



PRESS RELEASE

**New York State
Unified Court System**

**Hon. Lawrence K. Marks
Chief Administrative Judge**

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Date: May 17, 2021

Court System Proceeds with Implementation of Proposals Made by Special Adviser on Equal Justice in the Courts

NEW YORK—Chief Judge Janet DiFiore and Chief Administrative Judge Lawrence K. Marks today provided an update on numerous steps being taken by the Unified Court System (UCS) in carrying out the recommendations of the Special Adviser on Equal Justice in the Courts, former U.S. Secretary of Homeland Security Jeh Johnson, as outlined in a comprehensive report released in October 2020.

Chief Judge DiFiore commissioned the Special Adviser last June to conduct an independent, rigorous review of the New York State courts' policies, practices, rules and programs as they relate to issues of racial and other bias, with the ensuing report containing 13 distinct proposals. These include, among other things, the embrace of a robust zero-tolerance discrimination policy that specifically addresses racial bias; the development and rollout of mandated bias training for judges and nonjudicial employees; the enhancement of human resources practices to improve diversity and inclusion within the courts' workforce; and the assignment of an independent monitor to report on the court system's implementation of the recommendations.

Measures being taken by the court system to further the goals specified in the Special Adviser's report include:

Stepping up outreach efforts by the Chief Judge, Chief Administrative Judge and other court officials to more effectively communicate and reinforce the court system's zero tolerance stance on bias, discrimination and harassment, including the use of social media by court system judges and staff. This includes, most importantly, a strict, new UCS anti-bias and discrimination policy. A memorandum clarifying the court system's expectations for all UCS personnel regarding the anti-discrimination and anti-harassment policy was issued by the Chief Judge and Chief Administrative Judge on February 3, 2021 and is available on the UCS public website.

Developing mandatory, in-depth training for all judges and nonjudicial staff on racial bias, implicit bias and other relevant topics, including enhanced training for Court Officers on cultural awareness, tenets of customer service, trauma-informed care principles and procedural justice, among other areas. Mandatory training will begin this summer.

Mandating name tags for all uniformed court personnel.

Creating materials to better address the issue of juror bias, including updating the court system's juror orientation video.

Strengthening the platform and online presence of the Franklin H. Williams Judicial Commission—which is celebrating its thirtieth year of service to court staff, court users, judges and court officials on issues of racial and ethnic fairness—and conducting Town Hall meetings and other outreach to promote the Commission's mission, goals and programs.

Raising the profile of the court system's Office of Diversity and Inclusion, which works to promote diversity and inclusiveness in the workplace, via online programs and other outreach efforts.

Engaging in a robust campaign and communications strategy to educate court system employees and court users about the existence and purpose of the Inspector General's office, including its Bias Matters Unit and procedures to lodge bias complaints. Additionally, a Bias Matters Ombudsperson has been appointed to assist court employees and others with questions relating to the filing of complaints and to facilitate the complaint process.

Continuing the robust implementation of the courts' strategic plan for language access services. Going forward, uniformed Court Officers and other staff will receive regular training on how to best serve court users who have limited English proficiency and/or hearing impairments.

Establishing working groups on equal justice for local courts and districts to facilitate reforms aimed at eliminating racial and other bias and advancing diversity and inclusion within the court system.

Improving methods for data collection and analysis, which are critical tools in combating and remedying racial bias. UCS will enhance data transparency by making user-friendly data reports available to the public. The court system has provided demographic data on judges in accordance with newly-passed legislation and will also be voluntarily collecting other demographic data.

Adopting a new mission statement that more strongly reflects the court system's commitment to diversity and inclusiveness in the workplace and equal justice under the law. The courts' new mission statement reads:

The mission of the Unified Court System (UCS) is to deliver equal justice under the law and to achieve the just, fair and timely resolution of all matters that come before our courts.

In the service of our mission, the UCS is committed to operating with integrity and transparency, and to ensuring that all who enter or serve in our courts are treated with respect, dignity and professionalism. We affirm our responsibility to promote a court system free from any and all forms of bias and discrimination, and to promote a judiciary and work force that reflect the rich diversity of New York State.

Upon the release of the Special Adviser's report last October, Chief Judge DiFiore immediately named Alphonso David, President of the Human Rights Campaign, to serve as the independent monitor. She also appointed Hon. Edwina G. Mendelson, Deputy Chief Administrative Judge for Justice Initiatives, to oversee the day-to-day supervision of the court system's Equal Justice in the Courts Initiative, which is centered on implementing the Special Adviser's recommendations.

Judge Mendelson has been guiding the efforts of an implementation team comprising a diverse group of New York State court system leaders, as well as actively engaging with court system judges and staff—and the courts' justice partners and other stakeholders—across the State to ensure broad-based input in developing and instituting systemwide initiatives to eliminate racial and other bias and promote equal justice.

In the coming weeks, Judge Mendelson will be inaugurating a website to highlight the vision and ongoing work of the Equal Justice in the Courts Initiative. Among other next steps to advance the Special Adviser's goals, she is spearheading multiple initiatives to promote public confidence in the court system and foster trust between Court Officers and their local communities. These include having Court Officers participate in community dialogues and establishing a community affairs officer in court facilities throughout the State.

Other court system efforts under development to fight racial and other bias and reduce barriers to justice include: examining current UCS human resources practices and protocols—with a focus on increasing transparency in recruitment, performance evaluation and other aspects of personnel management—to more effectively promote career opportunities and enhance diversity and inclusiveness in the workplace; improving signage in Help Centers and other critical areas of the courthouse; and expanding the Court Navigator Program, which provides specially-trained volunteers to welcome court users and assist them in navigating the courthouse, offering information and general assistance.

“As reaffirmed by our new mission statement, the court system remains unwavering in its goal to eradicate racial bias and discrimination in our courts and justice system. I am grateful to Secretary Johnson for providing a springboard for this important work, and to Judge Mendelson and the implementation team for their tireless efforts as we strive to promote workplace diversity and inclusion throughout the New York State courts and build a more accessible, equitable justice system for all New Yorkers. I also wish to thank Alphonso David for his ongoing guidance and support in monitoring our progress toward that end,” said Chief Judge DiFiore.

“There is no greater priority for the court system than the implementation of the Special Adviser's recommendations. I commend Judge Mendelson for her leadership of this critically-important undertaking—a wide-ranging endeavor that relies on the collaboration and support not only of our judges and nonjudicial employees, but also the courts' many justice partners and stakeholders. I am gratified by the significant progress made these

past few months and look forward to further developments in our pursuit to combat racial and other bias systemwide,” said Chief Administrative Judge Marks.

“It is a professional and personal privilege for me to oversee implementation of the Special Adviser’s recommendations for eliminating racial bias in the courts and promoting meaningful diversity, equity and inclusion at all levels. I have deep faith in the strength of our commitment and a strong belief in our collective will to meet this moment—and to fulfill our obligation to provide equal justice in all our courts,” said Judge Mendelson.

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