized by OCA in recent years to increase access by women into these titles.<sup>3</sup>

As we noted in the 1987 Report, the Task Force targeted all titles at salary grades 23 and above as underrepresented by women. We were able to report then that extended recruitment and improved hiring practices had begun to have their intended effect of enhancing access for women into these higher titles. We noted, for example, that in fiscal year 1986-87 (April 1, 1986 - April 1, 1987), 649 appointments (including promotions) were made to competitive and non-competitive positions at grades 23 and above. Of these, 322, or 49.6%, were women.

For fiscal year 1987-88, the number of women appointed to these higher grades has been comparably high. Of 692 total appointments, 313, or 45.2%, were women. These appointments are broken down as follows:

APPOINTMENTS IN FISCAL YEAR 1987-88

	<u>JG-23</u>	<u>JG-24</u>	<u>JG-25</u>
All:	183	87	53
Female:	78 (42.6%)	57 (65.5%)	27 (50.9%)
	<u>JG-26</u>	<u>JG-27</u>	<u>JG-28</u>
All:	75	44	71
Female:	35 (46.6%)	31 (70.4%)	25 (35.2%)
	<u>JG-29</u>	<u>JG-30</u>	<u>JG-31</u>
All:	15	33	124
Female:	6 (40%)	9 (27.2%)	44 (35.4%)
	<u>JG-32</u>	<u>JG-33</u>	<u>JG-34</u>
All:	3	3	2
Female:	1 (33.3%)	0 (0%)	0 (0%)
Total:	692		
Female:	313 (45.2%)		

We take special note of the Judiciary's appointment of women to six out of eight (75%) Family Court hearing examiner positions and to three out of seven (43%) Housing Court judgeships in the last year. Additionally, in the same period the following two women were appointed to top-level, nonscheduled positions in court administration.

- Arlene Hughes was appointed the Director of Mental Hygiene Legal Services for the Appellate Division, Fourth Department.
- Amy Vance was appointed by the Deputy Chief Administrative Judge for New York City Courts as his Executive Assistant.

Thus, for two years now, the Committee has seen steady results from programs previously set in place to recruit and promote women. The design and institutionalization of such programs to promote equal employment has continued in 1987. In August, for example, OCA promulgated a set of procedures, entitled "Uniform Procedures for Appointment/Promotion and Guidelines for Screening, Interviews and Selection."<sup>4</sup> These procedures are intended to assist those involved in the employee selection and appointment/promotion process. In addition to providing information about interviews, employment announcement format, and equal employment opportunity data collection forms, they contain a list of questions that may be considered discriminatory. Significantly, interviewers are cautioned not to ask these questions before hiring, for even if the answers are not used to evaluate candidates, the effect of asking the questions may be to discourage protected class candidates from applying for positions. The Guidelines also suggest that the panels include women and minorities, and the number of women on these panels has, in fact, increased this year.

Pursuant to a Committee recommendation last year, OCA's Personnel Office, which regularly reviews title standards for currency and appropriateness, has begun to conduct these reviews in the context of gender statistics generated by the Equal Employment Opportunity Unit of OCA. This practice should enhance OCA's ability to identify and eliminate reasons for the underrepresentation of women in higher titles.

In addition to improved recruitment, promotion, and equal employment monitoring practices, the Office of Court Administration is addressing manifestations of gender bias in the work environment. A supervisor's handbook,<sup>5</sup> published in 1987, is a reference guide for use by court system supervisors in the exercise of their day-to-day responsibilities, including their duties to maintain workplaces free of sexual harassment and to provide equal training and career enhancement opportunities to all employees. The handbook also describes procedures for making employment discrimination claims.

### III. MISCELLANEOUS ISSUES FOR CENTRAL ADMINISTRATION

#### A. Declaration of Policy

In his public statements throughout the state, our Chief Judge has taken a position of strong leadership in the condemnation of sexist conduct in the courts, making it clear that the eradication of gender bias maintains high priority among the policies of the Unified Court System. For example, at the Chautauqua Institute during the summer of 1987, Chief Judge Wachtler expressed the court system's intolerance of bias against women. He reaffirmed this position in his 1988 State of the Judiciary Address in which he stated, "We are determined that through the Implementation Committee, the court system will do everything in its power to eliminate gender bias in the courts." Again on May 9, 1988, at the Association of the Bar of the City of New York, Judge Wachtler presented an account of progress made since the release of the Task Force Report and took the opportunity to reiterate the court system's unflagging commitment to equal justice for women.

Members of the Committee too have continued to speak publicly on the subject at various forums. For example, Judge McDonald addressed the June 1987 Conference on Women in the Courts, sponsored by New York State NOW and the John Jay College Women's Center; the New York Women's Bar Association; the faculty of the New York Law School; and the faculty and students of Columbia Law School on Myra Bradwell Day in March, 1988.

To ensure that the message continues to be heard as one also emanating from court system administration, the March 1988 issue of "Court Notes", the monthly newsletter published by the Unified Court System, ran a column written by the Equal Employment Opportunity Office of OCA which was devoted exclusively to the issue of gender bias.<sup>6</sup>

#### B. Child Support

In response to a Task Force recommendation that court administrators collect and publish data to permit effective monitoring of child support enforcement cases, we noted in our 1987 Report the development of court data-gathering instruments and computer programs to compile this data within New York City. We also reported that the feasibility of doing so outside New York City was being explored.

The Committee has since learned that a computer program to collect detailed child support data will be available for use in the Child Support Enforcement Term in the New York City Family Court, which hears all support cases in which the Department of Social Services is a party, in June of this year. Once the program is running smoothly in that Term, it will be expanded to include all other support cases and evaluated for expansion to other Family Courts outside New York City.

The basic program is designed to produce petitions and orders in child support cases. Information from a party to a support proceeding that is necessary to institute a court action will be entered into the computer to create a computer-generated petition. Similarly, a computer-generated order will be produced from information gathered after determination of the petition. Thus, a data base consisting of information contained in support petitions and orders will be created. Additional computer programs can then be tailored to the needs of those seeking to retrieve this information for specific analytic or monitoring purposes.

### C. Gender Neutral Forms

In the 1987 Report, we noted that most official court documents, forms, and manuals have undergone revision for gender neutrality and that most had become gender neutral. Additionally, every new document and all legislation or rules proposed by OCA are also gender neutral. Finally, OCA has pursued our recommendation last year that the major private publishers of unofficial forms in use in our courts be requested to revise their forms to ensure gender neutrality. Most of these unofficial documents too are now free of gender-biased language.

### D. Childcare Facilities

The Committee shares the concerns of the Task Force about the need for childcare facilities in court buildings. As we noted in our 1987 Report, however, court facilities are not under the exclusive control of the Unified Court System; the physical plants that house the courts are controlled by the localities in which the courts are located. Ever tightening quarters and restricted local budgets have made speedy resolution of the childcare space issue difficult.

With the strong support of OCA, however, the Legislature enacted the Court Facilities Act in 1987 to provide local governments with improved financing capability for the renovation and construction of courthouses. This legislation should lead to the construction of more courthouse space, and we continue to work with OCA to ensure that the State and local governments are attentive to the need to provide additional childcare space. Indeed, guidelines promulgated by OCA and sent to each local government contain a requirement that provision for childcare facilities be considered when planning renovation or construction.

#### E. Records of Fee-generating Appointments

Last year, we noted that while OCA maintains and publishes records of fee-generating appointments, the form completed by the appointee did not require specification of gender. It was therefore impossible at that time to comply with the Task Force's recommendation that the lists of these appointments be maintained by sex.

Since that time, a form has been devised, in accordance with our suggestion, to request information about all protected classes, including gender. Pursuant to Executive Law §296(1)(d) and State Provision on Human Rights "Ruling on Inquiries," §9, applicants are also informed that compliance with the request for this information is voluntary, for research and evaluation purposes, and will be kept confidential and apart from any other records.<sup>7</sup>

#### F. Handling of Complaints

Since the 1987 Report, the Committee has continued to serve as a clearinghouse for gender bias complaints. Generally, these complaints concerned court matters in all parts of the state, in Supreme, County, Surrogate, Family, and New York City Civil, New York City Criminal, and Justice Courts. In subject matter, the majority concerned legal outcomes in matrimonial, domestic violence, rape, and estate cases. Others ranged from claims of prejudicial judicial treatment of litigants and female attorneys, to claims of biased behavior by attorneys and court personnel, to court personnel complaints about biased treatment by court administration.

Generally, the actions taken by the Committee took the following forms: 1) referral to appropriate administrative judge for investigation and disposition, 2) referral of writer to the Commission on Judicial Conduct, 3) referral of letter to the Commission on Judicial Conduct, 4) referral of writer to the appellate process, 5) referral of writer to appropriate attorney grievance committee, 6) advice to writer about how to obtain an attorney, 7) no action after ascertaining that the appropriate administrative judge had already taken corrective action, and 8) no action after Committee's review revealed no basis to complaint.

The Committee has also been attempting to make information about how to lodge gender bias complaints more generally available to the public. This year, OCA's Office of Communications revised the "Structure of the Courts" brochure,<sup>8</sup> published by OCA, to include information for the first time about how and where complaints may be made. The Committee recommends that this revised brochure be made available in all courts in the state. Additionally, state and local bar associations will be encouraged to make available to the public any publications related to complaint processes within the system.

In addition to the Committee's own activities regarding complaints of gender bias, we note two other developments this year which signal a heightening in the seriousness with which complaints of bias have come to be regarded. Specifically, we know of at least two bar associations - the Association of the Bar of the City of New York and the New York Women's Bar Association - which have created special panels or units to hear complaints of gender bias. Further, the 1988 Annual Report of the New York State Commission on Judicial Conduct discussed the developing body of caselaw on misconduct attributable to gender bias and highlighted the problem as one warranting the special attention of the Judiciary. Both initiatives, in our view, attest to growing legitimization of the problem of bias against women and of the need to confront it.

## G. Legislation

This year, the Committee added the review of selected pieces of proposed legislation to its activities. We voted to support four bills in particular and so informed the Legislature. These bills are:

Assembly 2801 - a measure to remove provisions from the Penal Law requiring corroboration of certain sex offenses.

Assembly 3357 - a measure to prohibit mutual orders of protection except upon a duly filed and served petition.

Assembly 6051 - a measure to require judges to consider a parent's felony conviction for child abuse when determining whether to terminate parental rights.

Assembly 6818 - a measure to mandate job security for employees who take leaves of absence for serious family or medical reasons.

Additionally, the Committee, together with the Women in the Courts Committee of the Association of the Bar of the City of New York, was instrumental in the adoption by the Chief Administrative Judge of a uniform rule requiring any motion concerning interim maintenance or child support to be decided within thirty days.<sup>9</sup>

#### H. Law Schools

In our 1987 Report, we noted that Committee member May Newburger, as Special Consultant to the Chief Judge, would undertake the responsibility of encouraging law schools throughout the state to become more involved in the elimination of gender bias in the legal system by exposing those who are just beginning their legal careers to a legal education free of bias-laden messages. At an April 1988 meeting of the deans of New York's fifteen law schools, convened by Chief Judge Wachtler, Ms. Newburger urged legal educators to review their casebooks and curricula for ways of integrating bias issues into all fields of study. She stressed the importance of female faculty hiring and the creation of an academic environment that is hospitable to professors of any gender who may wish to concentrate on feminist jurisprudence without jeopardizing their career advancement. To this end, Ms. Newburger proposed faculty professional development programs on gender and law school sponsorship of conferences on women and the law. An annual meeting of law school deans is now planned and will include follow-up on the gender issues raised at the April 1988 meeting.

#### IV. LOCAL ADMINISTRATIVE EFFORTS

In our 1987 Report, we recommended that local administrative judges be engaged in the endeavor to improve the administration of equal justice for women in the court system. Because the administrative judge is in a unique position to monitor closely the actual workings of the courts within his or her domain, the Committee sought to join forces with each of these judges to enhance our ability to spot unfair practices and create administrative solutions appropriate to each locality. In June of 1987, as noted, the Chief Judge honored our request by appointing each state administrative judge as an ex officio member of the Committee and by adding the topic of gender bias to the agenda of each of the quarterly state administrative judge meetings.

##### A. General Efforts

In August of 1987, and again for updating purposes in April of 1988, Chief Administrative Judge Albert M. Rosenblatt asked each administrative judge for a report on steps they have taken to further the gender bias policy of the Judiciary. The reports of the administrative judges described a wide variety of programs responsive to the needs of women in court. These programs include the following activities: 1) attention to bias issues in local training and orientation programs for judicial and

nonjudicial employees, 2) acquisition and distribution to court personnel of current materials on the unfair treatment of women, 3) formation of advisory committees for investigating complaints of bias, 4) recruitment, hiring, and promotion of female personnel, 5) meetings with community groups and law schools, 6) exploration of alternative work schedules, 7) bar or community group presentations to judges' meetings, 8) work with judges to rid judicial communication of gender-biased language, 9) collaboration with bar groups and law schools to develop sources of pro bono legal representation, and 10) adjustment of court operations to expedite emergency and matrimonial matters, including variation in judicial assignment systems and assignment of judges to entertain out-of-court applications for temporary orders of protection.

These activities illustrate the indispensable role of local court administration in identifying and eliminating sex discrimination in its many guises. Not only are administrative judges well situated to carry out both of these functions, but they have the capacity to do so in ways which are peculiarly suited to the characteristics and needs of the diverse communities they serve.

To provide administrative judges with assistance as they continue to use administrative means to confront gender bias in their respective districts, the Committee's Chair made special presentations on the subject at two of their statewide meetings. At the October 1987 meeting, Judge McDonald devoted her remarks to the handling of complaints about gender bias. She reminded the judges in attendance of the importance of a prompt response, investigation into the facts, correction, and follow-up. Then, in a discussion of three particular complaints, Judge McDonald explored the administrative judge's alternatives and limitations in the proper handling of a letter of gender bias complaint.

At the May 1988 meeting of administrative judges, Judge McDonald focused upon the importance of developing lines of communication with people, in and outside the court system, to gather reliable and timely data about the extent to which gender bias continues to trouble our courts. With good information, Judge McDonald urged, administrators are better equipped to understand problems and, therefore, to fashion administrative cures that will remove future opportunities for offending behavior. The particular structures built to accomplish the flow of information will necessarily vary depending upon the circumstances in each district.

## B. Particular Efforts in the Area of Domestic Violence

The Task Force recommended that judges be made available twenty-four hours a day to entertain applications for temporary orders of protection. In our report last year, we noted that this recommendation was unaccompanied by any finding that a significant number of domestic violence victims sought but were denied access to a judge for this purpose after Family Court hours. Accordingly, we urged administrative judges to endeavor to determine whether a significant number of domestic violence victims in their districts can find no open courthouse door after Family Court hours.

In April, 1988, Chief Administrative Judge Rosenblatt asked administrative judges to review the hours of actual availability of judges in their districts and to assess the need for extended access to judges for temporary order of protection relief. Significantly, administrative judges outside New York City reported no complaints in the last year from people who sought but were denied access to a judge after Family Court hours. Indeed, in most districts --the 3rd, 4th, 5th, 6th, and Nassau County-- judges out of court are available twenty-four hours a day for this purpose. The 8th district has staggered the hours of Town and Village Justice Courts to provide access at different times in different parts of the district and has found this

arrangement satisfactory. In the 9th district, the administrative judge is developing a plan to extend twenty-four hour coverage to all portions of the district. In several districts, administrative judges have been working with local law enforcement agencies to ensure that they are aware of how citizens may apply for temporary orders of protection after normal court hours. In Suffolk County and the New York City districts there is no twenty-four hour access at present, and data from the 7th district is as yet unavailable.

In New York City, arraignment parts in all five boroughs are open eighteen hours a day for the issuance of temporary orders of protection in domestic violence cases in which an arrest has been made. In New York County, at least one arraignment part functions twenty-four hours a day, Wednesday through Sunday and on all holidays except Thanksgiving, Christmas, and New Year's. When no arrest is made, however, the petitioner's access to a Criminal Court judge is far more restricted. To file a civilian domestic violence complaint, preliminary to obtaining a Criminal Court order of protection, petitioners from all boroughs must presently appear at 346 Broadway in Manhattan between 9:00 a.m. and 1:00 p.m., Monday through Friday, to obtain court documents necessary for the ultimate issuance by a judge of a summons and a temporary order of protection in their home boroughs, often delayed until the next day.

To study and make recommendations designed to improve the civilian complaint process, the Deputy Chief Administrative Judge for New York City Courts and the Administrative Judge of the New York City Criminal Court recently created a New York Task Force on Processing Civilian Complaints by the New York City Criminal Court. Because 75% of the summonses issued in civilian complaint cases involve domestic violence, our Committee's Chair gave testimony before this Task Force, in which she recommended, inter alia, the decentralization of the functions now served centrally by 346 Broadway, drafting of complaints by properly trained personnel, assistance of petitioners in court by members of the district attorneys' staffs, and channeling of these cases into regular arraignment parts.<sup>10</sup> The report of the Civilian Complaint Task Force is scheduled to be released at the end of June, 1988.

As this account illustrates, the issue of access is broader than simply a question of court hours. In its discussion of barriers to access for domestic violence victims, the original Task Force on Women in the Courts noted the lack of available police and legal assistance to petitioners who seek protection from abusers.

In New York City, the Administrative Judge of the Family Court has been attempting to remove some of these nontemporal barriers to access through a variety of means. First, all Family Court judges were reminded of the availability of the Corporation Counsel for assignment to represent petitioners in more serious family offense proceedings. Additionally, the administrative judge met with the domestic violence subcommittee of the New York Women's Bar Association to discuss ways of increasing the availability of counsel for indigent family offense petitioners, including the possibility of cooperation between the 18-B panel and the New York University Law School clinical program.

In the meantime, the administrative judge oversaw the development of a special form,<sup>11</sup> to be filled out by prospective family offense petitioners, which is designed to elicit comprehensive information necessary for the proper drafting of petitions. Similarly, petition clerks specially trained in family offense matters have been placed in the petition rooms of the four largest boroughs to draw family offense petitions. Both measures are intended to help ensure, in the absence of counsel, that the judge entertaining the petition is fully informed about the history and circumstances of the case and the exact nature of the relief sought.

To simplify the task of service of process and temporary orders of protection upon respondents, the Family Court and the New York City Police Department developed a new form for police officer service, entitled "Statement of Personal Service", with accompanying procedures and English/Spanish instructions to petitioners regarding its use.<sup>12</sup> This form also captures a 1987 legislative amendment which removed the requirement of notarization of police officer affidavits of service.

Independent efforts on the part of the New York City Police Department to enhance its response to the problem of domestic violence are still further indication of growing concern outside the court system about violence against women. For example, in the last year this agency revised its Patrol Guide to require an arrest when any violation of an order of protection is involved.

\* \* \*

In the coming year, the Committee will continue to work with administrative judges to address issues affecting women in the individual contexts presented by each judicial district. In addition to consulting with them about the handling of specific gender bias complaints and making use of the quarterly administrative judge meetings as a forum for charting general directions, we intend to focus our cooperative efforts on several new initiatives.

First, the Task Force Report addressed at length the problems of inadequate or unavailable legal assistance for women in matrimonial and both civil and criminal domestic violence cases. Bar associations were urged to train their members more vigorously on these matters, and District Attorneys were encouraged to play a more active role in the prosecution of domestic violence crimes. While the Committee heartily supports both recommendations, we also believe that there is a need to develop sources of pro bono representation for women litigants in civil cases who cannot afford counsel fees. To this end, we intend to work with the Committee to Improve the Availability of Legal Services, recently created by the Chief Judge to investigate and make recommendations to improve legal services for the poor, to ensure that that committee is adequately informed about women's need for civil legal services.

Administrative judges in the meantime, however, can contribute to the filling of this gap in legal representation. The administrative judge, with the assistance of local bar associations and law school clinical programs, is in an excellent position to offer leadership in the development of resources for the provision of legal services to women in need of them.

The Committee's second recommendation for administrative judges concerns the need to make information about methods for processing gender bias and other complaints more readily available, in English and Spanish, to members of the public. We are exploring various means of doing so with OCA and the administrative judges.

Domestic violence is the third area on which we hope to focus local administrative energy. We repeatedly encounter particular frustration and confusion in our attempt to improve the courts' service, because the court system is but one part of a complex web of interdependent governmental agencies charged with responsibility for addressing this problem. To do its job properly, for example, Family Courts in each district must coordinate with a different set of local criminal courts, local police departments, prosecutors, 18-B panel administrators, victim advocacy agencies, and others. It is necessary to study the varying interrelationships of these systems in the different localities, identify holes in the web they form, and propose ways to mend those holes.

V. CONCLUSION

Two years ago, Chief Judge Wachtler accepted the findings of the New York Task Force on Women in the Courts about prejudice against women in court and assigned our Committee the role of driving the court system's response. The major task confronting us then was the formulation of strategies for bringing about the reforms recommended by the Task Force. For example, we developed a two-phase judicial educational plan to stimulate awareness and to demonstrate, through the infusion of gender considerations into substantive legal instruction, how misperceptions about women can lead to unfair decision-making.

In the administrative arena, we turned our attention first to Task Force recommendations amenable to address by central administration. Gradually, as we learned more about the process of cure and came to understand better the great potential of local administration, a plan to engage the efforts of district administrative judges evolved.

Having largely defined our strategies of implementation, we are now at work on the ground-level tactics of reform. Many projects and programs have been devised to move us toward our goals, and many more are on the drawing board. We note the creation of a commission by Chief Judge Wachtler to examine the role of the Judiciary in the treatment of minorities, and we welcome the opportunity to cooperate with that commission as well. Our emphasis now and for the future must be on the continued institutionalization of programs to render the very structure of our court system inhospitable to unfair and insensitive treatment of women.

Respectfully submitted,

Hon. Kathryn McDonald, Chair  
Hon. Betty Weinberg Ellerin  
Hon. Juanita Bing Newton  
Nicholas P. Capra  
Michael Colodner  
May Newburger  
Peter Ryan  
Fern Schair Sussman  
Amy Vance  
Adrienne White

Christine C. Kopec  
Counsel to Committee

The Committee wishes to acknowledge its appreciation of the efforts of Jane Sachs, Law Assistant to Judge McDonald, in the preparation and draft of this report.

## Notes

1. The history of the creation of the New York Task Force on Women in the Courts and its Implementation Committee can be found in the remarks of former Chief Judge Lawrence H. Cooke on May 31, 1984, attached as Appendix A, and in the "Introduction" to the 1987 Report of the Implementation Committee, attached as Appendix B.
2. The original members of the Committee on Women in the Courts are: Nicholas P. Capra, Deputy Commissioner, the Division of Criminal Justice Services (formerly Executive Assistant to Hon. Robert J. Sise, Deputy Chief Administrative Judge for the Courts outside New York City); Michael Colodner, Counsel to OCA; Hon. May Newburger (formerly member of the New York State Assembly); Hon. Juanita Bing Newton, Judge of the Court of Claims (formerly Executive Assistant to Hon. Milton L. Williams, Deputy Chief Administrative Judge for the Courts within New York City); and Adrienne White, Director of Equal Employment Opportunity, OCA. The new appointees are Hon. Betty Weinberg Ellerin, Associate Justice, Appellate Division, First Department; Fern Schair Sussman, Executive Secretary of the Association of the Bar of the City of New York; Zachary Carter (replaced by Amy Vance upon his appointment to the bench), Executive Assistant to the Deputy Chief Administrative Judge for the Courts within New York City; and Peter Ryan, Executive Assistant to the Deputy Chief Administrative Judge for the Courts outside New York City.
3. See pp.18-25, 1987 Report.
4. Page 7 of this publication is attached as Appendix C.
5. Supervisor's Handbook for the State of New York Unified Court System, pp.6-1, 6-2. Attached as Appendix D.
6. Attached as Appendix E.
7. State of New York Unified Court System Statement of Appointment Data Collection Form. Attached as Appendix F.
8. Structure of the Courts, pp.11-19. Attached as Appendix G.

9. Section 202.16 of the Uniform Rules for the Supreme and County Courts was amended to add a new subdivision (g) (5):

(5) The notice of motion submitted with any motion for or related to interim maintenance or child support shall contain a notation indicating the nature of the motion. Any such motion shall be determined within 30 days after the motion is submitted for decision.

10. A copy of Judge McDonald's statement to the NYC Civilian Complaint Task Force is attached as Appendix H.
11. Attached as Appendix I.
12. Attached as Appendix J.



APPENDIX A



Remarks of Lawrence H. Cooke, Chief Judge of the State of New York, at Press Conference announcing the formation of the New York Task Force on Women in the Courts, at the House of the Association of the Bar of the City of New York, 42 West 44th Street, New York City, Thursday, May 31, 1984 at 11:00 a.m.

\* \* \* \* \*

The concept of justice is broad in reach and serious in nature; it is antithetical to any discrimination triggered by prejudice.

None of us had any choice of the home in which we were born; a higher power decided that circumstance. To deny anyone anything because of race, creed, color, national origin, gender, or any such irrelevant consideration is the basest kind of misbehavior. It is a surrender of the human to the animal instincts.

Distinctions grounded on improper concerns have no place whatsoever in the operation of our legal system and every reasonable effort should be made to guarantee that the scales of justice are balanced evenly for every person who comes before the courts. They expect no less and, certainly, are entitled to no less. There must be no corridors of special privilege, high hurdles for some, or bans on any. There must be no institutional hypocrisy.

It was not much more than 100 years ago that the United States Supreme Court upheld the constitutionality of an Illinois statute prohibiting women from gaining admission to that State's Bar. The words, that all are created equal and are endowed with certain inalienable rights, yielded no life, liberty or pursuit of happiness to those before whom doors were closed in search of

their noblest aspirations or those who were told they could not enter the legal profession because of sex.

There are those, particularly such substantial groups as the New York State Association of Women Judges and The Women's Bar Association of the State of New York, who have expressed concern with the situation of women in our legal system. There is no question but that in recent chapters of history tremendous strides have been made by women in the legal structure and operation of our State and Nation. The issue remains whether, at this juncture, their allotment of the jurisprudential scheme in the Empire State is fair under all the circumstances.

To answer this question the New York Task Force on Women in the Courts is being organized. The general aim of the Task Force will be to assist in promoting equality for men and women in the courts. The more specific goal will be to examine the courts and identify gender bias and, if found, to make recommendations for its alleviation. Gender bias occurs when decisions are made or actions taken because of weight given to preconceived notions of sexual roles rather than upon a fair and unswayed appraisal of merit as to each person or situation. In determining the fact or extent of its existence, the focus of the Task Force should be upon all aspects of the system, both substantive and procedural. An effort should be made to ascertain if there are statutes, rules, practices, or conduct that work unfairness or undue hardship on women in our courts.

Recently, a similar study was conducted on behalf of the court system in New Jersey. Its leadership is to be commended and its methodology provides an exemplar for the study to be conducted here in New York.

The Task Force is made up of outstanding, representative and independent citizens. The members are charged with fulfilling their mission dispassionately and with reasonable dispatch.

The Task Force will be chaired by Edward J. McLaughlin, Administrative Judge of the Family Court of Onondaga County, formerly a President of the Family Court Judges Association of New York State and at one time employed by the "Hughes Judiciary Committee." The other members of the Task Force are:

--Jay C. Carlisle, Esq., Professor of Law, Pace University School of Law, White Plains;

--Hon. Hazel Dukes, President of New York Conference of NAACP, Roslyn Heights;

--Haliburton Fales, II, Esq., President of New York State Bar Association, New York City;

--Neva Flaherty, Esq., Assistant District Attorney, Monroe County, Rochester;

--Hon. Josephine L. Gambino, Commissioner of New York State Department of Civil Service, Bayside;

--Marjorie E. Karowe, Esq., Past President of Women's Bar Association of the State of New York, Albany;

--Hon. Sybil Hart Kooper, Justice of the Supreme Court and President of New York State Women Judges' Association, Brooklyn;

--Ms. Sarah Kovner, Chair, Board of Directors, First Women's Bank, New York City;

--Hon. David F. Lee, Jr., Justice of the Supreme Court, Norwich;

--Ms. Joan McKinley, President of New York State League of Women Voters, Saratoga Springs;

--Hon. Olga A. Mendez, New York State Senator, Bronx;

--Hon. S. Michael Nadel, Deputy Chief Administrator of the Unified Court System, New York City;

--Edward M. Roth, Esq., Senior Law Assistant to Chief Judge, Monticello;

--Oscar W. Ruebhausen, Esq., Former President of the Association of the Bar of the City of New York, New York City;

--Fern Schair, Esq., Executive Secretary, The Association of the Bar of the City of New York, Scarsdale;

--John Henry Schlegel, Esq., Associate Dean, State University of New York at Buffalo Law School, Buffalo;

--Richard E. Shandell, Esq., Past President of New York State Trial Lawyers' Association, New York City;

--Florence Perlow Shientag, Esq., Member of the Bar, New York City;

--Sharon Sayers, Esq., Member of the Family Law Section of the Monroe County Bar Association, Rochester;

--David Sive, Esq., Stimson Award Winner of New York State Bar Association and Lecturer at Columbia Law School, Ardsley-on-Hudson;

--Hon. Ronald B. Stafford, Chairman of Codes Committee of New York State Senate, Plattsburgh;

--Hon. Stanley Steingut, Former Speaker of New York State Assembly, Brooklyn.

Technical services for the Task Force will be supplied by the Equal Employment Opportunity unit of the Office of Court Administration under the leadership of Adrienne White, Director.

Patricia P. Satterfield, Assistant Deputy Counsel in the Counsel's Office of the Office of Court Administration, will serve as the Task Force's Counsel.



APPENDIX B



## INTRODUCTION

The New York Task Force on Women in the Courts was established on May 31, 1984, to "examine the courts and identify gender bias and, if found, make recommendations for its alleviation."<sup>1</sup> After two years of extensive investigation, the Task Force submitted its report to Chief Judge Sol Wachtler in April of 1986. The Report contained a wide-ranging study of court conditions and practices having an adverse impact on women litigants, attorneys, and court employees and of the consequences of gender bias in the court system. It analyzed judicial handling of cases concerning domestic violence, rape, equitable distribution, child support, and custody. It described courthouse treatment of women as litigants and as attorneys and examined the effects of personnel practices on nonjudicial women court employees. The Report concluded that "gender bias against women litigants, attorneys and court employees is a pervasive problem with grave consequences."<sup>2</sup>

On May 1, 1986, Chief Judge Wachtler devoted much of his Law Day address to a discussion of the Task Force findings. He stated:

It has been the abiding objective of this administration to provide to all citizens a court system that delivers quality justice. Making abundantly clear that gender biased conduct is wrong whenever found in New York's Courts - inimical to any concept of justice - is an important step toward that end.<sup>3</sup>

To make use of the Task Force Report's recommendations for the elimination of bias, Chief Judge Wachtler established an implementing team within the court system. The Implementation Committee includes Judge Kathryn McDonald, the Administrative Judge of the New York City Family Court, as chair; four other court personnel, whose positions within the court system allow them access to channels essential to implementation of court programs; and a respected member of the New York State Legislature known for her commitment to the elimination of gender bias.<sup>4</sup>

The Committee's mandate was a broad one.

This standing team's charter will be as sweeping as the need warrants. They will start with the report of the Task Force which has now completed its work. The new team will report their recommendations and progress directly to Judge Bellacosa and me. They will reach out very specially to the court system's Personnel Director and to the education and judicial units and organizations, as well as all judges, lawyers, bar leaders, law school deans and faculties, law enforcement agencies, and other public officials and community leaders who affect the operation of the courts.<sup>5</sup>

Immediately after its creation, the Committee set to work making a detailed analysis of the recommendations in the Task Force Report. The Report contains nearly 100 recommendations categorized by the group to which they are directed: court administration, judges, the Legislature, district attorneys, bar associations, law schools, and judicial screening committees.

The Committee chose to focus its initial efforts on those areas to which it had the most direct access: the recommendations directed specifically to court administrators and judges. Accordingly, the Committee concentrated particularly on the recommendations relating to education and training of judges and nonjudicial staff. It made a further determination that the optimal education program should begin with awareness training, to ensure the highest level of receptivity to instruction of a more concrete, or substantive, nature about all forms of gender or any other prejudice in court. The Committee also began to address those administrative recommendations, involving treatment of nonjudicial personnel and other miscellaneous problems, directed specifically to centralized court administrators.

Each recommendation was analyzed to determine the specific actions necessary to achieve the results sought. Then, as catalyst or expeditor, the Committee reached out to the appropriate areas of the court system to assist and encourage in the process of implementing these actions. Some recommendations were already being implemented; some could be, and were, given effect almost immediately; others require more long-range planning. This report details the present state of their implementation and the steps to be taken in the future to bring about the elimination of gender bias in the courts.



APPENDIX C



G. Questions Which May Be Considered Discriminatory:

The following is a list of questions that inquire into a factor which *might* be considered a violation of federal or state equal employment opportunity laws. An interviewer should be aware that these questions *may* provide evidence which *may* be used by claimants in proving charges of discrimination. Even if the answers are not utilized in evaluating the candidate, the effect *may* be to discourage protected class candidates from applying for positions. If the answers are needed, the questions should be asked after the candidate is appointed.

1. How old are you? What is your date of birth?
2. Have you ever been arrested?
3. Are you available for Saturday and Sunday work? If the examination or employment opportunity announcement indicated "shift work" then it is reasonable to assume the candidate is available.
4. Do you have children under 18? How many? How old are they? What arrangements will you make for care of minor children?
5. Citizen of what country? (The question - Are you a U.S. citizen or are you an alien lawfully authorized to work in the U.S.? can be asked at a later stage as part of the appointment process.)
6. Do you have a credit record? charge accounts? Do you own your own home? car?
7. Have you ever been refused a fidelity bond? (This may be asked only if directly related to assignment.)
8. Do you have friends or relatives working for us?
9. Have your wages ever been garnisheed?
10. How tall are you? How much to you weigh?
11. What is the lowest salary you will accept?
12. What was your maiden name? Are you married? divorced? What is your spouse's name? occupation?



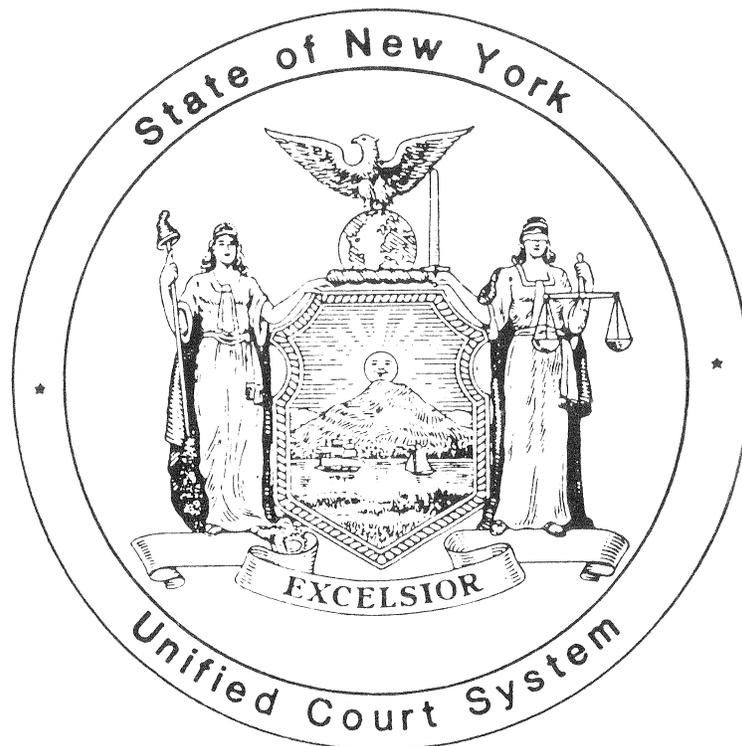
APPENDIX D



# SUPERVISOR'S HANDBOOK

for

## The State of New York Unified Court System



ALBERT M. ROSENBLATT  
Chief Administrative Judge

MATTHEW T. CROSSON  
Deputy Chief Administrator

HOWARD A. RUBENSTEIN  
Director, Employee Relations



## EQUAL EMPLOYMENT OPPORTUNITY

Federal and state laws protect individuals from employment discrimination based on race, color, sex, religion, national origin, age, marital status, Vietnam-era veteran status or physical or mental handicap.

The Unified Court System is committed to providing fair and equal treatment in all employment-related matters, including recruitment and selection, career development and training, salaries, benefits and discipline. Equal employment opportunity extends to all job classifications, job titles and types of appointments.

The Equal Employment Opportunity ("EEO") Unit provides technical support for the development and administration of the policies, regulations and compliance procedures aimed at assuring equality of opportunity in all aspects of Court System employment.

---

EQUAL EMPLOYMENT OPPORTUNITY -

EASY, EFFECTIVE, OPEN

---

For information and/or advice regarding the implementation of equal employment opportunity in the Court System, contact the nearest OCA EEO office:

Equal Employment Opportunity Unit  
Unified Court System (OCA)  
Arthur Levitt State Office Building  
270 Broadway  
New York, New York 10007  
(212) 587-5847

Equal Employment Opportunity Unit  
Unified Court System (OCA)  
Empire State Plaza  
Agency Building 4, 20th Floor  
Albany, New York 12223  
(518) 474-8301

Equal Employment Opportunity Unit  
Unified Court System (OCA)  
Erie County Hall  
92 Franklin Street  
Buffalo, New York 14202  
(716) 854-3335

## I. The Supervisor's Role in Equal Employment Opportunity

- o The supervisor sets a tone of fairness and nondiscrimination in the workplace.
- o The supervisor takes personnel actions and administers work rules consistently and equitably.
- o The supervisor provides all protected class employees (women, blacks, hispanics, asians, handicapped persons, etc.) with the same training and career enrichment opportunities as provided other employees.
- o The supervisor maintains a workplace free of sexual harassment<sup>1</sup> and racial or ethnic jokes and slurs.
- o The supervisor conducts job interviews and makes hiring and promotion recommendations with regard only to the candidate's ability to perform the job. The EEO Unit or the Personnel Unit can provide the supervisor with suggestions for nondiscriminatory interview questions. The EEO unit also maintains a bank of resumes of protected class applicants.
- o When called upon, the supervisor assists the EEO Unit in identifying problem areas and achieving program goals.

## II. Claims of Employment Discrimination

If an employee or an applicant believes that he or she has been the victim of illegal discrimination, he or she immediately should contact the EEO Unit for information on how to process a claim. The EEO Unit is available to assist with prompt and informal investigation and mediation of discrimination claims. Such informal investigation does not preclude filing a claim with the New York State Division of Human Rights, the federal Equal Employment Opportunity Commission or any other appropriate agency, nor will its use toll any statute of limitations set by law, rule or regulation for filing such an outside claim.

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<sup>1</sup>Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute illegal sexual harassment when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting an individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

APPENDIX E



# From the Office of Equal Employment Opportunity

## Gender-Related Issues

by Adrienne White, Director

The court system continues to recognize the need for attention to real or perceived gender-related issues. The Committee to Implement Recommendations of the N.Y. Task Force on Women in the Courts has been working closely with UCS, Bar Associations and other interested parties to effect change.

Some of the progress women have made in the court system is evident from the numbers. In 1986 there were 114 women judges and, as of May 1987, there were 126, with an increasing number appointed to various committees and commissions. Not only do women judges sit in virtually every kind of court from the Court of Appeals to city courts, but women nonjudicial employees are more and more represented in virtually every federal occupational series.

Our 1986 report shows 5,242 women nonjudicial employees. Our 1987 report shows 6,014 women nonjudicial employees. We expect the 1988 report to follow a similar trend.

At both the 1986 and 1987 Annual

Judicial Seminars gender-related issues were woven into the courses.

For the most part the curricula of both the nonjudicial training seminars "Mission and Organization" and "Supervision in the Public Service" are attentive to gender-related issues.

This year the EEO Office High School Outreach program has eight women mentors and mentees, up from four of each last year. Three women worked with us as speakers last year, whereas 23 women have volunteered this year.

More and more, the EEO Office has been contacted as a source of information by organizations whose constituency is predominantly women. What has become increasingly apparent is that women are no longer content to be the first and only but rather intend to be the first of many.

Attention to gender-related issues sensitizes us to all kinds of biases and helps us to work together for mutual respect, leading to the ultimate goal of equality. The UCS is well on its way to that goal. *EEO-Easy, Effective, Open* □

## Stork Notes



Congratulations to Senior Court Clerk **William P. Hall**, of Supreme Court, Criminal Branch in Manhattan and his wife Jane on the birth of their second set of twins. Born Feb. 5 were Brendan Farrelly Hall, 8 lbs., 10 oz., and Maryanne Sinead Hall, 6 lbs., 0.5 oz. They join big brothers William and Walter. . . Chief Clerk of the City Court of Yonkers, **Mary O'Shea**, has been blessed with her ninth grandchild. Born to her daughter Patricia Martin and her husband, Thomas, on Jan. 27 was a baby boy, Ryan Austin Martin, 10 lbs., 5 oz. . . **Deborah Gillette**, secretary to Jef-

erson County Family Court Judge Richard V. Hunt, and her husband, Randy, are the proud parents of a baby boy, Randolph Gillette, 9 lbs. 7 oz. born on Dec. 2. . . **Richard Moffett**, Court Reporter in Queens Family Court, and his wife Christine, were blessed on Jan 29. with 7 lbs., 5 oz. baby girl, Lisa Marie. □

## People in the Courts

cont. from p. 16

in the Appellate Division courtroom. She emigrated to the U.S. from Sri Lanka in 1982, and has been with the court since Nov. 1984.

**Olga Zeppos**, Court Clerk in Onondaga County Combined Courts, retired on Jan. 29 after 18 years of service. **Joseph J. Lamanna**, Court Clerk in the same court, retired on Mar. 3 after 10 years of service. Best wishes to both.

## Public Appellate Defender Plan Approved

The Administrative Board of the Courts announced its approval of the creation of a statewide Public Appellate Defender Plan to provide representation to certain indigent defendants in the appellate courts.

The Administrative Board is composed of Chief Judge Sol Wachtler and the Presiding Justices of the state's four Appellate Divisions, Hon. Francis T. Murphy, Hon. Milton Mollen, Hon. A. Franklin Mahoney, and Hon. Michael F. Dillon.

On behalf of the Board, the Chief Judge said that the plan was created in response to a backlog of cases that has developed in which an inherent conflict of interest has prevented some Legal Aid societies or public defenders' offices that handled the cases at the trial stage from representing defendants on appeal, and also in response to the increasing unavailability of appointed private appellate counsel.

"The Public Appellate Defender Plan," said the Chief Judge, "is another step in New York's continuing history of guaranteeing the rights of due process to all citizens. The concept was first developed by Presiding Justice Francis T. Murphy, and Jeffrey Q. Ralls, Administrator of the Assigned Counsel Plan for the First Department, who have shown great energy and resourcefulness in this new undertaking."

Under the Plan, a Public Appellate Defender office will be created in each of the state's four judicial departments. Each office will be permanently staffed by an experienced senior appellate attorney and several recently admitted attorneys. The attorneys will be reimbursed through the existing Assigned Counsel Programs of each Appellate Division.

The new Public Appellate Defender offices will be supervised by not-for-profit corporations administered by pro bono Boards of Trustees to guarantee ethical standards and responsiveness to all parties. The not-for-profit corporations will also accept contributions from private corporations and law firms to meet the uncovered or unanticipated costs. □



APPENDIX F



## STATE OF NEW YORK UNIFIED COURT SYSTEM STATEMENT OF APPOINTMENT DATA COLLECTION FORM

**FOR APPOINTMENTS FILED PURSUANT TO PART 36 OF THE RULES OF THE CHIEF JUDGE 22 NYCRR 36**

The completion of the information requested on this form regarding race/ethnic group, gender, date of birth, disability/handicap and Vietnam Era status is voluntary. This form will be filed separately and confidentially from any other records. It will be available only to authorized personnel for research and evaluation purposes.

**DO NOT ATTACH YOUR STATEMENT OF APPOINTMENT TO THIS FORM**

Please print clearly and answer all questions. The form is self-addressed.

1. Social Security # -OR- Federal Employment ID #
- 
2. Date of Birth 3. Gender (check one)
- Male  Female
4. Race/Ethnic Group (check one)
- White  Black  Hispanic  Asian or Pacific Islander  Am. Ind. or Alaskan Native

----- (FOLD HERE) -----

### Race/Ethnic Group Definitions

**WHITE** - Persons having origins in any of the original peoples of Europe, North America or the Middle East. (Non-Hispanic)  
**BLACK** - Persons having origins in any of the Black racial groups of Africa. (Non-Hispanic)  
**HISPANIC** - Persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin regardless of race.  
**AMERICAN INDIAN/ALASKAN NATIVE** - Persons having origin in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.

5. Do you have a disability/handicap?  Yes  No 6. Vietnam Era Veteran  Yes  No
7. Date of Appointment
- 
8. Court of Appointment (check one)
- Surrogates Court  County Court  
 Supreme Court  District Court  
 Civil Court  City Court
9. Type of Appointment (check one)
- Guardian  Committee of the Incompetent or Patient  
 Guardian ad litem  Receiver  
 Conservator  Service as a \_\_\_\_\_ for a receiver
10. County of Appointment (check one)
- |                                      |                                   |  |   |  |                                      |                                      |
|--------------------------------------|-----------------------------------|--|---|--|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> ALBANY      | <input type="checkbox"/> CLINTON  | <input type="checkbox"/> GENESEE       | <input type="checkbox"/> MONROE         | <input type="checkbox"/> ORLEANS         | <input type="checkbox"/> SARATOGA    | <input type="checkbox"/> TOMPKINS    |
| <input type="checkbox"/> ALLEGANY    | <input type="checkbox"/> COLUMBIA | <input type="checkbox"/> GREENE        | <input type="checkbox"/> MONTGOMERY     | <input type="checkbox"/> OSWEGO          | <input type="checkbox"/> SCHENECTADY | <input type="checkbox"/> ULSTER      |
| <input type="checkbox"/> BRONX       | <input type="checkbox"/> CORTLAND | <input type="checkbox"/> HAMILTON      | <input type="checkbox"/> NASSAU         | <input type="checkbox"/> OTSEGO          | <input type="checkbox"/> SCHOHARIE   | <input type="checkbox"/> WARREN      |
| <input type="checkbox"/> BROOME      | <input type="checkbox"/> DELAWARE | <input type="checkbox"/> HERKIMER      | <input type="checkbox"/> NEW YORK (MAN) | <input type="checkbox"/> PUTNAM          | <input type="checkbox"/> SCHUYLER    | <input type="checkbox"/> WASHINGTON  |
| <input type="checkbox"/> CATTARAUGUS | <input type="checkbox"/> DUTCHESS | <input type="checkbox"/> JEFFERSON     | <input type="checkbox"/> NIAGARA        | <input type="checkbox"/> QUEENS          | <input type="checkbox"/> SENECA      | <input type="checkbox"/> WAYNE       |
| <input type="checkbox"/> CAYUGA      | <input type="checkbox"/> ERIE     | <input type="checkbox"/> KINGS (BKLYN) | <input type="checkbox"/> ONEIDA         | <input type="checkbox"/> RENSSELAER      | <input type="checkbox"/> STEUBEN     | <input type="checkbox"/> WESTCHESTER |
| <input type="checkbox"/> CHAUTAUQUA  | <input type="checkbox"/> ESSEX    | <input type="checkbox"/> LEWIS         | <input type="checkbox"/> ONONDAGA       | <input type="checkbox"/> RICHMOND (S.I.) | <input type="checkbox"/> SUFFOLK     | <input type="checkbox"/> WYOMING     |
| <input type="checkbox"/> CHEMUNG     | <input type="checkbox"/> FRANKLIN | <input type="checkbox"/> LIVINGSTON    | <input type="checkbox"/> ONTARIO        | <input type="checkbox"/> ROCKLAND        | <input type="checkbox"/> SULLIVAN    | <input type="checkbox"/> YATES       |
| <input type="checkbox"/> CHENANGO    | <input type="checkbox"/> FULTON   | <input type="checkbox"/> MADISON       | <input type="checkbox"/> ORANGE         | <input type="checkbox"/> ST. LAWRENCE    | <input type="checkbox"/> TIOGA       |                                      |



APPENDIX G



### PART III. COMPLAINT PROCEDURE

Any person who believes he or she (1) has been the victim of discrimination based on sex, age, race, religion or national origin in the courts or court agencies of New York State, or (2) has been subjected to any form of improper treatment in the courts or court agencies of New York State, may file a complaint with the Administrative Judge of the judicial district in which the discriminatory act or improper treatment is alleged to have occurred. Complaints must be made in writing and must include a brief description of the facts and the time, date and place of occurrence. Complaints against a Judge or Justice involving an alleged violation of the Rules of Judicial Conduct should be made directly to the Commission on Judicial Conduct, 801 Second Avenue, New York, N.Y. 10017.



Administrative Judges in judicial  
districts within New York City

Courts

Hon. Israel Rubin  
Administrative Judge  
Civil Court, City of New York  
111 Centre Street #1240  
New York, N.Y. 10013

Hon. Robert G.M. Keating  
Administrative Judge  
Criminal Courts, City of New York  
100 Centre Street #538  
New York, N.Y. 10013

Hon. Kathryn McDonald  
Administrative Judge  
Family Court, City of New York  
60 Lafayette Street  
New York, N.Y. 10013

Hon. Peter J. McQuillan  
Administrative Judge  
Supreme Court, First Judicial District  
Criminal Term  
100 Centre Street #1735  
New York, N.Y. 10013

Hon. Xavier C. Riccobono  
Administrative Judge  
Supreme Court, First Judicial District  
Civil Term  
60 Centre Street  
New York, N.Y. 10007

Hon. Leonard E. Yoswein  
Administrative Judge  
Supreme Court, Second Judicial District  
360 Adams Street  
Brooklyn, N.Y. 11201

Citywide  
New York City  
Civil Court

Citywide  
New York City  
Criminal Court

Citywide  
New York City  
Family Court

New York County  
Supreme Court,  
Criminal Term

New York County  
Supreme Court,  
Civil Term

Kings and Richmond  
Counties  
Supreme Court,  
Civil & Criminal  
Terms

Hon. Alfred D. Lerner  
Administrative Judge  
Supreme Court, 11th Judicial District  
88-11 Sutphin Boulevard, 3rd Fl.  
Jamaica, N.Y. 11435

Queens County  
Supreme Court,  
Civil & Criminal  
Terms

Hon. Burton B. Roberts  
Administrative Judge  
Supreme Court, 12th Judicial District  
Criminal Term  
851 Grand Concourse #832  
Bronx, N.Y. 10451

Bronx County  
Supreme Court  
Criminal Term

Hon. Louis Fusco  
Administrative Judge  
Supreme Court, 12th Judicial District  
Civil Term  
851 Grand Concourse  
Bronx, N.Y. 10451

Bronx County  
Supreme Court  
Civil Term

Administrative Judges in judicial  
districts outside New York City

Courts

Hon. Edward S. Conway  
Administrative Judge  
Third Judicial District  
Albany County Court House #201  
Albany, N.Y. 12207

Albany, Schoharie,  
Greene, Rensselaer,  
Columbia, Ulster,  
Sullivan Counties  
all Courts

Hon. J. Raymond Amyot  
Administrative Judge  
Fourth Judicial District  
Grand Union Plaza  
P.O. Box 376  
Saratoga Springs, N.Y. 12866

St. Lawrence,  
Franklin, Clinton,  
Essex, Hamilton,  
Warren, Wash-  
ington, Fulton,  
Saratoga, Mont-  
gomery, Schenectady  
Counties, all Courts

Hon. William R. Roy  
Administrative Judge  
Fifth Judicial District  
Onondaga County Courthouse  
Syracuse, N.Y. 13202

Jefferson, Lewis,  
Oswego, Onondaga,  
Oneida, Herkimer  
Counties, all Courts

Hon. D. Bruce Crew, III  
Administrative Judge  
Sixth Judicial District  
Supreme Court Chambers  
203 Lake Street  
Elmira, N.Y. 14901

Hon. Joseph G. Fritsch  
Administrative Judge  
Seventh Judicial District  
437 Hall of Justice  
Civic Center Plaza  
Rochester, N.Y. 14614

Hon. James B. Kane, Jr.  
Administrative Judge  
Eighth Judicial District  
Erie County Hall  
Buffalo, N.Y. 14202

Hon. David S. Ritter  
Administrative Judge  
Ninth Judicial District  
Westchester County Court House  
111 Grove Street 11th Fl.  
White Plains, N.Y. 10601

Hon. Leo F. McGinity  
Administrative Judge  
Courts within Nassau County  
Supreme Court Building  
Supreme Court Drive  
Mineola, N.Y. 11501

Hon. Arthur M. Cromarty  
Administrative Judge  
Courts within Suffolk County  
P.O. Box 307  
Babylon, N.Y. 11702

Schuyler, Tompkins,  
Cortland, Madison,  
Ostego, Chenango,  
Delaware, Tioga,  
Broome, Chemung  
Counties, all Courts

Monroe, Wayne,  
Cayuga, Seneca,  
Yates, Ontario,  
Livingston, Steuben  
Counties, all Courts

Niagara, Orleans,  
Genesee, Wyoming,  
Erie, Allegany,  
Cattaraugus,  
Chautauqua  
Counties,  
all Courts

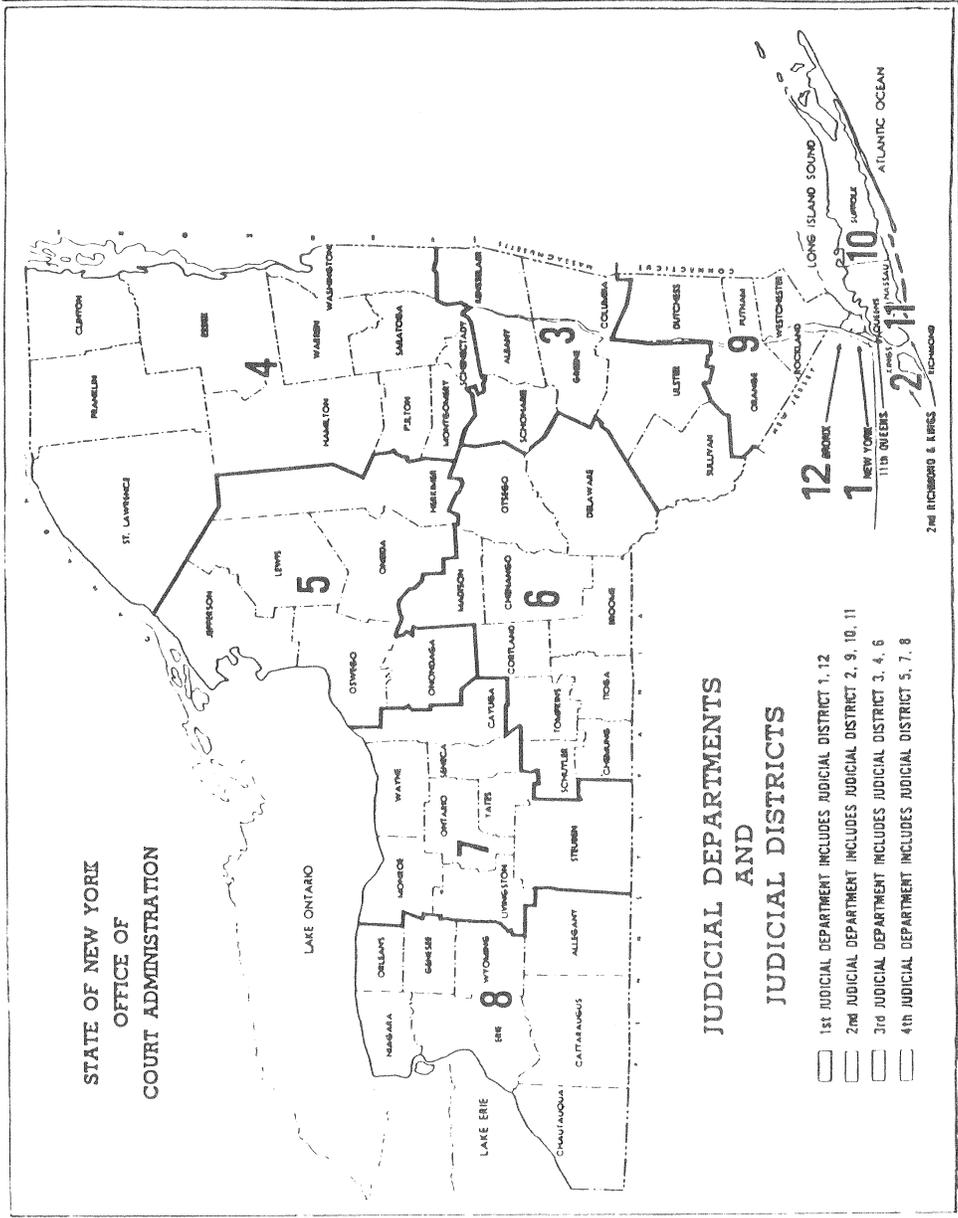
Dutchess, Putnam,  
Westchester, Rock-  
land, Orange  
Counties, all Courts

Nassau County,  
all Courts

Suffolk County,  
all Courts

Hon. Donald J. Corbett, Jr.  
Presiding Judge  
Courts of Claims  
144 Exchange Boulevard #500  
Rochester, N.Y. 14614

Court of Claims





APPENDIX H



STATEMENT OF HONORABLE KATHRYN McDONALD, NYC FAMILY COURT

As Chair of OCA's Committee to Implement Recommendations of the New York Task Force on Women in the Courts, I welcome this opportunity to communicate our views on the optimal handling of civilian domestic violence complaints to the New York City Civilian Complaint Task Force.

I understand that the task you have set yourselves involves a far larger universe of civilian complaints than simply those involving domestic violence. Because 75% of the summonses issued by the Criminal Court occur in domestic violence matters, however, I believe that this category requires separate treatment. Separate treatment is also warranted because of the danger often present in these disputes and their explosive nature.

As you know, Family Court Act §812(3) and Criminal Procedure Law §530.11(3) provide that:

No official or other person [designated by the Chief Administrative Judge and including law enforcement and court personnel] shall discourage or prevent any person who wishes to file a petition or sign a complaint from having access to any court for that purpose.

Despite this clear expression of legislative intent to keep courthouse doors open to victims of family violence, the existing structure in New York City for handling these matters when no arrest is involved, through 346 Broadway and the summons parts, effectively closes the criminal courthouse door by, at the very least, dissuading domestic violence victims from proceeding in that court. We are, in short, perilously vulnerable to the criticism that we are in violation of the law.

At present, victims of domestic violence, who elect to proceed in criminal court when no arrest is made, must arrive at 346 Broadway between the hours of 9 AM and 1 PM, Monday through Friday only, to obtain the paperwork they need to go before a judge. Petitioners from Queens, Kings, and Bronx Counties must travel to Manhattan for their complaints and summonses and then back again to the criminal court in the borough of their residence. Often, they cannot complete the return trip before court closes for the day and are forced to wait until the next to appear before a judge. In at least Staten Island and Manhattan, the complainant usually appears in court alone, unassisted by an ADA or advocate. Cases surviving the first appearance in these boroughs cannot begin to be prosecuted until an ADA is assigned, at the second court appearance. I am told that in all five boroughs, a good number of the accusatory instruments would have difficulty surviving a motion to dismiss for legal insufficiency.

In 1986, the New York Task Force on Women in the Courts, operating on behalf of and under the auspices of the Unified Court System, issued its report about domestic violence and other matters pertaining to women in court, after two years of exhaustive investigation through public hearings, research and literature reviews, consultation with experts, regional meetings with judges and attorneys and "listening sessions", questionnaires, and surveys. Chief Judge Sol Wachtler immediately accepted the findings and recommendations of that Report, reaffirmed the court system's commitment to the elimination of unfair treatment of women in court, and created the committee I chair to implement the Task Force's recommendations.

That Task Force made a number of findings relevant to your inquiry into the handling of civilian domestic violence complaints. Specifically, they found that

- 1) "Family violence victims with unambiguous claims that a crime has been committed are dissuaded from proceeding in criminal court" (p. 37);

- 2) "Battered women who bring petitions but fail to proceed are deterred in part because of the treatment they receive in court" (p. 40);

3) "Effective help once a woman finally seeks protection increases the likelihood that she will pursue her legal rights . . . . Timely availability of counsel or assistance of an advocate is also critical" (p. 42); and

4) "Mediation is not an acceptable alternative to swift and sure enforcement in domestic violence cases" (p. 57).

These findings, it seems to me, suggest certain solutions to the problem of civilian domestic violence complaints. First, we must return the complaint drafting and summons-preparation functions, now served centrally by 346 Broadway for most boroughs, to the home boroughs of the complainants. By doing so, we will not only eliminate much of the "run-around" phenomenon that discourages these people from pursuit of their complaints, but we will also reduce the potential danger to them created by delays in getting into court.

It is imperative that properly trained personnel interview complainants and draft criminal complaints. If court personnel are to continue to perform the complaint-drafting function, however, they must receive the necessary training and demonstrate competence at this task. They must be proficient at interviewing domestic violence victims and drawing legally sufficient complaints. Clerks should also prepare other papers necessary for court, and victim advocate staff should be on hand to offer services. The Criminal Courts and the advocates should receive the spatial and financial resources they need in each borough to perform these jobs.

Alternatively, the DAs could draft complaints for all cases in which there is no reason to decline to prosecute. To avoid long delays in their complaint rooms, DAs might assign paralegals the task of interviewing, drafting, and typing these complaints. It is also imperative that DAs appear with the complainants in the arraignment parts where, again, some percentage of these complaints can be disposed of. For those cases which survive the arraignment part and are adjourned, it would seem to make sense to assign an ADA (or paralegal advocate) before the case leaves the arraignment part. Such timely case assignment will advance the prosecution and prevent victim discouragement, even though an adjournment for defendant's appearance and the assignment of counsel would still be necessary. Short dates from the arraignment part should be the rule. Again, the DAs should have the resources they need to staff their complaint rooms with extra assistants or paralegals and support staff.

In essence, I am proposing that civilian domestic violence complaints charging criminal offenses be treated the same way as police complaints charging criminal offenses, except with regard to the manner in which the court secures the attendance of the defendant. Parenthetically, however, I should note here that it's important to ensure that victims are aware they need not serve the summonses themselves but may have police officers perform this task, pursuant to CPL §130.40. By carving out a little space in each borough and adding a few personnel, we could increase our efficiency by using an otherwise already existing

structure for these cases and begin to comply with the law as well. We simply cannot continue to ignore these too often violent, criminal matters.

Finally, in an ideal world, the DAs would draw complaints on no-arrest cases after hours, at night and on weekends, for feeding into night and weekend arraignment parts. My understanding, however, is that nights and weekends do not present a serious problem because of the police department's prudent exercise of its discretion to arrest in cases involving imminent danger to victims.

APPENDIX I



PREPARATION OF THIS DATA SHEET IS OPTIONAL

FAMILY OFFENSE DATA SHEET

If you have had any other cases in Family Court, please print the Docket Numbers \_\_\_\_\_

Petitioner's name (your name) \_\_\_\_\_

address \_\_\_\_\_

Respondent's name (the person you are filing against) \_\_\_\_\_

address \_\_\_\_\_

Please state your relationship to the Respondent: \_\_\_\_\_  
(for example, spouse, parent, child, mother of the child(ren) of the Respondent, etc.)

Please state what offenses the Respondent has committed against you. Be specific in describing exactly what the Respondent did to you or exactly what acts were, and who was, threatened. (For example, do not simply say, "He hit me." Instead, indicate what object was used to strike you, which part of your body was injured, the nature of the injury, etc.). You should indicate whether your children were endangered by the Respondent's conduct, and if so, in what way. Please be as brief as possible.

1. We must begin your petition with the most recent incident causing you concern.

Please indicate:

Date of most recent incident: \_\_\_\_\_

Location of most recent incident: \_\_\_\_\_

Nature of the most recent incident: \_\_\_\_\_

2. If the Respondent has committed other family offenses against you in the past, please state specifically the time, nature, and frequency of these offenses.

Please indicate exactly what relief you seek from the Court.

NOTICE

**THIS IS A WORKSHEET WHICH WILL BE USED TO EXPEDITE THE PREPARATION OF YOUR PETITION. IT WILL NOT BECOME PART OF THE COURT FILE.**



APPENDIX J





STATEMENT OF PERSONAL SERVICE
PD 260-152 (Rev. 11-87)-24

\_\_\_\_\_ Petitioner

-against-

\_\_\_\_\_ Respondent

FAMILY COURT

Return Date: \_\_\_\_\_

STATE OF NEW YORK

Part: \_\_\_\_\_

COUNTY OF \_\_\_\_\_ ss:

Docket No. \_\_\_\_\_

I, \_\_\_\_\_, do hereby,
(officer's name)

affirm under the penalties of perjury as follows:

- 1. I am over 18 years of age, and not a party to this action.
2. On \_\_\_\_\_, at \_\_\_\_\_ (a.m.) (p.m.),

I served the within (check appropriate boxes)

[ ] SUMMONS [ ] PETITION [ ] TEMPORARY ORDER OF PROTECTION

upon \_\_\_\_\_
(name of person served)

a respondent herein, by delivering a true copy thereof to him / her personally at \_\_\_\_\_

3. I knew the person so served to be the person mentioned and described in said papers as the respondent
and that person's description is:

SEX \_\_\_\_\_ SKIN COLOR \_\_\_\_\_ HAIR COLOR \_\_\_\_\_

APPROXIMATE AGE \_\_\_\_\_ WEIGHT \_\_\_\_\_ HEIGHT \_\_\_\_\_

OTHER IDENTIFYING FEATURES \_\_\_\_\_

\_\_\_\_\_  
(Officer's signature)

Dated: \_\_\_\_\_
MO. DAY YEAR

\_\_\_\_\_  
(Officer's name printed)

\_\_\_\_\_ NEW YORK
COUNTY

RANK \_\_\_\_\_ SHIELD \_\_\_\_\_ CMD \_\_\_\_\_

## **INSTRUCTIONS FOR PREPARING STATEMENT OF PERSONAL SERVICE**

When a petitioner requests an Order of Protection or Temporary Order of Protection under the Family Court Act, notice must be served upon the respondent.

Section 153b of the Family Court Act requires Police Officers to assist petitioners in serving the summons and the petition and, if one has been issued, the temporary order of protection.

### **POLICE OFFICERS DUTIES**

1. When requested, police officers should serve the papers and prepare this Statement of Personal Service completing all captions.
2. The papers may be served on any day of the week, and at any hour of the day and night.
3. Prior to serving papers, the name of the petitioner and respondent, the County of the issuing court, the return date, the court part and the docket number listed on the summons should be entered on the Statement of Personal Service. The police officer's knowledge of the person served described in paragraph 3 on reverse side is based on information received from the petitioner.
4. Upon completing the Statement of Personal Service the police officer must sign the statement and give the white copy to the Petitioner. Blue copy will be filed at the precinct.

INSTRUCTIONS FOR POLICE ASSISTANCE CASES

**INSTRUCTIONS TO PETITIONERS FOR SERVICE OF COURT PAPERS  
WHEN POLICE ASSISTANCE IS REQUESTED**

1. A SUMMONS OR AN ORDER, TOGETHER WITH A COPY OF THE PETITION, HAS BEEN ISSUED BY FAMILY COURT DIRECTING THE RESPONDENT IN THIS CASE TO APPEAR IN FAMILY COURT AT THE TIME AND DATE INDICATED.
2. AS THE PETITIONER IN THE CASE YOU MAY NOT SERVE SUCH PAPERS UPON THE RESPONDENT YOURSELF.
3. THE SUMMONS AND THE PETITION AND, IF ONE HAS BEEN ISSUED, THE TEMPORARY ORDER OF PROTECTION MUST BE SERVED UPON THE RESPONDENT AT LEAST 24 HOURS BEFORE THE DATE SET FOR APPEARANCE IN COURT. THE PAPERS MAY BE SERVED ON ANY DAY OF THE WEEK, AND AT ANY HOUR OF THE DAY AND NIGHT.
4. TO OBTAIN POLICE ASSISTANCE IN SERVING THE PAPERS, CALL OR GO TO THE PRECINCT WHERE THE RESPONDENT IS LOCATED. YOU CAN ALSO CALL 911 AND REQUEST THE POLICE MEET YOU IN THE AREA WHERE THE RESPONDENT IS LOCATED.
5. WHEN THE POLICE OFFICER SERVES THE PAPERS FOR YOU, HE/SHE WILL PREPARE THE ATTACHED "STATEMENT OF PERSONAL SERVICE".
6. AFTER THE STATEMENT OF PERSONAL SERVICE IS COMPLETED, THE POLICE DEPARTMENT WILL RETURN THE ORIGINAL COPY TO YOU.
7. YOU MUST BRING THE STATEMENT TO COURT WITH YOU ON THE RETURN DATE. BE SURE TO TELL THE JUDGE THAT YOU HAVE THE "STATEMENT OF SERVICE".

## INSTRUCCIONES PARA CASOS EN QUE SE REQUIERE LA AYUDA DE LA POLICIA

### INSTRUCCIONES A LOS PETICIONARIOS SOBRE LA ENTREGA DE DOCUMENTOS DE LA CORTE CUANDO PIDE AYUDA A LA POLICIA PARA ENTREGAR LOS PAPELES

1. LA CORTE DE FAMILIA HA EMITIDO UNA CITACION U ORDEN, JUNTO CON UNA COPIA DE LA PETICION, ORDENANDO A LA PERSONA DEMANDADA EN ESTE CASO PRESENTARSE A DICHA CORTE EN LA HORA Y FECHA INDICADA.
2. COMO PETICIONARIO EN EL CASO, USTED MISMO NO PUEDE ENTREGAR DICHOS PAPELES DE LA CORTE AL DEMANDADO.
3. LA CITACION, LA PETICION Y, SI SE LE HA SIDO DADA, LA ORDEN DE PROTECCION PROVISIONAL DEBEN DE SER ENTREGADAS AL DEMANDADO POR LO MENOS 24 HORAS ANTES DE LA FECHA FIJADA PARA PRESENTARSE EN LA CORTE. LOS PAPELES PUEDEN SER ENTREGADOS CUALQUIER DIA DE LA SEMANA Y A CUALQUIER HORA DE LA NOCHE O DIA.
4. PARA OBTENER LA AYUDA DE LA POLICIA EN LA ENTREGA DE ESTOS PAPELES LLAME O VAYA AL PRECINTO MAS CERCANO AL LUGAR DONDE VIVE EL DEMANDADO. PUEDE TAMBIEN LLAMAR AL 911 Y PEDIR QUE UN POLICIA SE REUNA CON USTED EN EL AREA DONDE VIVE EL DEMANDADO.
5. CUANDO EL OFICIAL DE POLICIA ENTREGUE POR PARTE DE USTED LOS PAPELES, EL/ELLA PREPARARA LA DECLARACION ADJUNTA.
6. DESPUES DE COMPLETAR LA DECLARACION EL OFICIAL DE POLICIA SE LA DEVOLVERA A USTED.
7. USTED TIENE QUE TRAER LA DECLARACION A LA CORTE EN LA PROXIMA CITA. NO SE OLVIDE DECIRLE AL JUEZ QUE HA TRAI DO LA "DECLARACION JURADA".