

MESSAGE FROM CHIEF JUDGE JANET DIFIORE

April 25, 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.

I am pleased to report that our return to full court operations continues in full swing and is progressing smoothly. Not only are our judges and professional staff busy scheduling and hearing jury trials and other in-person proceedings, but our Administrative and Supervising Judges are laser-focused on how we can increase our trial capacity going forward, because we know that our trial numbers must exceed our pre-pandemic levels if we expect to eliminate the case backlogs that have developed in many of our courts due to the impact of the pandemic. A challenge, of course, but one that we are well-equipped and eager to take on with the new skills and efficiencies that we have developed over the past two years, including our hybrid model of in-person and virtual operations.

At the same time that we are so focused on expanding the number of jury and bench trials, we are also following through on our

commitment to presumptive early ADR and making a concerted push to expand ADR services in our civil and family courts all across the state. ADR was truly a bright spot for us during the pandemic, as tens of thousands of cases were referred to virtual and in-person mediation in 2020 and 2021 with an overall settlement rate of over 50%.

We have been filling vacant positions and adding ADR professionals in every Judicial District in order to assist in the full implementation of presumptive ADR and facilitate the continued growth and development of ADR services in every jurisdiction. There is no question in our minds that ADR will play a very significant role in our ability to efficiently process our dockets and reduce our pandemic-related backlogs. We are fully committed to expanding presumptive ADR and making it a mainstay of the civil justice process in our state.

Now, shifting away from operations, I would like to invite you to tune in to our annual “Court of Appeals Law Day Ceremony,” scheduled for Monday, May 2nd, at 11:00 a.m. We are very excited that this year’s Law Day ceremony will once again take place in-person in our beautiful courtroom at Court of Appeals Hall after we were compelled to continue the tradition virtually in 2020 and 2021. We will be joined this year by our traditional co-host, New York State Attorney General Letitia James, and by special guest speaker, State Bar President Andrew Brown.

We are also excited to resume our wonderful Law Day tradition of presenting the “Judith S. Kaye Service Awards” to a number of deserving court professionals who have gone above and beyond the call of duty and made remarkable contributions to our courts and our communities in the areas of heroism, community service and exemplary work performance.

Law Day, of course, is a special day set aside each year to celebrate our democratic system of government and our nation’s commitment to the rule of law. The Law Day theme for 2022, “Toward a More Perfect Union: The Constitution in Times of Change,” has a special significance for us this year given the bills that have been introduced in the Legislature to amend our State Constitution in order to reform and simplify our trial court structure for the benefit of all New Yorkers, who so rightly deserve and expect a modern court system that is easy to access, use and understand; that **speeds**, rather than impedes the resolution of cases; that enables our judges to provide coordinated justice services to families in crisis; that keeps litigation costs down for individuals and businesses; and that gives our judges and court staff the flexibility they need to perform their job functions effectively.

So, I hope that you will be able to tune in to our Law Day ceremony next Monday, at 11 a.m., as your time and responsibilities permit.

And there is another important program that our judges and court staff should know about, and that is our second annual “UCS Summit on Diversity and Inclusion,” which is taking place virtually this Thursday, April 28th, from 12:30 to 2:30 p.m.

This year’s Summit, entitled “Words Matter: Language as a Tool to Break Down Barriers and Build Bridges,” recognizes that words are powerful tools, and that what we say, and how we say it, can make an enormous difference in building positive relationships and maintaining a fair, inclusive court environment that truly reflects and respects the rich diversity of our great state.

The Summit will feature an excellent keynote speaker, Dr. Tyrone Holmes, who is nationally renowned for teaching and counseling individuals and organizations on how to use language in ways that build positive connections across diverse audiences and groups while avoiding unconscious biases. The presenters at this year’s Summit, including Deputy Chief Administrative Judge Edwina Mendelson, will address sensitive topics and provide valuable information that is intended to help all of us, judges and court professionals, in carrying

out our public work in a manner that truly honors and respects the rights and the dignity of every individual who serves in, or interacts with, the New York State courts.

Finally, staying on the topic of diversity and inclusion, I'd like to bring to your attention an extraordinary program that reflects our commitment to a diverse and inclusive legal profession and justice system, a program that we are very pleased to resume this year after a two-year hiatus: the "New York State Legal Education Opportunity Program," or "L.E.O.," which is sponsored by our New York State Judicial Institute.

LEO is an intensive six-week summer program, taught by law school professors, that assists college graduates from educationally or economically disadvantaged backgrounds in acquiring the fundamental and practical skills necessary to succeed in law school. The LEO students not only receive classroom instruction on first-year core courses in law school, including legal research and writing, but they are also given the opportunity to visit courts in session and meet with and interact with lawyers and judges.

And, of course, a bonus of conducting the program is that it promotes diversity in the legal profession by improving the probability of law school success for students who come from groups that are

traditionally underrepresented in the legal field. In the words of the Dean of the Judicial Institute, Judge Kathie Davidson, LEO is an “enriching and valuable learning experience that prepares aspiring law students from underrepresented communities to succeed in law school through education, exposure and mentorship.”

I look forward to welcoming this year’s class of 30 LEO students when they commence their studies at the J.I. on June 5th, and I want to take this opportunity to thank Judge Davidson, and LEO Director, Salihah Denman, for their commitment and dedication to this excellent program.

And on that positive note, 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.