



PRESS RELEASE

**New York State
Unified Court System**

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

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Aiming to Advance Equal Justice in the Courts, Chief Judge DiFiore Announces Independent Review of Court System Policies, Practices and Initiatives

*Distinguished Attorney Jeh Johnson Named
Special Adviser on Equal Justice in the Courts*

NEW YORK—In keeping with the New York State court system's commitment to the core values of equal and just treatment under the law—and spurred by the tragic death of George Floyd—Chief Judge Janet DiFiore today announced an independent review of the New York State court system's response to issues of institutional racism. This in-depth evaluation, which expands on the ongoing, rigorous self-analysis of the Chief Judge's Excellence Initiative, will be led by distinguished attorney Jeh Johnson, currently a partner at Paul, Weiss, Rifkind, Wharton & Garrison, LLP, who served in the Obama administration as U.S. Secretary of Homeland Security and General Counsel for the Department of Defense. In this volunteer assignment, Mr. Johnson will assume the title of Special Adviser on Equal Justice in the Courts.

Among other aspects, this evaluation will include:

- Review of the policies and statewide practices of the court system that explicitly address issues of racial bias, with recommendations as to the revision and expansion of such practices.
- Review of the structure, operations and effectiveness of organizations and programs within the court system designed to address issues of systemic and implicit bias, and to make recommendations for necessary changes to such structure and operations.

- Review of bias education and training practices of judges and non-judicial personnel to ensure that such training maximizes the understanding of all court personnel on the challenging issues of racial justice, with recommendations for necessary changes in such practices.
- Review of the practices of selection and appointment of judicial and non-judicial officers and employees within the court system, with recommendations to ensure that those practices are consistent with the highest standards of fairness, equity and inclusiveness.
- Review of court policies and programs to ensure they are free of racism and other bias, with recommendations for the amendment of such policies and programs.

The evaluation will serve not only as a means of internal examination, but as a source of creative ideas and innovation for bringing institutional change to the court system. Recommendations will center on operational issues that lie within the power of the court system to implement administratively and unilaterally, rather than on proposals for legislative action. Additionally, the review will not focus on police practices.

“The death of George Floyd, and the issues it has brought into harsh focus, are a painful reminder of the repeated injustices and institutional racism that have long undermined the values and unity of our nation. The court system’s commitment to these values is especially vital. Their preservation is a cornerstone of the rule of law, the subject of sacred oaths taken by all judges and lawyers, and the daily endeavors of the thousands of court employees around the State who work tirelessly to advance the cause of justice,” said Chief Judge DiFiore. “I am immensely grateful to Jeh Johnson, for graciously volunteering to lead this independent review of the court system’s policies, practices, rules and programs as they relate to issues of racial or other bias. He brings a wealth of talent and expertise to this comprehensive evaluation, which will serve as a valuable tool in furthering diversity and inclusion within the New York State court system and ensuring equal justice under the law.”

“I am honored to answer the call of Chief Judge DiFiore to take on this assignment. As a litigator and trial lawyer in my legal career I have tried cases, argued motions, argued appeals and answered multiple calendar calls in the courtrooms across this state. As chair of the judiciary committee of the New York City bar association I have come to know the judges across this state. Above all else, we depend upon the courts as the place where equal justice before the law is guaranteed. This is an important assignment and I will answer the call with energy and dedication,” said Mr. Johnson.

Hon. Troy K. Webber and Hon. Shirley Troutman, co-chairs of the court system's Franklin H. Williams Judicial Commission—one of the nation's first organizations dedicated to promoting racial and ethnic fairness in the courts—among other judicial officials, will assist Mr. Johnson in the evaluation process. The evaluation's findings and recommendations will be issued by October 1, 2020.

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