

Investiture Remarks

Chief Judge Janet DiFiore

February 8, 2016

Governor Cuomo, Chief Judge Lippman, family, friends and colleagues . . . thank you for being here.

Governor, the opportunity you have afforded me to lead this high Court and the judicial branch of government is truly the professional honor of a lifetime. Thank you for the confidence you have demonstrated in me – thank you for your support and your friendship – and thank you for your leadership of our state over the past five years. It has been truly exceptional.

At the start of one's term of office, a public servant is required to take an oath of office. Today I have sworn before all of you, in this beautiful courtroom, and before the people of the State of New York, to uphold the rule of law and to faithfully discharge my duties as Chief Judge of the Court of Appeals and of the State of New York – to the best of my ability.

And I have taken this oath of office, very deliberately, in the presence of my family – my devoted husband, Dennis Glazer; my wonderful children, Alexandra, Matthew, Joseph and Michael; my virtual sister, Marina Buchanan; and – by video – the love of my life – my granddaughter, Charlotte Murphy – as well as my many extended family members who have travelled here to Court of Appeals Hall.

I have taken the oath before my predecessor, former Chief Judge Jonathan Lippman, a man who taught us what it means to be a devoted servant of justice and a bold and caring leader, committed to the proposition that every litigant's equal access to our courts and the justice we dispense is of paramount importance – regardless of one's position or station in life.

I have taken the oath today before my friends, who mean so very much to me, and before my colleagues in the judiciary – on the Court of Appeals (both present and former members), in the Appellate Division, and from the state and federal trial benches; before my former colleagues in the Westchester County District Attorney's Office, the

District Attorneys from across the State, the Chiefs, Commissioners and leaders of our uniformed police and law enforcement services; and before my former colleagues in federal law enforcement, including the United States Attorneys for the Southern, Northern and Eastern Districts of New York.

I have taken this oath before my colleagues at the bar, the Deans and professors of our law schools, elected officials – and before every citizen of this great State.

And I take the oath before all of you – wearing the robe of our beloved former Chief Judge Judith Kaye. When Judith gave me this robe, during her final days, she did so with her typical thoughtfulness and grace, assuring me that she thought it fitting – as I publicly pledge my commitment to administer justice and discharge my duties as Chief Judge – that I do so in her robe. And I am so moved and honored by her kind and inspiring gesture.

As we look up at the portraits of our past Chief Judges and Associate Judges of this Court – from John Jay to Benjamin Cardozo to

Judith Kaye – as part of my oath I pledge to you that I will strive every day to achieve the same grace and wisdom as the most illustrious of my predecessors.

As the Chief Judge of the State of New York, I have been given the opportunity, afforded to very few – to make a meaningful contribution to the law and to the way our courts do business. I understand well the responsibility and mandate I have been given to make a positive impact on the fair and efficient administration of justice in our extraordinary state.

All New Yorkers have an important stake in the successful administration of justice, and those of us who are privileged to have leadership positions in the judiciary must serve as faithful stewards of our system – managing and advancing the administration of justice for the benefit of the people we serve. I am fortunate to inherit a judicial system which has been so well served and significantly improved by the great leaders who preceded me – but, as we all know, there is much

more to be done.

Over the past weeks, many people have asked about my approach to the challenges we face in our justice system in New York. Where will I start? How will I go about effecting the changes needed to make our courts better at fulfilling our mission?

Today, we start our path.

The Excellence Initiative

During the course of my tenure as Chief Judge, we in the court system will be relentless in our efforts to achieve and maintain excellence throughout our court system – giving the people of New York State the level of justice services they have a right to expect and which they rightfully deserve. I am calling our effort the “Excellence Initiative.”

Starting today, and every day that I serve as Chief Judge, my team and I will be working to improve all aspects of our system and services towards achieving operational and decisional excellence in everything

we do. Our initial focus will center on the fundamentals – on court operations . . . on promptness and productivity . . . on taking a critical look at how we do our business every day and in every court.

Our Excellence Initiative will involve a detailed, comprehensive evaluation of our current processes and procedures to determine what is working well, as well as what needs to be improved. While we will always celebrate and look to expand those things that we are doing well, we will also be working to identify with specificity those parts of our system that are not working as they should. We will act promptly to eliminate the programs or initiatives that have lost their relevance or have evolved in unanticipated ways to impede the efficient conduct of our work. And, where the courts are not operating in an optimum way, we will make the necessary changes in the way we do business so that we will do a better job.

As we take the first step in our Excellence Initiative and perform our objective, self-critical analysis of the efficiency and efficacy of our

many different courts, we will be focusing first on the backlogs and delays we are experiencing – some of which are dramatic – and determining the root cause of the problems. We will analyze the case management processes in place in each court and the way our courts are administered to determine if they are working well – and then we will design ways to tackle the backlogs and fix the problems.

Providing first rate service in our courts, in a timely and efficient way, is the core mission of our judicial system – and we will hold ourselves accountable for our productivity and for our performance. As we move forward, we will determine if we have the right people in the right places to implement those changes, and we will assign and promote the best people in our system to positions where they can implement the necessary changes – and we will give them the authority they need to do the job.

Because much of this we cannot do alone, we will invite our partners in government and other stakeholders to the table, to help us make the necessary changes a reality.

And, importantly, we will provide the resources – the right resources in the right places – to support our judges and court staff on the front lines as well as leverage technology to achieve the maximum benefit.

From time-to-time we, of course, will be reporting to you on our efforts – our successes and our continuing challenges – and the progress we are making as our Excellence Initiative moves forward.

Everything we do, and every way we do it, is on the table for consideration, and – where we find appropriate opportunities for positive change – we will not hesitate to reallocate our considerable capital – both human and financial – to achieve our goals.

By energizing and mobilizing the scores of talented judges and court staff within our system, by promoting and empowering our best and our brightest to be our court leaders, by providing those leaders with the resources they will need to do the difficult work ahead, and by using technology to properly assess our progress and broaden the reach

of our successes, we will bring greater efficiencies to our courts – while always promoting the fair administration of justice.

I look forward to working closely with my outstanding colleagues on the Court of Appeals and the Presiding Justices of the Appellate Division – each of whom play an important role in the administration of justice throughout our state – to achieve these successes for our court system as we serve all the constituents of our system: litigants, lawyers and, most importantly, the people of the State of New York.

Make no mistake – this is a big undertaking and it is going to take a lot of work by a lot of people. The Unified Court System provides justice services from Buffalo to Montauk, and from Staten Island to Massena, spanning 47,000 square miles across the state and serving the almost 20 million people who live in New York – as well as countless others who work and visit here, and the millions more beyond our borders who are impacted by our laws.

I am delighted to report to you that Chief Administrative Judge

Larry Marks has agreed to serve with me and he will be spearheading this effort. He and I will be working together daily on the Excellence Initiative. In the coming weeks, we will meet with and call upon our team of Administrative Judges from around the state to gather the data and information we need and to oversee the implementation of changes in their courts.

Gathered here today are the representatives of all of the key players and stakeholders in our Excellence Initiative. Some of you are judges or administrators or staff working in our courts. Some of you appear in our courts, either as counsel or as litigants yourselves. Still others hold important political office and oversee our budget as you rightfully look for us to produce a positive return on the investment you make of scarce tax dollars in our court system.

To succeed, we need all of you to support our effort – judges, administrators, lawyers, Bar Associations, elected officials, litigants. In fact, our Excellence Initiative cannot succeed without you. We want

and need your input. You know things about our court system that we need to know – what is working; what is not working; who are the people we need to promote to better serve our mission.

Please make your views known to us--and be active participants in our Excellence Initiative.

Call us, write us, post your comments on our website. Starting today, the Unified Court System website has a new link for the Excellence Initiative. When you click on that link your comments and suggestions will go directly to Judge Marks and to me. No suggestion for improvement is too big or too small. Judge Marks and I want and need to hear from you so we can serve you better.

Conclusion

In closing, let me once again express my heartfelt gratitude to Governor Cuomo for the confidence he has shown in my ability to lead this great Court – as well as one of the largest and busiest court systems in the world.

While humbled by your confidence, I am completely energized by the challenges before me and the magnitude of the opportunity I have been given . . . particularly here in this beautiful courtroom surrounded by the portraits of so many iconic Judges, and where, for the past 23 years we have been led by my outstanding predecessors, Judith Kaye and Jonathan Lippman – each of whom has made an enormous contribution to the decisional excellence that is the hallmark of our New York Court of Appeals.

On behalf of my colleagues on the Court, let me assure you that every litigant who appears before our Court will always receive a fair and impartial hearing; that we will continue to work tirelessly and conscientiously to apply the law with integrity and common sense; and that we will strive to reach the right and just result in each and every case: for the parties seeking justice, for the bar seeking clarity and guidance in the law, and for our society seeking progress and prosperity grounded in the rule of law.

Governor Cuomo . . . colleagues . . . partners in government . . .
family and friends . . . I pledge to do my very best to uphold the rule of
law . . . to improve upon our great system of justice . . . to honor the
purity of purpose of this great Court . . . and to ensure that our justice
system is worthy of the highest respect and confidence of every man,
woman and child who comes through our doors seeking justice.

Thank you.