



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

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NYS Judicial Committee on Women in the Courts to Survey Attorneys, Including Judges and Nonjudicial Employees, Eliciting Their Insights on Gender Fairness in the New York State Courts

New York – Some 32 years since the New York Task Force on Women in the Courts released its groundbreaking report on gender bias in the courts—based in part on the results of a survey soliciting attorneys’ experiences—the New York State Judicial Committee on Women in the Courts, an outgrowth of the Task Force, is conducting a new poll of lawyers, judges and court personnel to examine the progress made and work ahead in eliminating gender disparities in the courts.

The new poll builds on the original survey and other research conducted by the Task Force, which was established by the then Chief Judge of the New York State court system in 1984 in response to respected academic studies that questioned whether women were being fairly and justly treated in our nation’s court systems. The Task Force study focused primarily on three areas: the status and treatment of women litigants in various contexts including domestic violence and rape; the status and treatment of female attorneys; and the status and treatment of female court employees.

Following its comprehensive 22-month investigation, the Task Force reported “the pervasiveness of gender bias in our court system with grave consequences that denied women

equal justice, equal treatment and equal opportunity,” proposing specific recommendations for corrective action. The Committee was created to implement and monitor these reforms.

Led by the Hon. Betty Weinberg Ellerin (Alston & Bird LLP) and comprising a distinguished group that includes judges and attorneys from around the state, the Committee has worked vigorously to secure equal justice, treatment and opportunity in the courts: serving to establish a broad spectrum of educational programs for judges and court employees on gender and bias issues; promoting the recruitment of qualified women for senior management and other court positions that had traditionally been filled by males; and acting as a catalyst for the creation of specialized courts to help ensure equal justice in matrimonial matters and domestic violence cases, among other measures.

The group has also expanded upon the Task Force’s recommendations to address practical realities affecting women in the court setting, such as pay parity, sexual harassment, private lactation areas, and the intersection of prostitution with sex trafficking, with the latter spurring the establishment of a statewide network of human trafficking intervention courts.

More recently, the Committee members found themselves frequently engaged in discussion on the extent of the actual progress made in eradicating bias against women in the courts since the 1986 release of the Task Force report. These conversations led to a unanimous vote to conduct another survey to examine issues surrounding gender fairness in the courts, including further remedial steps to be taken.

The Committee has been working with experts to develop and distribute the survey, which will be emailed to a large, random sample of attorneys who have been admitted to practice law in New York State. Those attorneys selected will be able to complete the survey online. Their responses will be confidential and aggregated with others who respond. The Committee is also working with the State’s various bar associations to raise awareness about the survey and encourage attorneys, if selected, to participate.

The survey will address the experiences of attorneys and other court users. Some survey sections cover a broad range of experiences that may be encountered in the court system regardless of the survey participant’s practice area. Other sections ask about specific areas of practice and substantive law, such as family law, matrimonial law and criminal law.

Among the more general questions, the survey will query participants on whether and how gender affects courtroom interactions, the courthouse environment (sexual harassment) and

fee-generating appointments and assignments. The survey also contains questions regarding the availability and impact of courthouse children's centers—where litigants and other court users can safely leave their children while they attend to court matters—baby-changing tables in public restrooms and lactation facilities.

Survey participants will be instructed to select the responses that best reflect their opinions based upon their own recent experiences or direct knowledge while handling matters in the New York State courts. At the end of each section, respondents will be given the opportunity to offer comments and suggestions.

“While we have come a long way in eliminating gender bias in the courts since the release of the Task Force’s seminal report, our work is not yet finished. We must continue, through study, education and reform, to open the doors of opportunity and tear down barriers to justice. This survey, combined with the many other efforts of the Committee, will help us identify and address the range of ongoing and emerging court-related concerns faced by women of diverse needs,” said Chief Judge Janet DiFiore.

“The New York State Judicial Committee on Women in the Courts has made tremendous strides over the past several decades to broaden opportunities for women in the courts and improve how women—whether court employees, attorneys, litigants, witnesses or other court users—are treated throughout the court system. I am grateful to Justice Ellerin and the Committee members for their ongoing efforts in the pursuit of justice for all and look forward to the survey findings and the reforms they will help spawn,” said Chief Administrative Judge Lawrence K. Marks.

“I believe the time is ripe for another survey, as the Committee looks to a new generation of attorneys for their insights—based on firsthand experiences and knowledge—to gauge the current state of gender fairness in the courts. The information to be gleaned from the survey will prove invaluable in guiding the Committee forward on the path to equal justice. In that regard, I want to especially thank the subcommittee that spearheaded this project, co-chaired by Court of Claims Judge Renee Minarik and retired Family Court Judge Marilyn O’Connor, both of Rochester, who worked tirelessly on the project, along with the other subcommittee members, including Judge Juanita Bing Newton, Dean of the New York Judicial Institute, Fern Schair, Vice Chair of the Committee, Westchester County Supreme Court Justice Terry Ruderman and attorneys Caroline Levy and Cheryl Zimmer, both of Suffolk County. Special thanks go to

Charlotte Watson, Executive Director of the Committee, who has been of invaluable assistance to all of us,” said Justice Ellerin.

The survey will be administered online over a four to six-week period starting this month. It will take approximately 20 minutes to complete, depending on the attorney’s area of specialty. The Committee will begin to review the survey responses in the first quarter of 2019, followed by a preliminary report of findings and recommendations.

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