



PRESS RELEASE

**New York State
Unified Court System**

**Hon. Lawrence K. Marks
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New Report Documents Significant Progress Made, Efforts Underway to Advance Equal Justice in the NYS Courts

NEW YORK—Chief Judge Janet DiFiore today announced the release of a detailed report documenting the enormous strides made over the past year—based on the recommendations of the Special Adviser on Equal Justice in the Courts—toward a Court System that is a model of fairness, equity and inclusion.

In June 2020, Chief Judge DiFiore appointed nationally respected attorney and former U.S. Secretary of Homeland Security Jeh Johnson as Special Adviser on Equal Justice in the Courts to conduct an independent, thorough review of Court System policies and practices as they relate to issues of racism, bias and disparate treatment. Four months later, Secretary Johnson issued a comprehensive report of findings—along with proposals for reform centered on issues within the Court System’s authority to carry out administratively and unilaterally. The Chief Judge then named Hon. Edwina G. Mendelson, Deputy Chief Administrative Judge for Justice Initiatives, to lead the courts’ day-to-day efforts to implement the Equal Justice recommendations.

Today's report, titled "Equal Justice in the New York State Courts: 2021 Year in Review," highlights dozens of reforms that have already been implemented or are underway or in the planning stages. During the past year, the Court System has developed policy and programmatic initiatives that include:

- Amendment of Section 17.3 of the Rules of the Chief Judge to require that all state-paid judges receive regular anti-bias training. With the guidance of experts, judicial summer seminar trainings will offer judges the opportunity to address issues of racial bias and cultural sensitivity among their peers.
- Mandatory bias education and training for all Court System non-judicial personnel. The new centralized training program will include specially tailored instruction on recognizing and interrupting implicit racial bias. Training will begin in early 2022 and will be designed to track compliance. Training has already been provided to top court leaders.
- Mandatory bias education and training for Town and Village judges and non-judicial personnel. All Town and Village Court judges and staff will be required to participate in the Court System's new centralized anti-bias education and training program.
- Implementation of new policies and protocols expressly designed for Court Officers and other uniformed personnel, such as specialized anti-bias training, the requirement of name tags, and a designated Community Affairs Officer to be assigned at every courthouse.
- Enhanced data transparency, including a suite of publicly available technological tools, with demographic data on Court System judges and non-judicial employees, as well as on defendants in criminal matters.
- Expanded diversity initiatives, including development of extensive educational materials on interviewing, civil service examinations and the hiring process, all available on the Court System's public website.

- A robust informational campaign by the courts' Inspector General's Office (IG), explaining the Office's functions, the types of cases handled, the process for filing a complaint, how investigations are conducted and resolved, and the strict no-retaliation policy regarding employee complaints. Additionally, a specially trained ombudsperson for bias matters was appointed in early 2021 to handle the intake of bias matter complaints and provide related information and assistance. There were approximately three times as many bias complaints during 2021 than during an equivalent period in 2019 (the most recent pre-pandemic year), indicating the success of the IG's outreach efforts.
- Development of a new juror orientation video to educate potential jurors and grand jurors about the dangers of implicit bias. The video is being shown statewide to potential trial and grand jurors. In addition, jury instructions have been enhanced to address implicit bias.
- Establishment of an annual Diversity Summit to promote diversity in the Court System and address matters of concern to the court community expressly related to issues of equity and inclusion. In March 2021, the Court System's Office of Diversity and Inclusion (ODI) held its first Diversity Summit. The virtual event provided over 1800 employee participants with an overview of Court System policies regarding race, equity and bias, and the various roles and resources of the ODI and other Court System offices, among other topics.
- The launch last month of the ODI newsletter, "Mosaic," dedicated to building understanding and appreciation of the need for diversity within the Court System. ODI is also developing a Diversity and Inclusion Guide and other anti-bias resources for court personnel, litigants and partner organizations. The guide will be distributed throughout the Court System and will include referral information for the Inspector General for Bias Matters and a review of the complaint process.
- Participation in Town Hall meetings sponsored by the Franklin H. Williams Judicial Commission to address matters of concern to the court community expressly related to issues of racial bias. The Town Hall meetings provide an important opportunity for all the members of the court community to listen, be heard and offer suggestions and insights on how to achieve the shared goal of eliminating racial bias within the courts.

- Creation of Equal Justice Committees in each of New York's 13 judicial districts to develop local programs to help advance the courts' equal justice initiative within their jurisdictions.

“As today’s report surely demonstrates, a tremendous amount of progress has been accomplished as we strive to attain the highest standards of fairness, equality and meaningful inclusion within our Court System,” said Chief Judge DiFiore. “I am thankful to Judge Mendelson for her strong leadership of our Equal Justice in the Courts Initiative and want to express my deepest appreciation to our Court System judges and professional staff for their input and active participation in this critically important—and ongoing—endeavor. They have answered the call to equal justice and are leading by example.”

The 2021 Year in Review report is available online at:

<https://www.nycourts.gov/LegacyPDFS/publications/2021-Equal-Justice-Review.pdf>

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