

MESSAGE FROM CHIEF JUDGE JANET DIFIORE

April 11, 2022

Thank you for giving us a few minutes of your time for an update on the latest COVID developments affecting our courts and the justice system.

Today marks four weeks since we moved to 3-foot physical distancing for all judges, court staff and court users in all of our trial courts, and I am pleased to report that the change is going smoothly. Based on the number of lawyers, litigants and jurors in our courthouses, it is clear that we have returned to full-scale operations, albeit in the context of our new normal -- a new normal defined by the continuation of our health and safety protocols, and the smart use of virtual tools to limit unnecessary personal appearances.

And after all that we've been through over the last 25 months, it was gratifying to accept, on behalf of all of our judges and our court staff, a wonderful recognition of your performance last week, when the New York County Lawyers Association presented the Unified Court System with a "Conspicuous Service Award" in recognition of the outstanding work and dedication exhibited during the pandemic.

And while I cannot recall a prouder moment as Chief Judge, I want you to know that when I accepted the award last Wednesday night, it was extremely gratifying to describe how the “Judges and court professionals of the New York State Unified Court System demonstrated limitless dedication, resilience and ingenuity in meeting each and every challenge that was presented over the last 25 months in order to keep our courts up and running to provide access to justice to the people we serve.” That the “Conspicuous Service Award” was presented by our partners in the bar made the evening particularly special.

I am proud of the way in which our judges and staff have performed and honored their responsibilities in response to the enormity of the pandemic, a pandemic that affected every aspect of our lives and, sadly, intensified the legal problems confronting so many vulnerable litigants, including survivors of domestic violence who were put at greater risk of abuse by the need to isolate at home with abusers and by the difficulty in accessing vital support systems and services.

So, it is a particular point of pride that the judges and professional staff in our 38 Domestic Violence and 43 Integrated Domestic Violence Courts across the state have demonstrated endless dedication and resourcefulness in finding new and innovative ways to maintain court

operations and ensure continued access to urgent justice services supporting victim safety and offender accountability.

In the Erie County IDV Court, Presiding Judge Deborah Haendiges and backup Judge Mark Montour, assisted by their able staff, quickly converted to virtual operations in order to maintain a fully functional compliance calendar. By collaborating closely with local domestic violence intervention and support programs, the Court in 2021 was able to issue 500 orders of protection, conduct 800 appearances involving family court and matrimonial litigants and adjudicate more than 1000 criminal court misdemeanors.

In Tompkins County, Judge John Rowley, Resource Coordinator Amoreena Wade, and the IDV Court's dedicated staff did a great job of shifting to virtual operations and connecting with local law enforcement, child welfare and other justice partners in order to identify eligible IDV cases at a time when many rural Town and Village Courts were not functioning at full capacity.

And Judge Esther Morganstern and the terrific Kings County IDV Court staff not only continued to provide coordinated justice services to hundreds of families in one of our busiest IDV Courts, but they also produced a written guide, "Protocols for Sustainability 2021," that synthesizes the core principles and best practices that have emerged

around the adjudication of domestic violence matters, with those protocols now being used as a model for IDV Courts statewide.

Our court system has long been a national leader in the pursuit of effective approaches to intimate partner violence. Each year, the Office of Policy and Planning, together with the Grants and Contracts Unit, works closely with dozens of DV and IDV judges and court professionals to draft grant proposals that have secured millions of dollars in federal funding to support innovative programs and reforms designed to reduce intimate partner violence, strengthen victim services and promote offender accountability:

- The Bronx County IDV Court recently received an award of \$550,000 to add a resource coordinator and increase its civil legal service capacity;
- The Albany County Family Court and Albany County Domestic Violence Part received a joint award of \$650,000 to expand their supervised visitation and abusive partner intervention programs;

- In Rockland County, an award of \$500,000 will help create a new Domestic Violence Criminal Court hub for the County, in addition to its existing IDV Court;
- And in Onondaga County, an award of \$750,000 was received to expand services in the Syracuse City Court's Domestic Violence Part and the County's IDV Court.

We are grateful to all of the judges and court professionals who work so hard to develop and implement impactful grants designed to improve the provision of services in our DV and IDV Courts, and to the terrific folks at our Division of Policy and Planning, overseen by Deputy Chief Administrative Judge Edwina Mendelson, who provide excellent support and coordination, including our new Statewide Coordinating Judge for Problem-Solving Courts, Toko Serita; the Division's Director, Steven Helfont; and Chief Counsel for Gender and Family Violence Matters, Lisa Smith. So, again, thank you to everyone performing excellent work to serve the needs of this unique litigant population.

And speaking of important work, I want to turn now to the work being done by the judges and court staff serving on the Equal Justice Committees that have been established in each of our Judicial Districts across the State, including New York City -- work being done to help

implement Secretary Johnson's recommendations fostering equity, diversity and inclusion across our system.

A case in point is the Seventh J.D.'s "Judicial Observation Project," in which five volunteer judges have agreed to have trained observers present in their courtrooms for the purpose of identifying occurrences of implicit bias. The goal of this remarkable project, which to our knowledge is the first of its kind in the nation, is to share and discuss the observers' findings, in a constructive manner, with the participating judges, staff and stakeholders, so that all of the participants can better understand how systemic and implicit bias manifests itself in the justice system and then use that knowledge and awareness to become better judges, lawyers and professionals.

The observers in this project, themselves volunteers, are sophisticated professionals carefully drawn from a diverse cross-section of the community. They received four weeks of extensive implicit bias training, and have already sat in on dozens of courtroom sessions involving: Supreme Court Justice Charles Schiano; Monroe County Court Judge, Meredith Vacca; Monroe Family Court Judge, Stacey Romeo; Rochester City Treatment Court Judge, Jack Elliot;... and Rochester City Court Judge Maija Dixon.

Each one of these judges deserves our thanks and praise for being open and receptive to constructive criticism on issues of implicit bias, reflecting their leadership and deep commitment to ensuring fair and respectful treatment of every individual who appears before them.

I want to recognize and thank the Reverend Lewis Stewart, President of the United Christian Leadership Ministry, for his role in conceiving this project, and the members of the Planning Committee, Co-Chaired by Rochester City Court Judge, Melissa Barrett, and Gary Domenico of UCLM, for bringing the Judicial Observation Project to fruition.

We are also grateful to former Administrative Judge Craig Doran for his founding role, and to Administrative Judge William Taylor for enthusiastically endorsing and advancing the project as part of the 7th J.D.'s extensive community outreach programming on equity and inclusion. And, of course, we appreciate the support and participation of the Monroe County District Attorney, Sandra Doorley, and the Monroe County Public Defender's Office, led by Jill Paperno.

The Equal Justice Committees have been hard at work across the state, and our thanks to Judge Mendelson and the Office for Justice Initiatives for guiding and supporting their efforts.

Concluding now on a bittersweet note, I want to draw your attention to the unveiling of the portrait of Judge Paul G. Feinman, the 113th Associate Judge of the Court Appeals, who passed away just over one year ago, on March 31, 2021. Judge Feinman's portrait unveiling will take place in the Courtroom of Court of Appeals Hall, at 11:00 a.m., on Tuesday, April 19th, and it will be live-streamed on the Court's website. I do hope that you can join us, as your time and responsibilities permit, for the unveiling of the portrait of this very fine judge, public servant and wonderful person.

Thank you all, once again, for listening, and for remaining disciplined in doing all that you can and should be doing to keep yourselves and those around you safe.