

Promoting Diversity in the Courts: Ronald Pawelczak, 11/11/21

John Caher: Welcome to Amici, news and insight from the New York Courts. I'm John Caher.

In this Veteran's Day Diversity Dialogue segment, we're pleased to welcome Ron Pawelczak, the District Executive for the Seventh Judicial District, which includes eight counties, largely in the Finger Lakes. The district includes Cayuga, Livingston, Monroe, Ontario, Seneca, Steuben, Wayne and Yates counties.

Ron is a career court system administrator. He began as a court assistant in Rochester City Court in 1988, just a few years after earning his bachelor's degree in political science from Niagara University and while attending graduate school at SUNY Brockport. He then went on to work in Monroe County Family Court, starting in 1992. He was appointed Seventh Judicial District Executive in 2000. Ron is also an active member of the Richard C. Failla LGBTQ Commission.

Ron is a decorated veteran of the US Army, who served in the armed forces during operation Desert Shield and Desert Storm. Ron and his unit planned civil military operations and were briefly responsible for dealing with refugees and prisoners of war. First Lieutenant Pawelczak was awarded several medals for his military service.

Ron, thanks for coming on the program. Let's start at the beginning, if we could. Where are you from?

Ron Pawelczak: I'm from North Tonawanda, New York. I was born in Niagara Falls, but actually raised in North Tonawanda for my early life. I moved to Rochester in 1988.

John Caher: Now who were your early role models?

Ron Pawelczak: I guess I would say there were role models that were political, and I guess television role models as well. It's kind of cliché, but John Wayne was my television role model in the day. I loved the westerns and the war movies. I also was a big fan of people like John F. Kennedy and Martin Luther King. To me, those people were inspirational, and they were about service above self, which is something I've always tried to do in my career, which is why I've gravitated to government, as well as to the Rochester Rotary organization. Rotary's mantra is service above self and that's something that I've always tried to live to.

John Caher: So you were inspired by King and Kennedy. Are they somewhat responsible for bringing you into the courts?

Ron Pawelczak: Well, actually it's probably more local.

After graduating from Niagara University, I became a police officer in North Tonawanda. But around that same time, a chief clerk from the Niagara County Family Court, a friend of the family and suggested that I consider working for the New York State Unified Court System. I had taken a Civil Service test for that, at the same time I had taken one for law enforcement. There was a delay in the processing of the test for the court system, so I went on to be a police officer for a little over a year in North Tonawanda.

At that time, we actually worked "trick shifts" where we do 7:00 to 3:00, 3:00 to 11:00, 11:00 to 7:00, and I thought to myself, there's not any way I'm going to get a master's degree while working this schedule. So then the results posted for the court system and it was about a \$5,000 pay increase and straight days, so I migrated very quickly over to the courts, a decision that I have never regretted to this day.

John Caher: Well, a good move for you and a good move for the court system.

Now, early in your career, when you were in the Family Court, you designed and implemented the Monroe County Family Court Domestic Violence Intervention Court. What is it, and why did you help create it?

Ron Pawelczak: Well, regrettably, in the '90s, judges were averaging about 3,000 cases per judge. Victims would be required to pretty much pack a lunch and spend the day. And we weren't really focused on victim safety or offender accountability. Having been a former police officer and having seen a number of domestic violence situations, I knew that we needed to do something better. At the same time, we wanted to create something that would level the playing field for the victim, because there's often a power imbalance, and at the same time respect the court's neutrality. So we kind of did this in collaboration with some of our community partners and tried to create a user-friendly process for victims to go through. It focused on victim safety and offender accountability.

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Fortunately, in Monroe County, the Monroe County Probation Department prepares petitions. It's not a requirement, but it's an option that the probation partner has always done, and we're very grateful for that. And so, the victim would come in, they'd apply for their petition, if it gave rise to a family offense, they'd be granted an order of protection.

We created a separate waiting area for victims of domestic violence in the court space, as well as providing for legal services for them. So, that partnership was really designed to try to level the playing field for victims, at the same time respecting the court's neutrality and focus solely on victim safety and offender accountability.

John Caher: Now this would've been probably in the early nineties, right?

Ron Pawelczak: 1998, actually.

John Caher: So late '90s, but still kind of a trail blazing thing to do then. How common was it back then?

Ron Pawelczak: It was not common at all. As a matter of fact, we had to actually go all the way up to [Chief Judge Judith S.] Kaye to get permission to create a separate domestic violence victim's waiting area for them in the court space. It took her intervention to get us to be able to create that space, that safe space.

John Caher: I would imagine that Chief Judge Judith Kaye would've been very receptive to something like that.

Ron Pawelczak: She was. She really was a very progressive thinker, and she's very missed by all of us who worked with her in respect to drug courts and problem - solving courts.

John Caher: Now, how did you ultimately land the top job, the District Executive job? And a corollary, why did you want that job?

Ron Pawelczak: Well, some days I ask myself that question! When I started in this position, my first official act was having to lay off 17 people. We went into a financial crisis, and now we've been through two financial crises and a COVID pandemic. So there are days that're very challenging, but I was at the point in my career where I thought I could try to create some change in the organization here and be able to try to ensure that we had efficient and effective court operations throughout all the courts. I thought that we had made a lot of progress in Monroe County Family Court, where I had spent a good part of my career, and wanted to try to do the same thing throughout the Seventh judicial district.

John Caher: Now, your district is certainly geographically diverse. You have one fairly good size city, Rochester, a bunch of smaller cities, some of the most beautiful, serene, pristine and remote areas of the state in the Finger

Lakes. What are the challenges of administering such a geographically diverse district?

Ron Pawelczak: Well, as you may surmise, distance, geographical distance, is a challenge, especially when you're trying to cover for vacancies. We have a number of historical buildings, which create their own challenges because they were not designed for either the level of population going through the courthouses or the staffing and/or the technology that's used. Some of the construction makes it very challenging. We have variations between rural and urban, affluent and poverty, and so that presents a number of challenges of who comes through the doors, and how we can effectively address these issues, whether it deals with legal representation or substance abuse issues.

There are a number of challenges that come from having a geographically dispersed district. But as you point out, I think correctly, it's beautiful. People are beautiful here. The Finger Lakes region has a very high level of tourism to the wine industry and breweries and things like that. So it's become quite the tourist area in some of these areas and it's just a lovely district to be the District Executive of.

John Caher: It is a lovely area. What are the challenges in a district like that of recruiting a diverse workforce?

Ron Pawelczak: In creating diversity in the Unified Court System, the number one challenge that I see is civil service. We are obligated to follow the civil service laws. And so, you have to choose within the top three.

It really is about recruiting and advertising in communities of color in particular, to get them to take the test. And then of course they have to pass the test. And so, that's one of the challenges because the vast majority of our positions are competitive titles. Non-competitive, we still want to try to attract diverse populations but sometimes I think the rural nature precludes some people from wanting to locate in those areas. In the urban areas, it's a little bit easier, but there are just challenges in getting the word out, and getting people to have the opportunities within our system to be able to come work for the court system.

John Caher: I would imagine there's a fairly large Black population in Rochester, but I don't know that there's a large Black population in Naples.

Ron Pawelczak: Correct. And that is one of the challenges. But again, with civil service in particular, you have to get people to know about the test, take the test and pass the test in order to bring them on board.

I mentioned that I found out about the court system through somebody in the court system, and of course I'm white and they're white. So that word of mouth structure tends to travel among people who are more predominantly white than people of color.

So I think we have an obligation to advertise and to get the word out when we're doing civil service testing. I also strongly believe we need to do civil service testing more frequently if we're going to maintain this system. We have to offer opportunities more often, more frequently, and we have to advertise so that people get the message that we are an employer who values diversity, whose mission is focused around being diverse, and who provides good salaries and good benefits to our employees and is a good place to work.

John Caher: Now sticking with a diversity theme, I believe you're also a member of the Failla Commission, are you not?

Ron Pawelczak: Correct. Correct.

John Caher: And why did you get involved in that?

Ron Pawelczak: Well, being gay in the Unified Court System, for me, has been a very liberating experience. It didn't start out that way. I lived a, what I'll call a double lifestyle, for the better part of my twenties and thirties. It was not until in SONDA, the Sexual Orientation Non-Discrimination Act, came out that I was more open about my sexuality. It was very liberating to come out and to be openly gay in the system, and to have the Failla Commission, which is the only statewide commission of its sort in the courts throughout the country and probably the world. It was an honor and a privilege to be able to serve on the Failla Commission and continue to serve on that Commission as it tries to ensure that LGBTQ+ folks are protected and valued in our system, and that our policies ensure that there are no systemic discrimination against folks who are LGBTQ.

John Caher: When did you first come out? And what was the reaction of your family?

Ron Pawelczak: I had first come out to my mother when I was 23, she didn't deal with it very well.

One day, she said to me: "I watched this show with Mary Tyler Moore, and it was about this young man who was gay and he kept it from his parents. If you were gay, I'd want to know about it." And so she goes, "Let me ask you, are you gay?" And so I said, "Yes." And she fell to the

ground and she started convulsing, like, "Where did I go wrong? How did I fail?"

Being a German, and a Taurus, that lasted about 45 minutes, and she got up and she said, "Listen, don't tell your father and don't let any of your relatives know." She kept it from my father for about 10 years. Although, I lived with the man, we owned a house, we had a car together, I'm not sure how my father kind of missed those clues, or maybe he just chose to.

He called me up one Sunday morning, which was unusual, and he said, "Your mother tells me you're gay." And my heart stopped. And he said, "You know, all you need to know is I love you. And that's all that matters."

And after that, I sat them down and I said, "Listen, I've been lying to you for years. I've been living a double standard and, moving forward, you may not like what you're going to hear, but you're going to hear it. And we're going to have a very open and honest relationship." And I cannot tell you how absolutely beautiful, and loving, and wonderful the subsequent years were when I didn't have to hide that.

Unfortunately, at work I hid it for a while, although not very well.

I was in the military and you couldn't be gay. And so I had to keep that sheltered. I probably would've stayed in if I knew that it would be okay to be gay. I never envisioned that I could be out, that I could be gay, that I could marry the person I love, and that I could actually serve in the military. The only missing link to me is my faith. And who knows, maybe one day the church will take a different position on things. It's been a very wonderful experience working for a court system that had sexual orientation protected well before SONDA had come about. So, it's been good.

John Caher: That is a beautiful story.

Now let's turn to your military service if we could. What inspired you to join the Army in the first place?

Ron Pawelczak: I come from a long family of military members. My father was in the Army. My uncles were in the Marine Corps and Air Force. My brother was a Marine. I have always felt like serving in the military was both an honor and a privilege, and was also something that, as a member of our society,

we had an obligation to do to ensure that our country remains free and democratic.

John Caher: What sort of things did you see in Iraq, in Kuwait, in Panama and the other areas where you were stationed that people should be aware of?

Ron Pawelczak: I think one value we can't lose sight of is the fact that I think most people want their families and children to do better than they did. Most people really just are focused on day-to-day survival, if you will, regardless of what religion or political views they are. It's governments that shape some of the more hostile situations that we go into. If you take the case of Panama and Iraq, both were dictatorial regimes that suppressed segments of their population at times. And so, I think it helps to always realize how human people are and how we need to always stay focused on the good in people.

At the same time, one of the roles of civil affairs is to ensure that commanders focus on the moral and legal responsibilities of their command. And I think it's interesting when you're in combat situations to see how people can maybe forget about that, the human and legal side of their responsibilities. From my perspective, being in the civil affairs arena, being able to ensure that commanders stay focused on protecting the civilian populations is a very important role. And then also, you are replacing governments or reinventing governments, as we did in the case of Panama, trying to make sure that these regimes meet the needs to the public that they serve, and also trying to create democratic institutions who respect the rule of law.

John Caher: Well in the court system we're not, I hope, dealing with dictatorial powers.

Ron Pawelczak: No.

John Caher: But it sounds like a lot of what you learned and saw in the military is applicable to what you do as District Executive. Is that true?

Ron Pawelczak: I would say yes. First of all, the military provides an excellent leadership platform for people. I highly encourage military service. I think it has one of the best professional growth and development procedures, if you will, or policies in place to grow people and to grow leaders. I think when you can work in combat situations and/or in peace time situations, and you lead soldiers, I think that's a good training for any kind of leadership position you may be in.

In the court system, our mission of timely and effective justice, and doing it while respecting the diversity inclusion of everybody, I think is applicable here, as well as it was in the military. So, I do think there's some interplay, if you will, from what I do here, as well as into the military.

John Caher: That seems to be a good place to stop. So, Ron, I want to thank you for your service to the country and thank you for your service to the courts. And I want to thank you for coming on the program.

Ron Pawelczak: Thank you, John.