

MESSAGE FROM CHIEF JUDGE JANET DIFIORE

March 8, 2021

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 plans to resume a limited number of civil and criminal jury trials on March 22nd are moving forward. Our Administrative Judges and court managers are preparing their courthouses for the safe return of jurors, and we are modestly increasing courthouse staffing levels to support necessary in-person administrative functions and increased foot traffic.

The vast majority of court matters will continue to be handled virtually for the foreseeable future, but a limited number of in-person appearances may now be scheduled where doing so would serve important interests of access or court operations. We believe that the incremental approach to expanding our in-person operations will

enable us to responsibly provide more in-court services to lawyers and litigants while limiting and maintaining courthouse traffic at safe levels.

In the meantime, last week our judges and staff virtually conferenced and heard just over 24,000 matters; settled or disposed of over 5,500 of those matters; and issued over 2,340 written decisions on motions and other undecided matters. In addition, 1,284 virtual bench trials and evidentiary and fact-finding hearings (a new high) were commenced last week across the state. So, we are busy and functioning well under the circumstances.

Over the last year, many unsung heroes have supported our virtual court operations and helped to ensure access to justice during the pandemic. At the top of that list are the 287 court interpreters across the state who have continued to meet the language access needs of our diverse New York State population.

Led by Dan Weitz, Director of our Division of Professional and Court Services, and Ann Ryan, Statewide Coordinator of our Office of Language Access (OLA), these trained professionals, along with a strong roster of per-diem interpreters, have provided remote interpreting services in more than 21,000 court proceedings over the last year -- in

dozens of languages, including: Spanish, Arabic, Haitian Creole, Korean, Mandarin, Punjabi, Mandinka and American Sign Language.

And if there has been a silver lining to this pandemic, it has been the mandate to reconfigure our processes and deliver our services in new and more efficient ways, as we have with language interpretation. Court interpreters previously limited to providing in-person services in a specific court or county are now available to provide language access in any court anywhere in the state -- wherever their services are needed. And while remote interpreting had been piloted before the pandemic, transitioning to full-time virtual operations enabled our interpreters, judges and court staff to become much more proficient and comfortable with remote interpreting, a development that will certainly improve access and efficiency well into the future.

Translation services have been at a premium during the pandemic, both in communicating with our diverse court users about COVID-related issues and in promulgating legislatively mandated court forms, such as the “Residential Hardship Declaration Eviction and Foreclosure Notice” distributed to tens of thousands of tenants in our Housing Courts earlier this year. The form was quickly translated into

19 different languages, with much of the work performed in-house by our skilled OLA professionals, and we are grateful to them for their efforts, especially Senior Management Analyst Monique Taylor-Isaacs for coordinating this massive translation project, and Graphics Designer Nicholas Inverso for designing the forms.

And in response to Secretary Johnson’s Equal Justice recommendations addressing issues of language discrimination in our courts, OLA partnered with our Division of Court Research to create a “Limited English Proficiency Dashboard” that now enables us to maintain accurate and transparent data on the number of court users who require language access services, data that we look forward to publishing on our website later this year.

So, thank you to all of the outstanding professionals in our Office of Language Access, including Statewide Coordinator Ann Ryan, Principal Court Interpreter Dahyana Grullon, Senior Court Analysts Tiffani Davis and Derek Rock, Court Analyst Muzi Zhong, and Senior Administrative Clerk Lois Connell-Moore.

And, of course, a long overdue thank you to all of our dedicated language interpreters across the state, skilled professionals who have

been compelled to make significant adjustments in their work, switching from simultaneous interpreting to the less preferred consecutive mode, but they have surmounted every challenge with patience and understanding, and most of all, with great effectiveness. Thank you all for a job well done.

The enormity of the pandemic has affected every aspect of our personal and professional lives, including our mental health and emotional well-being, and it certainly has exacerbated the problems of individuals struggling with addiction and mental illness, many of whom end up in our criminal justice system.

The judges and court professionals who serve in our 300-plus problem-solving drug treatment, mental health and veterans' treatment courts are truly dedicated and remarkable people. Despite all the COVID-related restrictions they've had to navigate over the last year, they never stopped searching for and finding new and creative ways to serve the vulnerable litigants in their courts, providing what are often life-saving treatment services. In fact, since March of last year, over 3,400 New Yorkers have completed their respective treatment court programs.

And I want to highlight a recent ceremony held in the Albany County Recovery Court, an emotional and moving ceremony for 14 individuals who successfully completed their treatment programs. The graduates spoke in grateful tones about having a new lease on life, and about the strong encouragement they received from the Court's Presiding Judge, Gerald Connolly, our new Administrative Judge in the Third Judicial District, and the critically important services provided by the Court's outstanding recovery team: Resource Coordinator Michael Young, and Case Managers Audrey Ashley, Jeanette Camacho and Craig Stratton. Our A.J. and these court professionals deserve our thanks and recognition for what they do, each and every day.

And notwithstanding the challenges of the pandemic, the Third Judicial District also managed to open its first "Mental Health Court" only a few days ago, the "Albany Alternative and Treatment Court," a specialized part in the Albany City Court that will connect low-level offenders suffering from mental illness with court-supervised, community-based treatment and services. Mental Health Courts have a track record of improving the participants' quality of life, and of reducing recidivism and strengthening public safety.

The creation of this much-needed court would not have happened without the dedication and perseverance of several key players, including former Administrative Judge Thomas Breslin, Albany County Executive Daniel McCoy, and Albany County Department of Mental Health Director, Dr. Stephen Giordano. We are grateful to all of them, and we send our best wishes to Albany City Court Judge John Reilly and the court professionals who will be leading the new “Albany Alternative and Treatment Court.”

Our judges and staff know that our treatment courts are making a difference, and they are committed to expanding these life-changing services. In Western New York’s Seventh Judicial District, Administrative Judge Craig Doran and Coordinating Judge for Treatment Courts Vincent Dinolfo recently convened over 50 judges and court staff to devise new strategies for increasing and improving the delivery of virtual treatment services in their courts up in the 7th J.D. And last week, the New York Association of Treatment Court Professionals held its annual conference, with over 700 judges, court staff, treatment providers, prosecutors and defense attorneys participating in the virtual event, reflecting the overwhelming consensus in the criminal justice community that treatment courts are

effective at reducing recidivism and improving the quality of life in our communities.

And on that encouraging note, I conclude today's Monday Message, and once again thank you for your time, and ask you to stay disciplined in doing all that you can and should be doing to keep yourselves and those around you safe.