PRESS RELEASE

New York State
Unified Court System

Hon. Lawrence K. Marks
Chief Administrative Judge

Contact:
Lucian Chalfen,
Public Information Director
Arlene Hackel, Deputy Director
(212) 428-2500

www.nycourts.gov/press

Date: December 17, 2020

Commission to Reimagine the Future of NY Courts Issues Additional Proposals to Enhance Court Operations and Access to Justice

NEW YORK–Two reports−one containing proposals aimed at enhancing appellate court operations and the other at narrowing New York's justice gap−have been released by the Commission to Reimagine the Future of New York's Courts. The Commission, led by former New York State Bar Association President Henry M. Greenberg, was appointed last June by Chief Judge Janet DiFiore to examine regulatory, structural, technological and other innovations and propose practical short- and long-range reforms.

The Commission is made up of six working groups: trials; appellate practice; online courts; regulatory innovations; structural innovations; and technology. Last month, the Online Courts Working Group released a report with recommendations for implementing and advancing online tools to better enable the Court System to deliver quality justice services to New Yorkers amid the public health crisis and beyond. Today's reports were produced, respectively, by the Commission's Appellate Practice Working Group, chaired by Hon. Rolando T. Acosta, Presiding Justice, Appellate Division, First Department; and Regulatory Innovation Working Group, co-chaired by Paul C. Saunders, retired partner, Cravath, Swaine & Moore LLP, and Michael A. Simons, Dean of St. John's University School of Law. Each report is based on comprehensive research, including interviews with experts as well as justice system partners and stakeholders.

The Appellate Practice Working Group focused its study on enhancing both the efficiency and cybersecurity of New York's appellate courts by creating a robust, more uniform technological infrastructure. Among the group's key proposals, which build on the Court System's virtual court model and other modernization efforts, are:

- Creation and rollout of a single appellate case management system for the Court of Appeals and the four Department of the Appellate Division to ensure integrity of data and efficiency for sharing case information;

- Establishment of a single statewide system for attorney requests of certificates of good standing, mental hygiene legal services and attorney grievance committees;

- Enhanced technology training for appellate justices and staff, including cybersecurity awareness training;

- Development and implementation of best practices on use of technology;

- Combination and coordination of virtual and in-person operations to allow easy transition to in-person operations and vice versa as needed amid the pandemic and beyond;

- Enhancement and standardization of design of each appellate court's website for greater uniformity and easier navigation for the various types of users.

The Working Group on Regulatory Innovation explored regulatory and other reforms to improve the accessibility and quality of the Court System's justice services. Its recommendations include:

- Development and implementation of a program to permit social workers who are trained, certified and properly regulated to offer limited legal and adjunct legal services to their social work clients, as appropriate. This would entail the collaboration of New York's law and social work schools to develop a suitable academic curriculum;

- Expansion of both the scope and substance of the Court System's successful Court Navigators Program, which trains law students, college students and others to provide general information and assistance to eligible unrepresented litigants in Housing Court and consumer debt collection cases. The Working Group proposes extending the program to high-volume courts with large numbers of unrepresented litigants throughout the state, as well as training and allowing court navigators−who are currently prohibited from offering legal advice−to offer limited legal advice such as explaining how to serve court papers or informing litigants of the right to speak with the judge/judge's attorney before agreeing to a settlement.

"Each of today's reports contains invaluable recommendations, serving to guide the Court System in leveraging technology, exploring new approaches and harnessing the lessons learned from operating amid the pandemic to build a more efficient justice system that promotes access to justice and can readily adapt to society's rapidly changing demands. I want to thank Hank Greenberg for his outstanding leadership of the Commission, and am grateful to the two working groups and their chairs for their hard work in producing these insightful reports in such a condensed time frame," said Chief Judge DiFiore.

"The recommendations in these two reports will help capitalize on technology to enhance the efficiency of New York's appellate courts and close the justice gap. I am grateful beyond measure to the hard and inspired work of the Commission's working groups on Appellate Practice led by Presiding Justice Rolando Acosta, and Regulatory Innovation led by Paul C. Saunders and Dean Michael A. Simons," said Henry Greenberg.

The reports are available online at:

https://www.nycourts.gov/LegacyPDFS/publications/RWG-RegulatoryInnovation_Final_12.2.20.pdf

and

https://www.nycourts.gov/LegacyPDFS/publications/RWG-AppellatePractice_Cover_12.7.20.pdf

# # #