

JUDICIAL DISPATCH



A publication of the Judicial Section of the New York State Bar Association

December 2018 | Vol. 6 No. 1

PRESIDING MEMBER'S MESSAGE



Hon. Cheryl E. Chambers

Dear Members of the Judicial Section. This past year, the Judiciary confronted many challenges that reinforced the importance of an independent judiciary and the value of working together as members of the Judicial Section to advance fairness, efficiency and justice for all. To fully appreciate the benefits of the Judicial Section, we need look no further than the history of its formation.

At its Annual Meeting held on January 20, 1923, the New York State Bar Association convened a meeting of judges in the state to obtain their views on the formation of a judicial section. On this question, Justice A.F.H. Seeger remarked that, "It is regrettable that so many of the Justices in the State are not acquainted with each other and I think the creation of this Section would tend to bring the Justices nearer together, where they may exchange ideas, experiences and so promote the work and the cooperation of the Bench and the Bar." The following year, at the Annual Meeting of the Association held on January 19, 1924, the members voted unanimously to form the Judicial Section as the Association's first section.

In 1924, the Judicial Section commenced its tradition of featuring speakers on issues of the day regarding substantive law, procedure, and court administration providing opportunity for informal discussion. To further the exchange of information and collaboration with the bar, as well as members of the bench, the section created a Council on Judicial Association in 1971. Composed of the Chair of the Judicial Section and a delegate of each statewide and New York City judges' organizations and representatives from the U.S. District Courts, the Council then and now serves as liaison with these organizations and members of the judiciary, as well as a clearinghouse for the development of programs and comment on issues affecting the judiciary and the administration of courts.

In keeping with its historical roots, the Judicial Section and the Council of Judicial Associations continues to bring together the most influential judicial and bar leaders to advance our perspectives within and through the New York State Bar Association. We are continuing to tackle difficult issues of the day, including safeguarding the rule of law, improving public confidence in the judiciary, promoting access to justice, and ensuring adequate compensation and fair retirement benefits for judges. We encourage you to get involved and add your voice to our discussion.

I hope that you will take the time to read this Judicial Dispatch and provide Justice Deborah Karalunas or me with any feedback you may have. I am proud of the work of the Judicial Section and welcome ideas on how we can do even better.

Honorable Cheryl E. Chambers, Presiding Member

No higher duty, or more solemn responsibility rests upon the Supreme Court than that of translating into living law and maintaining this constitutional shield . . . for the benefit of every human being subject to our Constitution – of whatever race, creed, or persuasion.

Hugo LaFayette Black, U.S. Supreme Court Justice

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The Judicial Dispatch is your newsletter. To receive future complimentary paper editions, you must be a member of NYSBA's Judicial Section.

I welcome submissions on topics of interest to the members of our Section. If you have an article or announcement you would like considered for publication, please sent it to me in electronic format.

The views expressed in articles in this newsletter are not necessarily the views of NYSBA, the Judicial Section, or its Officers.

NEW YORK STATE BAR ASSOCIATION

Judicial Section Annual Reception and Luncheon

Friday, January 18, 2019

Mercury Ballroom and Rotunda, Third Floor
New York Hilton Midtown, 1335 Avenue of The Americas, New York, NY 10019

\$75 per person, NYSBA Judicial Section Member

\$115 per person, Non-NYSBA Judicial Section Members and Attorneys

(NYSBA \$95 general registration fee NOT required)

Reception (Cash Bar)

12:30 p.m. – 1:00 p.m.

Luncheon

1:00 p.m. – 2:30 p.m.



Welcome Remarks
Hon. Cheryl E. Chambers
Presiding Member
Judicial Section



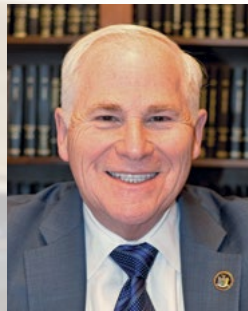
Fireside Chat with
Preet Bharara
Former United States Attorney
Southern District of New York



Remarks
Michael Miller
President
New York State Bar Association



Honoree
Hon. Raymond J. Lohier
Recipient of 2019
Distinguished Jurist Award



Honoree
Hon. Alan D. Scheinkman
Presiding Justice
Second Department
Recognition



Honoree
Hon. Elizabeth A. Garry
Presiding Justice
Third Department
Recognition

Register online at www.nysba.org/am2019Judicial



"RAISING THE AGE"

By: Hon. Edwina G. Mendelson and Hon. Michael V. Coccoma

The Raise the Age law that officially launched in New York State on October 1, 2018 is rooted in a fundamental premise: Adolescents are not adults; they are children transitioning to adulthood.

Science, our experiences and our common sense tell us that older adolescents are still immature and highly influenced by their peers. As their brain development is not yet complete, they often lack sound judgment and may engage in risky behavior without consideration of consequences. However, that still malleable brain makes them uniquely ripe for intervention and rehabilitation, options that are available in the Family Court system.

Appropriate and timely interventions that meet underlying needs can ensure that young people are able to live lives free from further acts of criminality. There is strong evidence that young people who are prosecuted in the juvenile justice system have lower rates of recidivism. So, raising the age of criminal responsibility has both humanitarian and public safety implications. That is the dual underlying principle behind the Raise the Age phase-in that began Oct. 1.

New York had remained one of the last two states in the country—North Carolina was the other—that continued to treat 16-year-olds as adults. Although legislative reform had been in the works for many years when it was finally passed in April 2017, the court and criminal justice systems had only a year-and-a-half to implement this seismic change. That required not only a different way of thinking, but fundamental structural reform as well.

Under the new law, most cases involving 16-and-17-year-olds will be handled in Family Court, much like cases for youth 15 years of age and under. On Oct. 1, 2018, 16-year-olds were phased into the new paradigm. On Oct. 1, 2019, 17-year-olds will be included. But implementing the Raise the Age law is not simply a matter of shifting a bunch of cases from criminal court over to the Family Court. Rather, it creates a brand-new adolescent justice system.

RTA—as it is commonly referenced—establishes a new category of offender, the Adolescent Offender, and a new part of criminal superior court, the Youth Part. The Youth Part is presided over by specially trained Family Court judges addressing cases of 16-and-17-year-olds who are accused of committing felony-level crimes. Absent proof

of extraordinary circumstances, non-violent Adolescent Offender cases will be transferred to Family Court within 30 days. Violent felony offenses that don't involve "significant physical injury," certain delineated sexual offenses or the display of firearms/deadly weapons will also be transferred to Family Court, unless extraordinary circumstances exist. The Youth Part also has exclusive jurisdiction of all cases involving Juvenile Offenders, 13-15-year-olds charged with designated felonies in the adult system.

For cases heard in the Youth Part, rehabilitative and supportive resources will be extended to Juvenile Offenders, Adolescent Offenders, and their families. In cases that originate in Family Court, and for many of those transferred to Family Court from the Youth Part, probation departments throughout the state will be available to divert appropriate cases without filing a petition in Family Court through a process called "adjustment." 16-and-17-year-olds who commit crimes will receive the evidence-based treatment they need. Young people no longer will be housed in adult facilities or jails, but in specialized juvenile detention facilities.

Also new under RTA, specially trained "accessible magistrates"—judges who serve in local criminal courts throughout the state—will now handle first appearances for young people arrested for acts of juvenile delinquency after business hours when Family Courts are closed.

The RTA law also established new standards for parental notification of arrest by police, identification procedures, questioning of young people by law enforcement, and importantly, offers the opportunity for sealing certain convictions after 10 years. Sixteen and 17-year-olds arrested for vehicle and traffic law misdemeanors, violations and infractions remain in the adult system under the new law.

Both of our offices—the Office for Justice Initiatives and the Office of the Deputy Chief Administrative Judge for Courts Outside New York City—have been at the forefront of readying the court system, and in essence, creating this new adolescent justice system. We began by forming an Office of Court Administration RTA committee to formulate a statewide plan for implementation.

That committee was divided into working subcommittees to identify issues and provide recommendations in a number of areas.



Hon. Edwina G. Mendelson



Hon. Michael V. Coccoma

One focused on outreach with partner agencies and stakeholders throughout the state, such as the New York State Commission on Correction, the Department of Corrections and Community Supervision, the Division of Criminal Justice Services, the Office of Children and Family Services, the New York City Mayor's Office of Criminal Justice, the New York City Administration for Children's Ser-

2018 ANNUAL LUNCHEON

The 2018 NYSBA Judicial Section Annual Luncheon was held on January 26, 2018 at the New York Hilton. The event, well-attended by members of the judiciary from across the state, recognized and highlighted the enormous contributions of four of our very eminent members. The Hon. Paul G. Feinman received the Judicial Section's 2018 Distinguished Jurist Award. Hon. George J. Silver received the Section's Advancement of Judicial Diversity Award, and Hon. Karen K. Peters and Hon. Randall T. Eng were recognized for their Lifetime Achievements. Congratulations and thank you to each of these celebrated guests for their tireless work both to improve our courts and to advance justice.



Hon. Conrad D. Singer



Chief Judge Janet DiFiore



Hon. Karen K. Peters



Hon. Paul G. Feinman



Pictured: (l-r) Chief Judge Janet DiFiore, NYSBA then President Sharon Stern Gerstman, Hon. Paul G. Feinman, Hon. George J. Silver, Hon. Karen K. Peters



Hon. Cheryl E. Chambers being sworn in as Presiding Member



Swearing-in of Officers Hon. Denise A. Hartman (Treasurer), Hon. James P. Murphy (Assistant Presiding Member), Hon. Barbara R. Kapnick (Secretary)



Hon. George J. Silver



Hon. Randall T. Eng



Presentation of Lifetime Achievement Award to Karen K. Peters



Presentation of Lifetime Achievement Award to Randall T. Eng



Presentation of Advancement of Judicial Diversity Award to George J. Silver



The Crowd at the Judicial Section Luncheon



Hon. Angela Mazzarelli



Presentation of Distinguished Jurist Award to Hon. Paul G. Feinman



Presentation of Gift to Outgoing Presiding Member Hon. Marsha L. Steinhardt

MICHAEL MILLER JOINS NYSBA COUNCIL OF JUDICIAL ASSOCIATIONS SEPTEMBER MEETING

The Honorable Cheryl E. Chambers, presiding member of the New York State Bar Association's Judicial Section, convened a meeting of the Council of Judicial Associations on September 14 at the Appellate Division, First Department courthouse in Manhattan. Guest speakers were NYSBA President Michael Miller and Stroock Stroock & Lavan Co-Managing Partner Alan M. Klinger, who counsels the Associations of State and New York City Supreme Court Justices.

The Council, which consists of section officers, the presidents of judicial associations from across the state and past presiding members, met to discuss important issues affecting the courts, judges and judicial administration.

Council members used this opportunity to press the point that attacks on the judiciary have increased, while noting that public understanding of the role of the judiciary has decreased and that our constitutional democracy depends on the separation of powers. They also urged NYSBA to work with the council to create opportunities to increase public understanding of the role of the judiciary as a co-equal branch of the government.

Justice Chambers encouraged bar leadership to work with NYSBA's Judicial Section to develop effective ways to educate the public on the importance of upholding the rule of law.

Miller applauded the work of judges and the courts and stressed that NYSBA continuously works to preserve judicial independence. He noted that the association has established a Rapid Response Advisory Group to respond on matters needing prompt action in today's 24-hour news cycle – such as when judges are unfairly criticized.

Klinger reviewed pertinent rules and the proposed time-monitoring policies for judges. While agreeing that independent does not mean unaccountable, council members commented that location and timekeeping attendance policies should remain flexible so as not to impair independence or effective judicial work practices.



Front row, from left to right: Hon. Toko Serita (Asian American Judges), Hon. Michelle Weston (past Presiding Member), Hon. Ellen Spodek (past Presiding Member), Michael Miller (NYSBA President), Hon. Cheryl E. Chambers (Presiding Member), Hon. Marsha Steinhardt (past Presiding Member), Hon. Barbara R. Kapnick (Section Secretary), Hon. James Quinn (County Judges), Hon. Sylvia Hinds-Radix (Supreme Court, NYC).

Second row, from left to right: Hon. Jeanette Rodriguez-Morick (Court of Claims), Hon. Doris Gonzalez (Latino Judges), Hon. Deborah Karalunas (Supreme Court, NYS; past Presiding Member), Patricia Wood (Section Liaison), Hon. Corey Klein (City Court), Hon. Curtis Farber (LGBT Judges), Hon. Robert Mulroy (Family Court), Hon. David Cohen (Civil Court Judges), Hon. Rachel Kretser (past Presiding Member), Hon. Karen Wilutis (District Court), Hon. Michael Sonberg (Lesbian and Gay Judges), Hon. Jonah Triebwasser (Magistrates), Hon. Eileen Bransten (past Presiding Member), Hon. Ruth Shillingford (Judicial Friends), Hon. Timmie Elsner (Housing Court).

After listening to attendees' comments, Miller urged the section to submit any issues of concern to NYSBA's Executive Committee. It is an opportunity to begin a dialogue about and to seek action on critical matters, he noted. In turn, these discussions provide the association with the perspective of the judiciary.

The Judicial Section hosts forums for representatives on the Council of Judicial Associations to address issues relating to legislation

and court procedure five times a year. This meeting with NYSBA leaders exemplifies how the Judicial Section provides avenues to present its voice and views on matters affecting the judiciary and justice system, including the practical impact of proposed changes in policies and procedures. Miller and representatives of the council and section indicated that they look forward to ongoing discussions and working together.



NYSBA COUNCIL OF JUDICIAL ASSOCIATIONS MEETINGS

NYSBA Judicial Section convenes the Council of Judicial Associations, composed of presidents of judicial organizations from across the state, section officers and past presiding members. The Judicial Council, which has been in existence for almost 50 years, meets four times per year, to discuss pertinent issues and legislation affecting the courts, judges and judicial administration.

September 14, 2018

Judicial Council met with NYSBA President Michael Miller.

November 16, 2018

Judicial Council met with the Honorable Edwina G. Mendelson, Deputy Chief Administrative Judge for Justice Initiatives and Susan DeSantis, Deputy Editor of New York Law Journal.

March 15, 2019

Next Meeting
Hon. Lawrence Marks,
Chief Administrative Judge and
President-elect Hank Greenberg



First Row

NYSBA President Michael Miller
meeting with the Judicial Council

Second Row, L-R

Susan DeSantis, Deputy Editor of New
York Law Journal and Hon. Cheryl E.
Chambers, Presiding Member.

Deputy Chief Administrative Judge
Edwina Mendelson

Third Row, L-R

Hon. Denise A. Hartman, Treasurer;
Hon. James P. Murphy, Assistant
Presiding Member; Hon. Barbara
Kapnick, Secretary.

Fourth Row

Deputy Chief Administrative Judge
Edwina Mendelson meeting with the
Judicial Council



GENDER EQUALITY IN ALTERNATIVE DISPUTE RESOLUTION

By: Hon. Rachel Kretser (Ret.)

At the House of Delegates meeting in November 2017, NYSBA delegates unanimously adopted the groundbreaking report of the Commercial and Federal Litigation Section entitled “If Not Now, When? Achieving Equality for Women in the Courtroom.” The Report encourages members of the judiciary, among others, to take steps to ensure that women lawyers are provided equal opportunities to participate in the courtroom and as neutrals in alternative dispute resolution proceedings (“ADR”). Specifically, regarding ADR, the Report encourages members of the judiciary, corporate clients, and ADR providers to afford women lawyers greater opportunities to serve as neutrals in high-stakes litigation, where they are woefully underrepresented. Although the Report addresses gender disparities in both litigation and ADR, this article focuses primarily on the latter and seeks to advance our understanding of the importance of diversity in dispute resolution, and to offer ways to promote the inclusion of those individuals who historically were excluded from meaningful participation in ADR.

The ComFed section surveyed state and federal judges and asked them to record by gender the appearance of counsel in each court proceeding. The section also surveyed ADR providers asking them to record the gender of neutrals conducting ADR proceedings. Over 2,800 questionnaires were returned and tabulated. The Report confirmed what many of us have suspected from our own anecdotal observations: women are grossly underrepresented as both litigators and arbitrators, especially in complex, high-stakes cases.

Until recently, the gender imbalance in ADR fell below the radar, but the evidence of inequality is overwhelming. Of 350 neutrals affiliated with JAMS, Law.com found 25% women and 7% minorities. The International Institute for Conflict Prevention and Resolution (CPR) reports that of 550 neutrals worldwide, 15% are women and 14% minorities. (See, *Making Diversity Happen in ADR*, Noah Hanft, NYLJ, March 2017). A study issued by the ABA Dispute Resolution Section in 2014 found that in cases with between \$1M and \$10M at issue, 82% of neutrals and 89% of arbitrators were men. Male neutrals handled 93% of intellectual property disputes, 91% of insurance disputes, 82% of corporate and commercial disputes and 79% of class actions. (See, Brown, Gina Viola and Schneider, Andrea Kupfer, *Gender Differences in Dispute Resolution Practice: Report on the*

ABA Section of Dispute Resolution Practice Snapshot Survey, Feb. 3, 2014). Conversely, women feature prominently among low or unpaid mediators handling disputes in family and small claims courts. In other words, there is a direct inverse relationship between the amount of money in contention and the probability that the neutral will be a woman.

What Accounts for the Lack of Diversity in ADR

The gender inequality in ADR cannot be attributed to a “pipeline” issue. Since the 1980s, women have comprised approximately half of the graduating classes in law schools. There also are increasing numbers of women trained in ADR. Yet there has been no commensurate increase in the appointment and selection of women to resolve big-ticket disputes.

The lack of diversity in ADR likely can be attributed to many factors: failure by some ADR providers to actively recruit diverse candidates, the perceived lack of access for diverse candidates, over-reliance on word-of-mouth and established networks, and an arbitrator selection process that lacks accountability and transparency.

Lack of accountability among ADR stakeholders makes finger pointing easy. Law firms claim their clients want them to stay with “experienced, proven” mediators and arbitrators. Law firms also blame ADR organizations for failing to provide diverse lists. In-house counsel defer to law firms in the selection process and also are unwilling to accept responsibility. In short, no one wants to claim ownership of the obvious lack of diversity in alternative dispute resolution.

It also may be a problem of unconscious or implicit bias. Implicit bias studies demonstrate that the stereotyping mechanisms in our brains are not easily suppressed. But if gender stereotyping persists, it is puzzling that this has not translated into more, rather than less, reliance on women to resolve disputes given the fact that men are traditionally viewed as gladiators while women are thought to be conciliators, compromisers and consensus builders.

Why Diversity in ADR Matters

Much has been written about the importance of judicial diversity, and of diversity in our jury pools (See, *Batson v Kentucky*, 476 US 79, 1986). Common sense tells us that the life experiences of people differ depend-



Hon. Rachel Kretser

ing upon their race, gender and ethnicity, and that those differences impact our views, perceptions and decision making.

Over the past decade there has been a sharp decline in the number of cases that go to jury trial, and a concomitant increase in the number of cases referred to alternative dispute resolution. Accordingly, it is imperative that these surrogate decision makers and facilitators also reflect the population they serve. Lack of diversity among neutrals results in a loss of credibility in the eyes of the litigants and grievants.

But it is more than just the perception of fairness. Studies have shown that the actual quality of justice is compromised when cases are decided by homogenous decision makers. Empirical analyses have confirmed that diverse judges decide certain types of cases differently than their white, male colleagues. (See, Pat K. Chew & Robert E. Kelley, *Myth of the Color Blind Judge*, 86 WASH. U. L. REV. 1117, 2009; Adam B. Cox & Thomas J. Miles, *Judging the Voting Rights Act*, 108 COLUM. L. REV. 1, 2008; Jennifer L. Peresie, *Female Judges Matter: Gender and Collegiate Decision Making in the Federal Appellate Courts*, 114 YALE L.J. 1759, 2005). Whether decision-makers are judges or ADR professionals, the same considerations apply.

ADR is often annexed to the court system or is a substitute for the judicial process itself.

ADR has increasingly become a critical component of our system of justice. Therefore, the lack of diversity in ADR is an issue of basic fairness that reflects upon the entire justice system.

Where Do We Go From Here?

A multifaceted problem requires a multifaceted solution; therefore, we need to address the diversity issue on multiple fronts.

1. ADR providers must ramp up efforts to recruit women and minorities and diversify their rosters.
2. Stakeholders should be reminded of the benefits of diversity on the quality of the decision-making process so that once women and minorities achieve a place on ADR lists, they also have a fair chance of being selected.
3. Judges should try to insure any lists of neutrals provided by the court are diverse.
4. Efforts should be made to increase transparency and accountability.
5. Neutrals profiles should be distinguished so individuals can be identified by gender, race or other significant demographics, and ADR organizations should track the selection process to measure the progress.
6. Clients should be encouraged to look beyond the short list of the "usual suspects" and embrace diverse arbitrators, mediators and referees for the wealth of talent and different experiences they bring to the process.
7. CLE programs on ADR should emphasize the need for increased diversity and encourage traditionally underrepresented groups to consider a career in ADR. Such groups also should be offered scholarships to facilitate their participation in ADR educational programs.
8. Experienced neutrals should identify and mentor new, diverse mediators and arbitrators. The Code of Professional Responsibility for Arbitrators provides that one of the obligations an experienced arbitrator has to the profession is to cooperate in the training of new arbitrators.

Conclusion

Disputes aren't just about the bottom line; disputes are about people. Neutrals of varying backgrounds and ethnicities can better understand and address the needs and concerns of diverse clients, bring new perspectives to the table, and bring a sense of fairness to the entire process.

CONTINUED FROM PAGE 4

vices, and others. We have been invited to serve on the State RTA Implementation Task Force established by the RTA law to monitor and report on the law's overall effectiveness.

Another subcommittee targeted judicial assignments, operation and staffing. Working implementation models, or templates, were created for development of new Youth Parts, Family Courts, and after-hours criminal court arraignment courts for youth in New York City, urban, suburban and rural areas of the state. Courtrooms have been relocated, and judicial and non-judicial assignments have been modified to ensure adequate Raise the Age related staffing.

Our RTA committee also worked to provide education and to train both judicial and non-judicial personnel. The Judicial Institute, in consultation with the Office for Justice Initiatives and our Raise the Age committee, organized the statutorily required specialized training for Youth Part judges and accessible magistrates, which included an extra all-day training for Youth Part judges over the summer. In addition, the Office of Policy and

Planning and Office of Justice Court Support worked with us to provide our court attorneys with regional training in Syracuse, Albany and New York City. Our court clerks and other staff received regional and local trainings over the summer and continue to do so.

The OCA Division of Technology and Court Research adapted the Unified Court System's Universal Case Management System in Supreme and County Court, for use in all New York State Youth Parts. This system will allow us to have a single database containing all Raise the Age data, and the ability to electronically track cases removed from Youth Part to Family Court, and into the probation adjustment consideration system. Having this system available will improve necessary disposition reporting to DCJS and probation departments, and is ideal for ongoing data analysis.

Administrative judges and court operations leaders throughout the state played a key role in implementation, by spearheading local interagency and interdisciplinary planning groups which included judges, court personnel, prosecutors, defense attorneys,

attorneys for children, law enforcement, probation departments, corrections authorities, education officials, and other community stakeholders. We also reached out to Hon. Bernadette Conway, the state of Connecticut's Chief Administrative Judge for Juvenile Matters to gain insight from her experience with their Raise the Age law.

Overall, we developed a statewide implementation plan which ensures a juvenile and adolescent justice system that will provide fair and just outcomes for children without compromising public safety.

We are confident we did everything foreseeable to implement this paradigm-shifting legislation, and equally certain we will encounter countless unforeseeable circumstances that will require adjustments to the current plan. With that in mind, we look to the bench and bar - our eyes and ears on the ground floor - to provide continuing insight and observations as we work to maximize the benefit of this trailblazing legislation.

Save the Date!

Meet the Presiding Justices of the Appellate Division

Hon. Rolando T. Acosta, First Department
Hon. Alan D. Scheinkman, Second Department
Hon. Elizabeth A. Garry, Third Department
Honorable Gerald J. Whalen, Fourth Department

Monday, March 4, 2019 at 5:30 PM
At the Home of the Appellate Division, Second Judicial Department
45 Monroe Place, Brooklyn, New York 11201

For more information, contact Patricia Wood
at pwood@nysba.org or 518.487.5770

THE LIFE OF A FAMILY COURT JUDGE

By: Hon. Conrad D. Singer

During the New York State Bar Association's Annual Meeting, I attended a Children and Families in the Law Committee meeting during which one of the key speakers, a seasoned prosecutor from New York City, conceded he did not know where the Family Court in his borough was located. Because I believe I am the first presiding member of the NYSBA Judicial Section who is an elected Family Court Judge sitting in Family Court, I thought it would be a good idea to provide members of the Judicial Section with a snapshot of a "typical day" for a Family Court judge (although anyone who has ever worked in Family Court will say that there is no "typical day"). My objective is to give some insight to those members who are not acquainted with Family Court and who wonder what actually takes place within its walls.

Family Court has jurisdiction over a wide variety of cases including those involving child custody, child support obligations, child abuse and neglect matters, family offenses enumerated under Article 8 of the Family Court Act, disputes between individuals who have a so-called "intimate relationship," and Special Immigrant Juvenile Status. Additionally, Family Court handles disposition of juvenile delinquency cases, i.e., cases involving youths under the age of 16 who are charged with an offense that would be considered a crime if committed by an adult. With "Raise the Age" Family Court's jurisdiction increased to 16-year-olds in October 2018, and one year later will increase to 17-year-olds.

Thus, determining which parent should have custody of the parties' children, issuing findings on Special Immigrant Juvenile Status, deciding whether a fourteen-year-old adjudicated as a juvenile delinquent should be placed on probation or remanded to a secure facility, determining whether a parent's parental rights should be terminated are a few of the issues addressed by Family Court judges on a "typical" day.

Family Court is uniquely designed to accommodate pro-se litigants. Thus, Family Court judges must be more forgiving of minor defects, procedural and otherwise, in motion papers and in other applications by

parties. In Family Court, there also is a higher direct level of interaction between judges and litigants than typically occurs in, for example, Commercial Division litigation or a personal injury lawsuit. While the parties to most civil lawsuits may not step foot into the courtroom before trial, litigants in Family Court proceedings, including those litigants represented by counsel, personally appear in court on every court date including preliminary conferences, status conferences, settlement conferences and, of course, fact-finding proceedings. Similarly, these litigants return to Family Court often. For example, former spouses involved in a single custody dispute may return to court several times to enforce or modify their custody arrangement, to obtain an order of protection against the other parent, or to enforce support obligations. Thus, Family Court judges often develop a certain level of familiarity with the parties and their past litigation history.

During Family Court litigation, the parties' personal lives are significantly disrupted: a parent can be separated from his or her children during the pendency of a custody dispute, a sibling might be forced to leave the family home pursuant to a Temporary Order of Protection, and a fourteen-year-old may be required to wear an electronic device to monitor his whereabouts while his juvenile delinquency case is pending. To limit the length of time litigants must cope with such disruption, Family Court judges make considerable efforts to calendar final dispositions expeditiously – often setting fact-finding or trial dates at least 60 days out – and go to great lengths to adhere to scheduled dates.

One of the unique rewards we have as Family Court judges is that each day on the bench is exciting and different, and we are constantly learning. We carry out the important mission of protecting and serving the needs of New York children and families and we have the opportunity to help find solutions for the most personal of issues during a particularly stressful time in the lives of these families. This is why being a Family Court judge is so rewarding.



Hon. Conrad D. Singer

The New York Bar Foundation

The New York Bar Foundation plays an important role in ensuring access to justice in New York State. Your generous support makes it possible for the New York Bar Foundation to provide support to legal services organizations, nonprofits, bar associations and other charitable initiatives, and offers the bench and the bar an opportunity to invest in their own community.

Please join the efforts of the many law firms, individuals and corporations that have generously contributed to The New York Bar Foundation by making a gift online at www.tnybf.org/donation

For further information, please contact Foundation Executive, Deborah A. Auspelmeyer, at (518) 487-5650 or at dauspelmeyer@tnybf.org.

VISIBILITY MATTERS: DIVERSITY NEEDED ON BOTH SIDES OF THE BENCH

By Hon. Doris Ling-Cohan with assistance from Rebecca I. Wohl, Esq., Member, Women in the Legal Profession Committee, New York City Bar Association



Hon. Doris Ling-Cohan

On March 5th, 2018, as reported by the New York Law Journal,¹ for the first time in New York State history, an all-women panel of justices convened over appellate arguments in the Appellate Term, First Department.² Further, all three justices were women of color, marking the first time an Asian Pacific American, Latina, and African-American justice compromised a panel. I proudly sat as Presiding Justice alongside my colleagues, Justice Lizbeth González and Justice Carol Edmead, on that momentous day, coincidentally assembled during 2018 Women's History Month.

To be sure, the occasion signified an important day in our State's history, and we owe much to our female predecessors in the Appellate Term, and in all courts, upon whose shoulders we now stand. Regrettably, my view from the bench into the audience of attorneys on that historic morning failed to display the same picture of intersectional diversity. When the calendar call began, I noticed something remarkable: all but one of the attorneys who argued on that day were men, and all were white.

The composition of attorneys at our March 5th arguments was clearly inconsistent with the day's message of inclusion. Indeed, one might think Justice Bradley had written just yesterday that, "[t]he natural and proper

timidity and delicacy which belongs to the female sex evidently unfits it for [the practice of law]."³ Of course, one glance at the members of the bench on such a notable day would have undermined his characterization.

Unlike the judiciary of our state (the Court of Appeals had a majority of women for over 10 years, including two female Chief Judges), it appears that the attorneys who argue before our courts are not as equally diverse. Women attorneys account for only approximately twenty-five percent or less of speaking roles "in every level and every type of court: upstate and downstate, federal and state, trial and appellate, criminal and civil, ex parte applications and multi-party matters."⁴ The issues leading to the dearth of women trial lawyers "apply with even greater force to women trial attorneys of color, who face the double bind of gender and race."⁵ We, as judges and members of the bar, must continue to promote greater inclusion throughout the legal profession. In the courtroom, judges have an unparalleled opportunity to affect change. Notably, my federal colleagues have begun taking proactive steps to ensure needed diversity among the attorneys who appear, and speak, before them. Judge Jack Weinstein (EDNY),⁶ Judge Ann Donnelly (EDNY),⁷ and Chief District Judge Barbara M.G. Lynn (NDTX),⁸ among others, have amended their rules to expressly allow junior attorneys, many of whom are women and from diverse communities, to speak in their courtrooms. These innovators recognize that encouraging diversity in the courtroom without concomitantly encouraging speaking roles for the diverse participants will not produce real change.

Why does increasing in-court participation of diverse attorneys matter? Increasing visibility of women and diverse attorneys adds to their legitimacy as advocates. Speaking in court allows new attorneys to develop crucial skills, which ultimately provides them more professional opportunities. Those attorneys who appear and speak in open court convey subtle messages to the public about who practices law. Moreover, equal representation in the profession, at all levels, promotes confidence and trust in our system of law.

I celebrate that New York State has made great strides in the diversity of the judiciary, and I am honored to be a part of that legacy. Our courts sit at the forefront of the pursuit of justice and equality; aptly, the com-

position our judiciary has slowly begun to mirror that of its diverse constituents. The attorneys appearing in our courts should similarly reflect the varied population they represent, and the judiciary must actively encourage this important goal.

Of the thirteen cases on for argument that historic Monday, it seems implausible that only one woman and no attorneys of color contributed to the preparation of the written submissions. However, only one diverse attorney was given a speaking role. Visibility does matter. We must encourage the invisible and unseen attorneys to speak before us and bring them into the consciousness of the legal community. As state court judges, we too should innovate, as some of our federal counterparts already have done. Amending our rules to encourage junior attorneys to argue even part of an appellate argument or motion would be a big step towards visibility and equality in our profession.

- 1 *Appellate Panel Makes History*, NYLJ, Mar. 6, 2018 at 2.
- 2 This may have been the first time an all-female appellate panel has been convened in New York State, as our limited research did not disclose any previous instance.
- 3 *Bradwell v People of State of Illinois*, 83 US 130, 141 (1872, Bradley, J., concurring). Justice Bradley penned his concurrence 145 years ago.
- 4 New York State Bar Association, *If Not Now, When?: Achieving Inequality for Women Attorneys in the Courtroom and in ADR* at 15 (Nov 2017), available at <http://www.nysba.org/WomensTaskForceReport/> (accessed Mar. 12, 2018).
- 5 Stephanie A. Scharf and Roberta D. Liebenberg, *First Chairs at Trial: More Women Need Seats at the Table*, American Bar Foundation and Committee on Women in the Profession, American Bar Association at 15 (2015), available at https://www.americanbar.org/content/dam/aba/marketing/women/first_chairs2015.authcheckdam.pdf (accessed Mar. 12, 2018).
- 6 See *Individual Motion Practice of Judge Jack B. Weinstein*, United States District Court, available at <https://img.nyed.uscourts.gov/rules/JBW-MLR.pdf> (accessed Mar. 12, 2018).
- 7 See Judge Ann Donnelly *Individual Practice and Rules § 3 Courtroom Opportunities for Relatively Inexperienced Attorneys*, available at <https://img.nyed.uscourts.gov/rules/AMD-MLR.pdf> (last updated Sept. 27, 2017).
- 8 See *Chief District Judge Barbara M.G. Lynn*, Judge Specific Requirements §§ (II) (C) Opportunities for Young Lawyers, available at <http://www.txnd.uscourts.gov/judge/chief-district-judge-barbara-mg-lynn> (accessed Mar. 12, 2018).

YOUR ASSOCIATIONS AT WORK

LATINO JUDGES ASSOCIATION

On June 21, 2018 The Latino Judges Association held its annual membership meeting at the New York City Bar Association.

The Latino Judges Association hosted a meet and greet reception for judges and lawyers on June 28, 2018 in the Hudson Valley and beyond.

On October 30, 2018, the Latino Judges Association hosted its Hispanic Heritage Awards Gala at Battery Gardens. This year's award recipients were Hon. Dora Irizarry, Chief Judge of the United States District Court, Eastern District, who received the Hon. Carmen Beauchamp Ciparick Lifetime Achievement Award; Hon. Joseph Zayas, Administrative

Judge of the Supreme Court, Criminal Term – Queens County, who received the Hon. John Carro Award for Judicial Excellence; and Joyce Y. Hartsfield, Esq., Executive Director of the Franklin H. Williams Judicial Commission, who received the Hon. Frank Torres Award for Commitment to Diversity.



Back row (l-r): Hon. Patria Frias-Colon; Hon. Lisa Headley; Hon. Julia Rodriguez; Hon. Armando Montano; Hon. Mary Bejarano; Hon. Joseph Zayas; Hon. Margarita Lopez Torres; Third row (l-r): Hon. Llinet Rosado; Hon. Leslie Purificacion; Hon. Diccía Pineda-Kirwan; Hon. Walter Rivera; Hon. Laura Visitacion-Lewis; Hon. Leticia Ramirez; Hon. Linda Mejias; Second row (l-r): Hon. Betsy Barros; Hon. Doris Gonzalez; Hon. Jeanette Ruiz; Hon. E. Pilar Sanchez; Hon. Norma Ruiz; Hon. Sallie Manzanet Daniels; Hon. Christopher Robles; Front row (l-r): Hon. Javier Vargas; Hon. Dora Irizarry; Hon. Fiordaliza Rodriguez; Hon. Joanne D. Quiñones; Hon. Wilma Guzman; Hon. Jenny Rivera; Hon. Rolando Acosta

FAMILY COURT JUDGES ASSOCIATION



2018 Family Court Judge's Association President Hon. Martha Mulroy pictured with Hon. Elizabeth Garry and Hon. Conrad Singer



Zip-lining at the Family Court Judge's Association Fall 2017 Conference

ASSOCIATION OF JUSTICES OF THE SUPREME COURT OF THE STATE OF NEW YORK



Hon. Deborah A. Dowling, Former President of AJSCNY giving her closing remarks



2018 AJSCNY Officers pictured from L to R: Hon. Deborah H. Karalunas, President, Hon. Debra A. James, President-Elect, Hon. Charles C. Merrell, 1st VP; Hon. Carmen R. Velasquez, 2d VP, Hon. John P. Colangelo, Secretary, Hon. Francesca E. Connolly, Treasurer

The Fall Conference of the Association of Justices of the Supreme Court of the State of New York was held October 21-24, 2018 at Watkins Glen Harbor Hotel in Watkins Glen. In addition to a wide variety of CLE programs, tennis, a tour of Corning Glass Museum and Seneca Lake Wine tour, attendees enjoyed hiking the gorge in the beautiful Watkins Glen State Park. Newly elected officers, to be installed in January 2019 are:

President – Debra A. James | President-Elect – Charles C Merrell
 1st Vice President – Carmen R. Velasquez | 2d Vice President – John Colangelo
 Treasurer – Francesca E. Connolly | Secretary – Barbara R. Kapnick

In addition to the officers (who also serve as directors), addition directors are: Matthew Cooper, Ellen Spodek, William McCarthy, Robert J. Muller, Anthony Paris, Eugene Faughnan, William Taylor, Tracey Bannister, Frank Caruso, Lewis Lubell, Linda Jamison, John Leo, Leonard B. Austin, Daniel Lewis, Mary Ann Brigante and Thomas Aliotta.

Congratulations to the new officers and directors!



Karaoke with Hon. John Brunetti, Hon. Eileen Bransten and Hon. Randy Marber, under the watchful eye of Burt Lipshie, Esq.



Dancing to the music of "The Destination"

Above: Morning Hike at Watkins Glen State Park. From L to R: Burt Lipshie, Esq., Hon. Deborah Karalunas, Hon. Debra James, Hon. Jeffrey Cohen, Hon. Ellen Gesmer, Hon. Len Austin (kneeling), Hon. Linda Christopher, Hon. Joan Lefkowitz, Dina Kolker, Esq., Hon. Mickey Morgenstern, Hon. Dicia Pineda-Kirwan, Hon. Doris Ling-Cohan, Alan Klinger, Esq and Hon. Bernice Siegal

GREETINGS FROM THE NYSBA PRESIDENT



Michael Miller

In September, I had the honor of speaking at the Council of Judicial Associations fall meeting, convened by the New York State Bar Association's Judicial Section. I thank the Honorable Cheryl Chambers, presiding member of the Section, for inviting me to attend.

It is one thing to appear in court before a judge. It is a real learning experience to be part of a conversation among some of the finest members of the New York judiciary.

The judiciary has always had, and always will have, the full support of our great Association.

We understand that justice is not served if the courts are underfunded and understaffed, and have worked with you on issues such as equitable judicial pay, a fair workload, increases in the number of judgeships, elimination of the Draconian pension "death gamble"

and adequate court resources.

But what stood out at this meeting was concern over the increasing assaults on the judiciary and the public's decreasing awareness of the judiciary's vital role in protecting our constitutional rights.

Judges protect the rule of law – the cornerstone of our democracy and the freedoms we hold so dear.

Judges are the first line of defense of the rule of law, but are proscribed from defending themselves.

That is why NYSBA has pushed back against attacks that look to demean or denigrate members of the judiciary and ultimately to weaken this most important branch of government. I noted at the meeting, one of the first actions I took as NYSBA president was the establishment of a Rapid Response Advisory Group, for as unfair as these attacks are, they work to undermine trust in the justice system as a whole. We must redouble our efforts to ensure that those who find themselves in court have confidence that the outcome will be fair and unbiased.

Your Section recognizes that people caught up in the justice system have more faith in the process if they see judges and staff who look like them. In 2014, you published a report on judicial diversity, which concluded that more work was needed to achieve diversity in our courts. That work continues, with NYSBA's full support.

New York is known worldwide for the quality of its judges. In answer to current efforts to chip away at that reputation, our Task Force on the Evaluation of Candidates for Election to Judicial Office, co-chaired by Robert L. Haig and former NYS Court of Appeals Judge Susan Phillips Read, is working with all the stakeholders to develop best practices and effective non-partisan ways to evaluate and vet judicial candidates. Our goal is to help ensure that your colleagues on the bench are, like you, the finest judicial minds in the state.

President George Washington wrote that the "due administration of justice is the firmest pillar of good government." We value our partnership with the bench, and we look forward to continuing our work with you to ensure our judges and our courts have the resources and the talent they need to ensure "due administration of justice."

Being a judge is a difficult and demanding job. The importance of the work you do cannot be overstated, and I want to thank you for your commitment to the rule of law and the effective administration of justice.

Membership in the Judicial Section

We invite you to join NYSBA and OUR Judicial Section. United as one body, we strive to promote, insure and deliver justice. We work hard to make membership in the Section valuable and rewarding. So please join the more than 300 judges at all levels of the state judiciary who already enjoy the many privileges afforded by their affiliation with NYSBA and the Judicial Section.

NYSBA provides a wide array of programs and services to keep attorneys and judges well informed and connected. The Judicial Section addresses issues unique to the duties, responsibilities and welfare of the judiciary. Our Section also provides a forum for representatives of the Council of Judicial Associations to address issues important to the Judiciary including legislation and court procedure. Among the other benefits of membership in our Section are:

- three free online CLE educational programs
- free access to CasePrepPlus's entire library of advance sheets and research services, as well as unlimited access to all archives (an annual value of \$160)
- a discount to attend the Judicial Section Annual Meeting luncheon
- a complimentary copy of the "Judicial Dispatch," the only newsletter in New York State written by judges for judges
- unparalleled camaraderie among our State's guardians of the law

If you have any questions, please contact our Member Resource Center at (800) 582-2452.

Membership in the Judicial Section is only \$25.00. Section membership dues can be paid online at nysba.org or calling the NYSBA Member Resource Center at 800-582-2452.

GREETINGS FROM CHIEF JUDGE JANET DIFIORE

As we enter the new year, I am pleased to share with you our court system's strong progress in implementing alternative dispute resolution (ADR) initiatives to further the goals of our Excellence Initiative and enhance the quality of justice services we provide to the public. ADR options, such as mediation, arbitration, neutral evaluation and collaborative law, are now high in demand as proven methods of efficiently resolving or narrowing civil disputes, without the delay and expense of conventional litigation. As we work to make our court system more efficient and accessible for all litigants, I firmly believe that ADR must become a central component of our efforts to promptly and fairly adjudicate our civil caseloads.

ADR has long been on the court system's radar. More than two decades ago, then-Chief Judge Judith S. Kaye laid the groundwork for court-sponsored ADR, establishing an ADR Task Force to explore ways "to promote streamlined dispute resolution" by offering a "menu of dispute resolution options" designed to establish more "user-friendly courts," reduce "congested court dockets" and "assist overburdened judges."¹ Since then, our court system has made meaningful strides to implement and expand upon the ADR Task Force's early vision. The Office of ADR Programs, originally headed by Daniel Weitz, and presently by Statewide ADR Coordinator Lisa Courtney, has led these efforts, working tirelessly to provide essential technical support, resources and training to our judges and court staff, and to create rosters of mediators and arbitrators who are ready to go.

The time has come for our court system to make a full-fledged commitment to ADR. Indeed, following the Excellence Initiative's announcement in February 2016, and as part of an in-depth evaluation of the efficacy of our civil courts, we heard from many Administrative Judges, trial judges, bar leaders and other stakeholders who suggested to us that we needed to take much fuller advantage of ADR.

Accordingly, last April, I appointed the ADR Advisory Committee – chaired by respected litigator and immediate past-president of the New York City Bar, John M. Kiernan. Consisting of leading judges, practitioners, ADR professionals and academics, the Committee is presently conducting a comprehensive study of the ADR landscape in New York and formulating specific proposals and best practices to reinvigorate underutilized ADR

programs, and to explore ADR as a favored early option for resolving many civil disputes across the state. While I hope to publicly discuss the Committee's recommendations in much more detail during the 2019 State of Our Judiciary Address, we have already begun strengthening our existing ADR framework, implementing new ADR initiatives, and evaluating outcomes of existing programs – all toward the goal of making ADR, including mandatory referrals for many case types, an integral component of our overall approach to effective civil case management.

Spurred by the momentum of the Excellence Initiative and announcement of the ADR Advisory Committee, judges and court administrators around the State have strengthened their commitment to existing ADR programs, and have launched several new pilot programs that we are excited about, and closely monitoring.¹⁰ Over the years, our broader experience with court-sponsored ADR programs – from Erie County to Nassau County and areas in between – has produced some promising results, including these highlights:

A pilot program in New York County for mediating contract disputes beneath the commercial division's \$500,000 jurisdictional threshold, which uses a "presumptive" model in which parties must participate in ADR first before proceeding to court, has reported a 60% early settlement rate.

Child Permanency mediation in the 3rd through 8th Judicial Districts has achieved a 73% resolution rate, and New York City Family Court's custody and visitation mediation program has a 70% resolution rate, experiencing a 25% increase in referrals in the past year.

Our Community Dispute Resolution Centers (CDRCs), operating in each of New York's 62 counties, have mediated 30,000 cases per year statewide, achieving a 74% settlement rate, averaging 25 days from first contact to case resolution.

ADR is making a discernible dent in the New York City Small Claims Courts, where the parties, given menu options of same-day binding arbitration, same-day mediation, or longer-term adjudication by a judge, are overwhelmingly selecting the first two options.

In the 8th Judicial District, my former Court of Appeals colleague, Justice Eugene Pigott, though retiring at the end of this year, has



Hon. Janet DiFiore

laid an excellent foundation for a comprehensive ADR program covering general civil, commercial, residential, personal injury, professional malpractice and estate matters using "in house" staff to achieve an admirable 65 to 70% settlement rate in 916 cases referred in 2017 alone.

This successful experience with ADR, though far too limited, gives us every reason to believe that our institutional commitment to the systematic, statewide expansion of ADR will eventually have an enormous positive impact on the fair and timely adjudication of our civil dockets through high settlement rates, high user satisfaction levels and easing of congested court dockets. Our priority must be to shift the culture, so that lawyers and clients are inclined to "mediate first" rather than "litigate first."

In particular, we see great potential from the early use of ADR in appropriate matrimonial, family law and surrogate's court cases, where mediated conversation early in the process provides a forum to voice emotions and concerns that are real, but not productive or relevant in the courtroom. ADR in these contexts can eliminate or streamline the issues for litigation, ultimately affording a measure of procedural justice highly valued by litigants, especially when the amount in controversy makes litigation of every issue to decision unaffordable. The fruits of divorce mediation have already been realized

through free mediation services offered to eligible participants by the Collaborative Family Law Center in New York City, and for parenting issues in custody and visitation cases in the New York City Family Court. Promising pilot programs for the mediation of custody and visitation issues also are well underway in the Family Courts in the 6th and 7th Judicial Districts. In each of those venues, referrals continue to steadily increase, earlier in the life of the litigation.

The bench, the bar and the public are ready for us to take court-sponsored ADR to the next level. I know that many of you already are enthusiastic proponents of ADR and have seen the value in referring cases to outside mediators and arbitrators or to trained court staff increasingly adept at settling matters on our dockets. Practitioners are craving ADR as a means of offering more efficient and effective solutions to clients, avoiding high litigation costs associated with modern discovery and costly delays resulting from congested dockets. Studies also indicate that public demand for court-sponsored ADR programs is

equally high and steadily rising, driven by the desire to resolve disputes quickly and economically.

Now is the time for all of us to come together and capitalize on the enormous potential of ADR. With the guidance of the ADR Committee, the ADR Office and the commitment of our judges and our partners in the Bar, we are poised to move forward with our institutional commitment to ADR. I certainly encourage the members of this Section to reach out to the ADR Advisory Committee and our Statewide ADR Office with your comments and suggestions; your experiences with ADR, including the outcomes of formal or informal ADR initiatives in which you have participated or referred litigants; and your ideas or proposals for implementing ADR in the courts. And for those of you who are less familiar with the benefits of ADR, I encourage you to learn more by reviewing the significant resources available for judges and court users on the court system's ADR website: www.nycourts.gov/adr.

As we continue our quest to achieve and maintain operational and decisional excellence in the New York State courts, I am confident that ADR will become one of the future cornerstones of our Judiciary, enabling us to routinely provide a range of dispute resolution options, including streamlined, affordable and effective alternatives to litigation.

1. Court-Referred ADR in New York State: Final Report of the Chief Judge's New York State Court

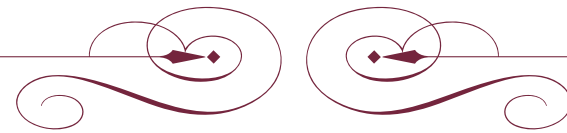
Alternative Dispute Resolution Project, May 1, 1996, at 3. The ADR Task Force made a number of recommendations, including the use of ADR pilot programs in all judicial districts, adoption of uniform standards for court-sponsored ADR programs and qualifications of neutrals, and formation of a State-wide ADR Office for the court system. *Id.* at 8-10.

2. These promising projects include, among others, mediation of licensee holdover cases in Brooklyn Housing Court, presumptive matrimonial mediation parts for Kings and Suffolk Counties and in the 7th Judicial District, mediation in the Surrogate's Courts of Westchester and New York Counties, and early mediation of screened custody and visitation cases arising in Family Court locations in the 6th and 7th Judicial Districts.

Photo By UpstateNYer
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MEMBER HIGHLIGHTS



JUDICIAL APPOINTMENTS

Congratulations to the following members of the judiciary:

Hon. Alan D. Scheinkman appointed Presiding Justice of the Second Department
 Hon. Elizabeth A. Garry, appointed Presiding Justice of the Third Department
 Hon. Deborah A. Kaplan appointed Administrative Judge, Civil Term, New York County
 Hon. Desmond A. Green, appointed Administrative Judge for Civil and Criminal Terms, Richmond County
 Hon. Tamiko Amaker, appointed Administrative Judge for New York City Criminal Court
 Hon. Anthony Cannataro, appointed Administrative Judge for New York City Civil Court
 Hon. Bernice Siegal, appointed Associate Justice Appellate Term of the Supreme Court for the Second Department
 Hon. Kathie E. Davidson, appointed Administrative Judge of the 9th Judicial District
 Hon. Elizabeth H. Emerson, appointed Associate Justice of the Appellate Term of the Supreme Court of the 9th and 10th Judicial Districts
 Hon. Thomas A. Adams, appointed Presiding Justice of the Appellate Term of the 9th and 10th Judicial Districts

Co-Chairs of the Franklin H. Williams Judicial Commission

On February 21, 2018, Justices **Shirley Troutman** and **Troy K. Webber** were named Co-Chairs of the Franklin H. Williams Judicial Commission.

RECOGNITIONS AND AWARDS

Hon. Carmen R. Velasquez was named to the Carnegie Corporation of New York's 2018 list of Great Immigrants. The award is given annually to naturalized citizens who enrich the fabric of American culture and strengthen our democracy through their lives, their work, and their example. For 2018, the honorees represent nearly 30 different countries of origin, a range of personal immigration experiences, and high-level leadership in numerous fields, all of them united through their experience of becoming Americans. Justice Velasquez, a New York State Supreme Court Justice in the 11th Judicial District immigrated from Ecuador.

On March 19, 2018, at the 42nd annual dinner of the **Jewish Lawyers Guild**, **Hon. Janet DiFiore** received the Golda Meir Memorial Award and **Hon. Paul Feinman** received the Benjamin N. Cardozo Award.

On April 21, 2018, at the annual dinner of the **Kings County Criminal Bar Association** the **Hon. Dineen Riviezzo** was presented with the Gustin L. Reichbach Judicial Recognition Award.

On June 9, 2018, at the annual dinner of the **Brooklyn Women's Bar Association**, **Hon. Jenny Rivera** received the Hon. Beatrice M. Judge Award and **Hon. Sylvia Ash** was presented with a Lifetime Achievement Award.



On October 25, 2018, the **Onondaga County Bar Association** bestowed the William C. Ruger award on the **Hon. John V. Centra**, Supreme Court, Appellate Division, Fourth Department, pictured with Thomas Myers (on left).



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