

MESSAGE FROM CHIEF JUDGE JANET DIFIORE

May 10, 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'm pleased to report that our plan for the return of all judges and court staff to their assigned courthouses by May 24th is going smoothly. Staffing levels are increasing incrementally with each passing week as our Administrative Judges and court managers work through the different safety, operational and logistical issues in all of our courthouses.

Obviously, the physical return of our judges and professional staff will enable us to responsibly expand in-court operations and services, and conduct more jury trials -- 65 of which are scheduled for this coming week -- while giving judges the ability to schedule additional in-

person proceedings where doing so would serve important interests of access to justice or court operations.

And to keep everyone who enters our buildings safe and healthy, we will continue to enforce the extensive safety measures we have implemented: including COVID screening and temperature checks; face masks and PPE; social distancing; and strict cleaning and sanitizing standards.

And to be clear, even though our staffing levels will return to normal later this month, we expect, in the short term, only a measured increase in the number of lawyers, litigants and court users who actually need to enter our buildings. And that is because, in the majority of cases that come before us, we have the option of continuing to rely on our virtual court model where appropriate. Fifteen months after COVID-19 compelled us to transform court operations overnight, virtual proceedings are no longer an “experiment” but have proven to be an effective method of moving cases closer to resolution while ensuring that litigants and lawyers can have their matters heard in a convenient, timely and cost-effective manner.

As we move forward into our “new and better normal,” there is no doubt that many types of virtual proceedings and services will become permanent features of our court operations, even after the pandemic subsides. As part of our commitment to incorporate the delivery of virtual services where appropriate, we are providing targeted technology training to our judges and court staff on a regular basis, both at the local and statewide levels.

Throughout the month of May and into June, our OCA Division of Technology and Court Research and the Judicial Institute are presenting a “Live Technology Training Series” each Wednesday from 1:00 p.m. to 2:00 p.m., open to all judges and court staff. These sessions were designed in response to specific feedback and suggestions received from our judges and chambers staff and they will focus on how to get the most out of the Microsoft Teams Platform and conduct all aspects of virtual proceedings; how to leverage our Court Research Reporting and Dashboard resources to proactively manage our dockets; working with laptops 101, and editing PDF documents.

Our Commission to Reimagine the Future of New York’s Courts has carefully studied our experience with virtual proceedings during the

course of the pandemic, and they have offered many valuable recommendations to improve the quality and efficiency of our virtual courts, particularly the importance of offering live training sessions on a weekly basis to help our judges and staff become as proficient as possible with court technology and the virtual court experience.

We are grateful to the folks at the Judicial Institute and the Division of Technology for prioritizing and implementing technology and skills-based training for our judges and staff during the course of the pandemic, and as an integral part of our annual New Judges Training and Judicial Summer Seminars, including best practices for ensuring language access in the virtual courtroom; managing calendar parts in the virtual world; and trying a case using a virtual evidence courtroom.

Under the leadership of the J.I.'s former Dean, Juanita Bing Newton, and now Interim Dean, Sherry Klein-Heitler, as well as DOT Director, Christine Sisario, our judges and staff are growing increasingly fluent in the use of court technology and are fully engaged in the work of modernizing the litigation culture in our courts.

And with regard to our virtual courts, I'm pleased to report that well over 1,100 online bench trials and hearings were commenced last week, and that our judges and staff remotely conferenced more than 24,300 matters; settled or disposed of more than 5,800 of those matters; and issued more than 2,200 written decisions on motions and other undecided matters.

Of course, as we follow through on our commitment to virtual court services, we will take great care not to exacerbate existing inequalities in court access for low-income New Yorkers, especially those who face what we know to be a "Digital Divide," a lack of access to what many of us take for granted: digital broadband and Wi-Fi availability, adequate data plans and smartphone minutes, and basic computer equipment.

And in this regard, I want to highlight some of the important work that we are doing in partnership with local communities to help bridge the digital divide and enhance access to our virtual courts. This week, in the Third Judicial District, which is led by Administrative Judge Gerald Connelly, we are launching an innovative pilot program that will enable Albany-area residents who lack home computers or reliable internet

service to utilize safe and secure sites in their neighborhoods where they can fully participate in virtual court proceedings; e-file court documents; and connect with legal service and pro bono attorneys.

Modeled after the faith-based remote access to justice initiative launched in the 9th J.D. last October by Administrative Judge Kathie Davidson, the 3rd J.D.'s "Community Court Access" program will start with two sites, one in the Pine Hills neighborhood of Albany, in partnership with the Albany Public Library, and a second in the Town of Coeymans, in partnership with the Coeymans Riverview Missionary Baptist Church, and with generous funding support from the Grace Baptist Church and Grace Development Corporation, located in Mount Vernon, New York.

These community access sites are equipped with modern video equipment, scanners and all of the technology necessary to fully participate in virtual court proceedings and e-file court documents. Private space is available for court users to prepare documents and a trained court employee or community liaison is on site to provide technical guidance and assistance. Planning is underway to expand this promising and valuable program to rural locations in Greene and

Schoharie Counties. Kudos to Judge Connelly and the judges and staff in the Third Judicial District for their leadership, and to all of our community and faith partners for their support as we all work together to eliminate barriers to justice in our virtual courts.

And now, in closing this week's Message, I thank you for "tuning in," and I once again urge you to remain disciplined in doing all that you can and should be doing to keep yourselves and those around you safe. Thank you.