

NEW YORK STATE

Jury Pool

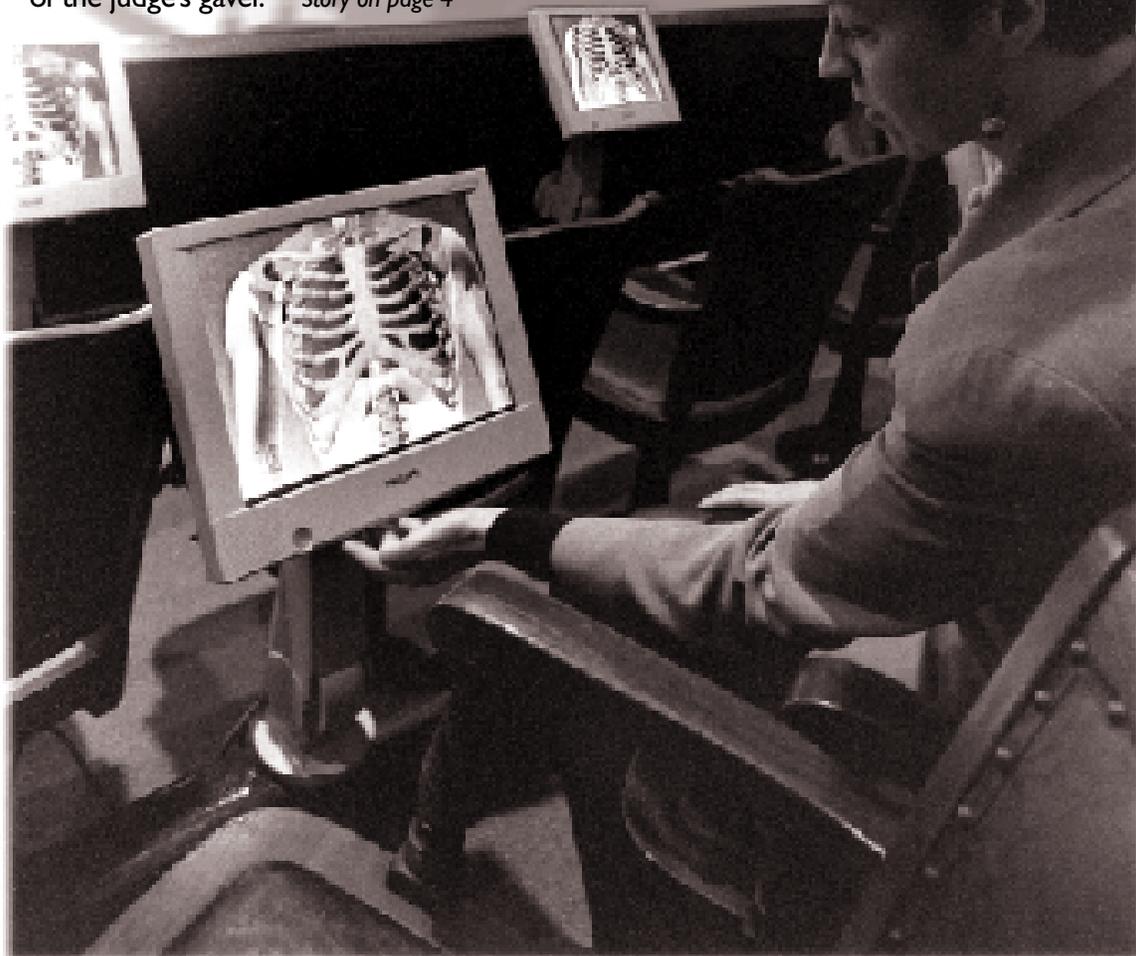
NEWS

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New York State
Unified Court
System to inform
jurors of the latest
developments in
jury reform and
other court
initiatives

Courtroom of the Future

“Jurors, please direct your attention to the computer monitors before you.” In New York’s Courtroom 2000, those words are likely to become as familiar as the bang of the judge’s gavel. *Story on page 4*



VIPs Pay Tribute to Jury System

Television correspondent Ed Bradley's four days of jury duty might not have done much for his journalistic career, but it did give him greater insight into the workings of the New York jury system. When he was summoned for jury service last year, the *60 Minutes* co-host was designated to be an alternate juror. Bradley, however, was eager for a more active role, itching for the opportunity to participate in jury deliberations. "I kept hoping they would send someone home and move me up," he recalled.

One of several luminaries who spoke about their jury service experiences at the Juror Appreciation Week ceremony in Manhattan last November, Bradley was joined by New York City Mayor Rudolph Giuliani, actress Marisa Tomei, retired New York Giants coach Allie Sherman and renowned sex therapist and radio personality Dr. Ruth Westheimer. Dr. Ruth dispensed the kind of wisdom for which she is famous, when she suggested a better way to utilize juror downtime: "Get some paper and a pen and write a letter to someone you love." Likewise, Coach Sherman gave his own brand of professional advice, quipping, "Jury duty should become part of everyone's game plan."

To hear dignitaries and celebrities talk about jury service is not uncommon these days ever since new rules refining the summoning and selection processes have produced a more expansive and diversified jury pool. Among the high-profile New Yorkers called for jury duty recently were actor Richard Gere, Knicks' forward Charles Oakley, Governor George Pataki and Chief Judge Judith Kaye. Noting the extent to which juror summoning has become egalitarian, actress Marisa Tomei told the audience at the 1997 celebration, "The fact that I am here shows the system works."

The new faces in New York's jury pool are a result of a massive undertaking begun in 1994 by court officials to promote a more equitable and comprehensive summoning process. No longer do jury commissioners use "permanent qualified lists" to summon jurors—a practice that essentially guaranteed the same individuals would be called to serve time and again, while others would never be called. To further expand the statewide pool of potential jurors, court officials began using names from unemployment and welfare rolls. But the biggest boost to the jury pool came after the State Legislature abolished all automatic exemptions from jury duty in 1995, requiring lawyers, doctors, embalmers, police officers and persons from other formerly exempt categories to take their turn at jury service like everyone else.

Commending jurors for their contributions to jury reform during her address at the Juror Appreciation Week ceremony, Chief Judge Kaye asked that the public continue its dialogue with the courts and in turn promised to maintain "the momentum of reform." The Chief Judge made good on that promise last



Mayor Rudolph Giuliani, Ed Bradley and Dr. Ruth Westheimer share a light-hearted moment at the 1997 Juror Appreciation Week celebration.

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December by announcing the formation of the Grand Jury Project. The new commission, modeled after the 1993 Jury Project which laid the groundwork for substantial reforms of the trial jury system, will look for ways to improve efficiency, reduce costs and enhance the overall experience of service in New York's grand jury system.

Expectations for the new Grand Jury Project are high, notes Chief Administrative Judge Jonathan Lippman, due to the impressive record of achievement set by its predecessor. The 1993 Jury Project provided the impetus for numerous improvements of the state's trial jury system, including shorter terms of service, less frequent summoning, a more diversified and expanded jury pool, a 25 percent reduction in time spent in jury selection, improved court facilities and increased juror compensation. "What the commission did was to see things from a juror's perspective," observes Judge Lippman, who himself responded to his first call to jury duty in 1996. "This is a work in progress," he adds, "but we have clearly come a long way." ♦

Mailbox

The following letter was sent to Manhattan Supreme Court Justice Felice K. Shea by Carol Sanger, a law professor who got her first turn to sit on a jury last May, following the repeal of all exemptions from jury duty in 1996.

Dear Judge Shea:

I joined the Columbia Law School last year, having taught here as a visitor for over two years. I came from a small Jesuit school, Santa Clara University. I moved to San Francisco after graduating from law school in 1976 and lived in the West until the move to New York. (The adjustment eastward is not complete!) I teach first-year contracts and specialize in family law and gender issues.

However, the biography is not the reason I write. Last year, I was a juror in your courtroom, and I wanted to tell you how fascinating, serious and inspiring I found my jury service to be. The experience was like being dropped into the middle of a short story. I was tremendously impressed with my fellow jurors and the care with which we approached the task before us. There have been several follow-ups to the experience: two people on our larger panel fell in love and are now holding hands in public places (they were touring the Columbia campus when I accosted them), and a juror in our case was so impressed with one of the witnesses that she recommended her for a managerial position at her company. Of all that has happened in the last three years, this has been the experience that has made me feel most like a New Yorker.

I thought being on the jury was the best civics lesson (as well as a primer on various legal concepts) that anyone could have and much of what you said while presiding was responsible for this. Your comments to us during the voir dire and after the case were decidedly clarifying and fortifying. You made me proud to be part of the legal system. Please accept my thanks as a citizen and my admiration as a law professor.

Most sincerely,
Carol Sanger

If you would like to let us know about your jury experience or have comments or suggestions about the jury system, you can write to:

*Continuing Jury Reform
Office of the Chief Administrative Judge
25 Beaver Street
New York, NY 10004*

COURTROOM OF THE FUTURE IS HERE



Courtroom 2000, located in the Commercial Division of Manhattan Supreme Court, features a spectacular array of information-age technology, including computers, display monitors and multimedia equipment certain to shorten trials and bring dull, technical testimonies to life. “This is going to be the star of the country’s legal system,” predicts Chief Administrative Judge Jonathan Lippman. “Courtroom 2000 is a laboratory of advanced technology and places New York at the forefront of court technology nationwide.”

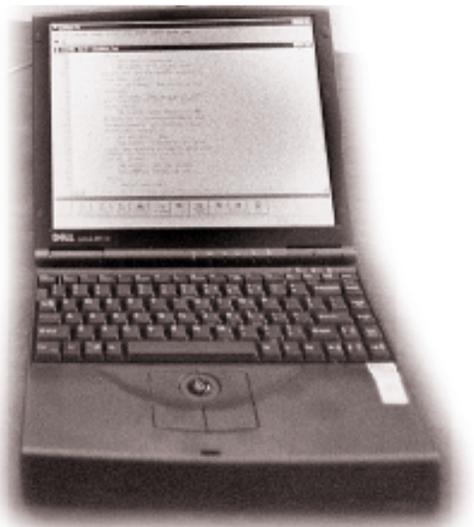
Geared for a two-year pilot run with over \$100,000 worth of equipment loaned by various corporations, the courtroom conducted its first “paperless” trial—a \$50 million lawsuit—this January. Supreme Court Justice Lewis Friedman, who presides over the specially equipped courtroom, explains that 16 computer monitors stationed at key locations throughout the courtroom are used to display photographs, documents and evidentiary materials and to show animation of expert testimony. “For a great majority of cases, these new video capabilities can convey information in an easy-to-understand format that is familiar to most people,” says Friedman. “It is a well-known fact that people in the computer age are better at retaining and comprehending information that is presented visually.”

The technological linchpin of Courtroom 2000 is a digital evidence presentation system (DEPS), which orchestrates the interplay of computers, video monitors, image scanners, animation software, TV cameras and VCRs. DEPS can simplify complicated testimony by animating images, showing exhibits in 3-D, presenting side-by-side comparisons of evidence and displaying text documents, which can be highlighted electronically. A computerized “blackboard” facilitates sketching of case-relevant scenarios and allows for the unaltered original document and changes on working copies to be saved separately, thereby preserving evidence intact. The entire system is controlled by a “kill switch” at the bench, allowing the judge to regulate use at all times.

Courtroom 2000 features real-time transcription, which enables court reporters’ stenographic notes to be converted into readable text instantly. The advantages of real-time transcription are multiple, according to Brian DiGiovanna, a senior court reporter in Manhattan Supreme Court and the prime architect of Courtroom 2000: “Ease of information searches, increased access for hearing-impaired persons and, most of all, speed. With real-time, copies of testimony can be printed on the spot, as opposed to the time it would take to transcribe the old-fashioned way.”

Time in court can be saved when attorneys prepare CD-ROM disks containing their arguments, evidentiary documents and exhibits beforehand for presentation in Courtroom 2000. This information can then be displayed on all of the court’s video monitors simultaneously, eliminating the need for attorneys to walk around the courtroom presenting exhibits to opposing counsel, witnesses, the judge and jurors—a process that can be quite time-consuming. In CD-ROM form, court records can be easily and rapidly searched, generating further time savings and diminishing paper clutter.

All combined, the increased efficiency spawned by speedier



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A Haven for Children in Court

Two-year-old Ricky* clung to his eight-year-old sister, Kim, after their mother dropped them off at the Albany Family Court Children's Center. Both stood resolutely, refusing to talk to anyone. But in less than fifteen minutes, with a little help from a Tickle-Me-Elmo doll, the Children's Center director Susanne Jazinsky had both children laughing and playing games with the other children. The youngsters' initial wariness and the fact that their mother was in court seeking an order of protection, however, led Jazinsky to suspect that Ricky and Kim may have witnessed violence and abuse. When the mother returned to pick them up, Jazinsky tactfully referred her to Jayne Ponto, the center's family care worker. Ponto confirmed the family's need and eligibility for special services, helped enroll Ricky in a Head Start program and arranged for Kim to receive counseling from her school.

Children's Centers like the one in Albany Family Court provide a safe haven for children away from the turmoil of courtroom proceedings. But, as Kim and Ricky's experience demonstrates, these centers are more than just babysitting stations. "The typical center is run by trained personnel and volunteers who can identify children with problems and guide caregivers in finding solutions," says statewide Children's Centers coordinator Patricia Kennedy. Of the more than 40,000 children who visited Children's Centers during the 1996-1997 calendar year, Kennedy says that about 500 were connected to social service agencies, such as Head Start and the federal WIC (Women, Infants and Children) nutritional program.

Courthouse Children's Centers were the brainchild of the Permanent Judicial Commission on Justice for Children, a court-sponsored alliance of judges, legislators, academicians and child advocates charged with addressing the problems of children in New York's courts. In a 1993 study, the Commission reported an alarming increase in the number of children accompanying parents to court. This was problematic for both families and the court system, as children were witnessing traumatic courtroom scenes, and at the same time, court hearings were being disrupted by crying babies and fidgety toddlers. The Commission's 1993 assessment also showed that although a high percentage of children passing through the state's courthouses were considered "at risk" (i.e., youngsters with health and developmental problems from poor families), most were not enrolled in programs available to them.

Consequently, in 1993 the Commission spearheaded a statewide network of Children's Centers, not only to provide quality child care for children of litigants but also to help link needy families with essential services. Not-for-profit agencies such as the YWCA and the Salvation Army run the centers and keep operating costs down through fundraising and by tapping into volunteer resources, ranging from the Foster Grandparents program to local colleges. Now in its fourth year of operation, the Children's Centers program—the only one of its kind in the country—has 20 centers under its wings, with two more slated for opening in early spring. For children like Kim and Ricky, this is good news indeed. ♦

**The names of the children have been changed to protect the family's privacy.*



A young visitor receives some art tips from a volunteer at a Manhattan Children's Center.

Dignity Restored

A new courthouse in the Bronx gives a close-up view of the court system's Housing Court Program in action.

It is 2:30 P.M. at the new Bronx Housing Court, and already the intake of courthouse visitors has exceeded the daily average of 2,000. Scores of litigants have completed their business and left. Others are getting help at information windows on the ground floor or at the Legal Aid Office on the second floor. In several of the 13 courtrooms, court is in session. Litigants seated in the courtrooms listen for their cases to be called. Landlords and tenants, joined by court attorneys in private conference rooms, hash out details of resolutions they are about to take to a judge. Throughout the ten-story structure of white brick, steel and glass, a businesslike hum pervades—one that is music to the ears of those who have survived the former Bronx Housing Court's incessant bedlam.

"Pandemonium five days a week, all day long," says Supervising Judge Howard Sherman of the relentless din he and others endured for years in the court's dingy basement quarters at the Bronx Supreme Court, just four blocks away. Judge Sherman recalls court officers constantly cajoling, reprimanding and restraining the crowds in an effort to quell shouting matches between contentious parties. Confused litigants—many self-represented, and some with crying children—roamed the area. Never-ending lines spilled out into the corridors from the four cubicle-sized courtrooms. Says Myra Castilla, a litigant standing in line at Window 3, "It was a jungle over there."

Not surprisingly, the shiny new structure, with its brightly lit, stately courtrooms, has received rave reviews from both city and court officials. But as impressive a landmark as it is for the Bronx, the new courthouse alone cannot solve all the problems facing the New York City Housing Court. That task goes to a bold reform program court administrators set into motion last October to restructure Housing Court operations.

The new program eliminated the centralized intake part (known in courthouse lingo as "Part 18")—previously the most congested and overcrowded area of the court. "The elimination of Part 18 removed a major bottleneck," says Judge Sherman. Instead, all cases are now sorted according to case type and from the onset assigned to specialized resolution court parts. Customized resolution parts have been created for cases involving nonpayment of rent, expiration and termination of leases, drug eviction, housing code violations, and co-op and condo disputes. Further case fast-tracking is achieved by dividing all docketed cases into mediation, settlement or trial parts. While no official count has been taken as yet, Judge Sherman estimates that under the new streamlining measures, case-processing time will be cut in half.

Judge Fern Fisher-Brandveen, who oversees the Housing Division as Administrative Judge of the New York City Civil Court, says the new system is more compatible with the makeup of the court's current caseloads. When established 25 years ago, the Housing Court's primary role was to enforce housing code regulations. It has far outgrown that function and, until the Housing Court Program was introduced last October, lacked the resources and proper infrastructure to take on a staggeringly high volume of cases, most involving self-represented litigants and requiring urgent attention. "The decision to restructure came



Visitors to the Bronx Housing Court stroll its spacious, brightly lit corridors.

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quickly and easily,” says Judge Fisher-Brandveen. “We needed to rethink the Housing Court’s function, to recognize that over 90 percent of our caseload involves self-represented litigants and to address the strain this was placing on our limited judicial resources.”

The new program has taken into account the large number of litigants who come to Housing Court unrepresented by counsel and unfamiliar with the legal process. New simplified forms available in six languages, user-friendly on-line information systems, and expansion of court interpreter staff are all aimed at improving self-represented litigants’ comprehension of Housing Court procedures. Those confused by the complexity of legal proceedings can seek help from special counselors at the courthouses, and a citywide volunteer lawyers service now in the works will pair self-represented litigants with attorneys who can answer their questions and walk them through the legal process.

To further increase public access, court officials plan to keep the doors of the Housing Court open well beyond normal business hours with the scheduled inception of Night Housing Court in Queens and Staten Island. Already clerks offices throughout New York City have extended their hours of operation both in the evening and morning to accommodate the filing of papers and other court business outside of regular hours. Helping to ease the court’s massive caseload will be the appointment within the next few months of five new judges, supplementing the current core of 35 Housing Court judges who have been handling on the average an astounding 3,000 cases a day. The judges will receive extra help with the introduction of resource assistants—court employees hired to assist judges in information gathering, as well as to act as liaisons to relevant government agencies.

Facilities improvement is another crucial component of the Housing Court Program. A new Civil Court recently built in Queens will allocate about half of its 20 courtrooms for Housing Court use, and like the new Bronx courthouse, the Queens facility is equipped with a staffed children’s center, an information resource center and special conference rooms. Steps are being taken to renovate or refurbish rundown courtrooms in other parts of the system, and still ahead, say court officials, is a plan to build a new sorely needed Housing Court in Brooklyn by the year 2000.

Unsparring in her criticism of the Housing Court’s pre-reform environment, Chief Judge Judith Kaye railed against their “decrepit, dehumanizing and degrading” conditions when she announced the Housing Court Program last October. She instead pointed to ideals the court should reflect. “Justice is a dignified process that deserves a dignified place,” said the Chief Judge. With such a strong commitment from the top to restore dignity to the New York City Housing Court, the odds for success are excellent. ♦

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transcription of proceedings, expanded researching capabilities, quicker access to information and simultaneous viewing of exhibits could yield significant reductions in time and costs, say experts. They predict that when integrated technologies are utilized fully in courtrooms, the length of trials could be whittled down by 50 percent or more, which could result in overall cost savings for the court system and individual litigants.

But perhaps even more important than reductions in time and costs is the increased accuracy Courtroom 2000 promises to deliver. By preserving court records in computer form and by automating many tasks formerly performed manually, opportunities for human error are minimized. And, notes Friedman, “In the administration of justice, accuracy is crucial.”

Courtroom 2000 provides a unique testing ground for similar ventures in other parts of the court system at a time when judicial interest in courtroom technology is growing steadily. To date, about 20 federal jurisdictions are operating similarly equipped courtrooms nationwide. Robert R. Kiley, President of New York City’s Chamber of Commerce, sums up the consensus view: “Courtroom 2000 was an idea waiting to happen.” ♦

► Breast Cancer Exams for Nassau Jurors

Scheduling breast cancer exams while keeping the jury selection process rolling is becoming a small juggling act for Nassau County Commissioner of Jurors Thomas DeVivo. Every second and fourth Wednesday of the month, DeVivo's sign-up sheets are booked solid by women jurors who line up for exams in the Mammography Mobile stationed at the County Court building in Mineola. "We work around the scheduled appointments, sometimes switching jurors to an alternate jury selection," explains DeVivo.

Timed to coincide with Breast Cancer Awareness Month, the program was kicked off last October, says Nassau County Court Public Information Officer Michael Rich, who spearheaded the court's joint initiative with the county department of health and *I in 9*, a local coalition of breast cancer survivors named for the statistical frequency of breast cancer among women on Long Island. "In this county, about 25,000 women report for jury duty annually. We have a captive audience, which makes the courthouse a logical stop for the van," explains Rich. On each of the van's bi-weekly visits, a *I in 9* member speaks to assembled jurors about the disease and the importance of regular examinations.

Since the mobile unit's first stop in October, more than 80 women have received breast cancer exams—some for the first time. Women who qualify for the no-cost exam, says Rich, are 40 and over and have not had a mammography in at least a year. The exam lasts roughly fifteen minutes. All participants are given a lesson in the basics of self-examination before undergoing a mammography by a certified radiologist of the health department. If x-rays indicate a positive diagnosis, the person is notified immediately.

"We are delighted with the response from our jurors," says DeVivo. "Hopefully, by increasing awareness about breast cancer and by providing opportunities for women who report for jury duty to have mammographies, we can help promote participation in this necessary procedure." ♦



An x-ray technician in the Nassau Mammography Mobile prepares for her next visitor.



Newly donated books get sorted by a court aide.

Juror Library Makes A Difference ◀

A good page-turner makes the inevitable downtime in jury duty much more tolerable. That conviction is behind the Queens Supreme Court book collection—a project started two years ago by Queens County Commissioner of Jurors Gloria D'Amico and her staff.

Jurors who forget to bag reading material can visit the central jury room's small library. The library's liberal lending policy allows off-site borrowing: jurors can take books home and return them when finished.

Books returned invariably come back with additional donations from jurors' personal collections, says Deputy County Clerk Alexis Cuffee. But the bulk of material is still supplied by the library's original supporters—the Queens Public Library, which continues to donate out-of-circulation books, and the U.S. Post Office, which contributes undeliverable periodicals destined for the trash heap.

No one keeps tabs, but the collection has grown enormously in two years, prompting D'Amico to contemplate similar start-ups for four other courthouses in Queens. "It's a small gesture, but it adds to the positive outlook we want jurors to have," says Cuffee. ♦

Second Deputy County Clerk Alexis Cuffee expresses her sincere thanks to the Queens branch of the U.S. Post Office and to Queens Public Library Director Gary E. Strong and Assistant Director of Public Relations Joanne King.