

Promoting Diversity in the Courts: Chief Administrative Judge Joseph A. Zayas

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

For the July Diversity Dialogue segment, we were joined by the Honorable Rowan D. Wilson, Chief Judge of the Court of Appeals and the State of New York.

Today we're pleased and honored to welcome the Honorable Joseph A. Zayas, who as Chief Administrative Judge holds the highest administrative position in this state judiciary. He manages a budget of \$3.3 billion and oversees 3,600 judges and about 15,000 non-judicial employees scattered throughout some 300 courthouses in 62 counties. Judge Zayas' appointment in May made history: He is the first Latino ever to serve as Chief Administrative Judge.

Judge Zayas, the product of a housing project in West Harlem, was once principal law clerk to another trailblazer, the Honorable Rolando Acosta, who recently retired as Presiding Justice of the Appellate Division, First Department.

A graduate of Fordham University and Columbia University School of Law, Judge Zayas was admitted to the bar in 1989. He spent many years working with Legal Aid Society in the criminal division and the capital defense unit before clerking for Justice Acosta. He has been a judge since 2003 when he was appointed to the New York City Criminal Court by Mayor Michael Bloomberg, and subsequently served as an Acting Supreme Court Justice, a Judge of the Court of Claims, a Supreme Court Judge, an Administrative Judge, and most recently as an Associate Justice of the Appellate Division, Second Department.

Judge Zayas, thank you for your time today. Today I'd like to look a little beyond the resume and learn a little more about the man inside the robes. So let's start at the beginning if we could. Where did you grow up?

Judge Zayas: I grew up in Manhattan. I was born and raised in the Frederick Douglass housing projects, which is at 103rd Street, Columbus and Amsterdam. I went to public schools there and lived there probably until I was about 12 or 13. I didn't know that it was the public projects at the time. I thought I lived in a great neighborhood.

I was born in '62, my mother and father had five sons and it was an exciting time and my mother essentially did most of the raising. I don't

want to say she was a single parent because my dad was around, but we knew very early on that my dad had a very serious mental illness and so he was always in and out of psychiatric institutions.

Later in life, my brother had to figure out how to get my dad committed, what buzz words we needed to tell the police and the people that responded to things he was doing. But he had schizophrenia and so we were raised in that environment, but with an extremely loving mother. Even though we grew up in poverty, and my mother was on welfare for a short period of time, I never felt unloved in that environment and never really realized I was poor until later on in life.

John Caher: But still, you grew up with a father with a severe mental illness, a mother on welfare. How did that affect you as a child or were even cognizant that it was unusual?

Judge Zayas: Yeah, that's the thing. Some folks go through these really traumatic events in their life and then they become adults and there's seemingly no discernible effect on them. My mom, just like a lot of moms in those days, in these communities, was trying to raise five boys. She was a strong woman, and she would not hesitate to give us a beating here and there. And some people say, "Oh, that scars." And I agree, it does cause trauma and it triggers some people in their adulthood. But for me and my brothers, none of us felt that, maybe because we had no doubt about the love that my mother and father had for us. So we grew up poor, we grew up in these difficult circumstances, but we felt like we were raised in a very loving home.

My mom passed away when she was 60. I think she had 12 grandkids by the time she passed away. She taught love and acceptance, and she was an incredible matriarch for the family. She taught tolerance. I had a gay brother and we all knew that, and this is in the 70s, and I have a distinct memory that his partner, my brother's partner, came to our house one day, our apartment. He had been beaten up badly, two black eyes, lacerations, crying. His father had kicked him out of the house when he came out, when he told them that he was gay. And my mother, it was pretty amazing that in the 70s she did this, but my mother took my brother's partner into our home and had him live with us for a while.

And so that's the type of things that we learned growing up. You love people. You're kind to people. You'll always be good to people and you cannot hate. I remember once saying, "I hate that teacher." And boy, I got a smack right upside the head! "Don't you ever say you hate anybody! We *love* people." So that's how I was raised.

We were in this environment, rough community, public schools, but there was a lot of love. And somehow my mom figured out how to keep us out of trouble, to keep us busy.

John Caher: It sounds like she was obviously a tremendous influence. I mean, just thinking of all this woman was trying to balance, poverty, a mentally ill husband, five children, a son who is gay at a time where that is not really socially acceptable and somehow she balanced all that.

Judge Zayas: I'm getting a little teary-eyed thinking about it. But that's really, that's just what happened. That's the type of mother I had. And my father was loving too, he was just so anxious. He was just so nervous all the time. And I'm sure that had effects on us too. Like if we were walking with him, he would never go through the front of the building because in the projects there's always somebody hanging out in front of the building and he always wanted to avoid them, so he would always enter through the basement so that he didn't have to have contact with people.

If we had a knock at the door, he wouldn't let us answer it until he hid in one of the bedrooms. So I'm sure that there was some effects of that. I don't know how that affected us, but that's basically the environment we grew up in.

John Caher: Now after high school, it seems like you bounced around a bit. You were at CUNY Bronx Community College for a while, SUNY New Paltz, SUNY Binghamton, and ultimately Fordham. What's going on in your life at this point?

Judge Zayas: Let me tell you the backstory. So, I went to a high school called Norman Thomas High School, and it was a brand new high school, and this is what New York City was doing with developers: If a developer wanted to develop a high-rise office building in Manhattan, there would be concessions, In this situation, they allowed a brand new building to be built on 33rd and Park, prime real estate. But the first seven floors had to be devoted to a high school. And so that's the high school that I went to. it's where I met my wife, and we've been married 40 years now, but I'll tell you what happened.

I was very smart kid, but there were so many kids in the school that they had to have four or five separate lunch periods to stagger them. They brought a DJ into our lunch periods for the five periods and the DJ played music and there were strobe lights and salsa dancing and everything. And that's where the party was happening during school. So what happened was I went to the classes in the morning, then I went to my lunch period

and I went to everyone else's lunch period. I wanted to dance and do the things I did. So in high school, in my 10th and 11th grade, I passed four classes with 95s, 97s. I got A's in the classes I attended, but there was always three classes that for some reason if you didn't show up to those classes, they didn't give you a zero, they gave you a 40. So somehow I wound up with a 71 point average in high school.

In the 11th grade I had an English teacher and she basically helped me to get back on track. She suggested that I read the *New York Times* every day and she would give me her copy of the *New York Times* and because obviously I had fallen behind on all sorts of things, vocabulary, current events, history, all of those things. So, that's what I did. I loved reading the *New York Times*. I was religiously reading it every single day. I missed the classics that most high school students would read, but I read the *Times* and that made me start doing better. But I could only get into Bronx Community College, and when I went there and got four A's immediately transferred to SUNY New Paltz, got four A's or close to that, and then transferred to SUNY Binghamton's Harpur College, which was a big deal in those days. I thought that's where I would wind up staying.

I told you earlier that I met my wife in high school. So that's the great thing that happened about that whole disco thing because I had a chance to meet my wife and we're celebrating our 40th wedding anniversary in a few weeks. She went to SUNY Buffalo and eventually I was at SUNY Binghamton, and we decided let's go back to New York City where we wanted to live. And that's how I wound up at Fordham.

John Caher: And when did you first consider becoming a lawyer?

Judge Zayas: So as I said, I was an avid reader of the *New York Times* as a young man, 10th grade, 11th grade. And I just recall reading so many of the social justice stories, and I remember stories about Legal Aid attorneys fighting for their indigent clients. I remembered civil rights issues, police brutality questions, and got really interested in becoming a lawyer and doing that type of work just from reading what was happening in the city and the different things that legal aid attorneys were doing, civil rights lawyers were doing. And then decided at some point that I wanted to be a civil rights lawyer.

John Caher: And then obviously you gravitated to criminal law, you handled a variety of cases, including death penalty cases for the Legal Aid Society, and why criminal defense as opposed to the civil rights law?

Judge Zayas:

Well, first of all, at Fordham I took a constitutional law class. So that also cemented like, wow, I really want to do civil rights work. After my first year of Columbia Law School, I got an internship with the NAACP Legal Defense Fund and just loved the work they were doing. They were doing all sorts of work, but in the meantime, I had a daughter. I got married in college, had a daughter very early on, first month of law school. As much as I was excited about working with the civil rights icons of the day, I realized that was going to require me to travel to the states where they were doing affirmative litigation, such as Georgia and Missouri, wherever they were bringing their actions. And those lawyers I saw were leaving for three or four weeks to do a trial and going to Mississippi and Alabama and all of these states where most of their lawsuits were happening. And so I thought, "I'm not sure I'm ready to do that. I have a young family, and this really wasn't in the plans for me."

So I started to think about another area. I did an internship with the Legal Aid Society's Appeals Bureau, and I realized that every aspect of criminal law involves the Bill of Rights. There are First Amendment issues. Every criminal case has a Fourth Amendment issue, a Fifth Amendment issue, a Sixth Amendment issue, 14th Amendment. And I decided this is what I want to do. And I love writing, I *love* writing.

It was just amazing to me the opportunities I received right out of law school. I started working for the Legal Aid Society's Criminal Appeals Bureau and I argued a case in the First Department probably within four or five months of graduating. I got admitted in '89, and I get a call from—I couldn't believe it—I get a call from [Chief] Judge Kaye, Judge Judith Kaye, on a leave application that I had filed and asking me to come to her chambers with a prosecutor to argue this leave application.

I was a kid, John, I was literally a brand new lawyer. And I remember going to her chambers and now when I visit the great Chief Judge Rowan Wilson, it's in that same building. So I returned to the place where I went from '89, you're talking about 30 years ago, and got leave granted and argued a case in the Court of Appeals within eight or nine months of my admission to the bar.

John Caher:

That's incredible.

Judge Zayas:

I couldn't believe it. I wound up arguing five cases in the Court of Appeals during my time with Legal Aid and about 60 cases in the Appellate Division and just couldn't believe I was doing this incredibly important work as a young lawyer.

John Caher: Yeah, you got incredible experience very, very early in your career. Now, your interaction with Judge Kaye, how did she impress you?

Judge Zayas: I was completely enamored by her because I had read her decisions. Just the fact that a young—you know my background: young Puerto Rican kid growing up in the projects, going to Columbia, feeling a little insecure—and the idea that I was having a meeting with the Chief Judge of New York, and she was so sweet and kind and welcoming and calming. It was just wonderful, just a wonderful experience.

John Caher: You've said that the most important quality a judge brings to the bench is empathy while drawing a distinction between empathy and sympathy. Can you unpack that for me? What does that mean?

Judge Zayas: So, when President Obama was about to name a Supreme Court Judge and Judge Sotomayor was on the short list, someone asked him at a news conference, "So tell me what are the great qualities that you'd be looking for in the next Supreme Court Judge?" And he used that word "empathy."

And I thought, wow, that's interesting, because I had always thought it, but I never heard anybody else articulate it. After that there were a lot of articles that said, "What does empathy have to do with it?" That sounds like he's suggesting that judges should sympathize with the underdog in every case, et cetera, et cetera. And there was a misinterpretation of that.

And then, a columnist for the *New York Times* came out in defense of Obama's statement and basically said, "Of course empathy is one of the most important qualities because judges, by the nature of their work and even the requirements of some of the standards that they're required to apply, are putting themselves in the shoes of one of the litigants." I mean, the reasonable person test is an example of that. If somebody raises a justification defense, you have to put yourself in the shoes of that person. How could you put yourself in the shoes, how could you come up with what a reasonable person should have done under those circumstances without empathy?

But I have always seen it as not just putting yourself in the shoes of a litigant who is the underdog, but also putting yourself in the shoes of the litigant when it comes to a police officer, for example, who is walking down a dark alley and the fear that that officer feels that is reasonably related to the situation. So I really appreciated that. It doesn't mean that it carries the day necessarily, but the idea that you're able to empathize

with a litigant is to me critical. And that's why having broad experience and a diverse bench is important. I'll give you an example.

Some judges might listen to some testimony about public housing projects and if they've never been to a public housing projects, they have an image in their head about what that is. When I hear that testimony, it might mean something different to me. And the more information you have along those lines, the more I think your rulings would be congruous with the right result or a better outcome.

John Caher: When the Chief Judge was on the program recently, he made the point that diversity means not just ethnic diversity, but diversity of experience. I think that's what you're saying.

Judge Zayas: Yes, absolutely. Absolutely. For me, the most important reason for diversity, the most important thing that it brings is that it increases the quality of the justice that gets dispensed. So the more diverse backgrounds that we have on the bench, the better the quality of justice because all of those perspectives are now injected into the process.

The Sixth Amendment talks about a defendant's right to a jury of his peers. Those words — “jury of his peers” — aren't in the Constitution, but that's what has been interpreted, a fair cross section of the community. So, the Constitution is starting with this premise that the best justice, the fairest justice, the most impartial way to reach a just result is that those who are judging, the jurors, need to be from diverse backgrounds and reflect a broad section of the community. To me, the Constitution supports the idea that judges too must be diverse. If jurors have to be selected from a fair cross section of the community, how could we say that judges don't have to be?

John Caher: So diversity and empathy seem to distinguish a judge from a robot and a juror from artificial intelligence.

Judge Zayas: Yes. Yes, that's true. Right.

John Caher: Now you have a lot of experience with what we call “problem-solving” courts— Drug Court, Mental Health Court, Youth Court. What is the benefit and I guess the future of problem-solving courts?

Judge Zayas: So as a litigator, if I knew my client had a drug problem, I could solve his case but that doesn't solve the problem. I always felt like that defendant was going to be coming back to me if I don't get to the core of that person's problem. So early on in my career as a trial lawyer in the trial

courts, after I did appeals, I became a strong believer in treatment courts. And when I became a judge, I asked to be assigned to the treatment court in Queens. Sometimes diverting people is the best thing that could happen in any criminal case.

Having grown up in the streets, so to speak, and growing up in the neighborhoods that most victims grew up, lived in and most crimes were committed in and defendants lived in, I felt like I was somewhat good at it in terms of talking to defendants. I was always the type that would give defendants a second chance, even a third or fourth chance.

It was also very gratifying work. it's one thing to be a judge and put people in jail and sometimes that's necessary when the defendant is really dangerous and there's a determination made that he's a danger to the community. But it's very gratifying. I once had a lawyer come in and he was watching me talk to one of the defendants. He had his case called next, and he said, "Judge, that was a really impactful discussion you just had with that defendant and you must sleep really well at night." I once had a defendant who I put him in treatment who would always come to court with his wife and their two kids in strollers. And he always did really well, always did perfect. And he appears once without his wife and without his two kids. His wife had been pregnant during the most recent appearance. I said, "Where's your wife? And where are the kids?" He said, "Oh judge, I thought you knew my wife gave birth."

I don't know why I'm getting teary-eyed about this, but he says to me, "And Judge, I want to thank you because the other two kids that my wife gave birth to, my other two kids, I was never able to attend my children's birth. I didn't see it. In fact, when she gave birth, I probably didn't show up to the hospital until two days later. And I want to thank you for helping me to change my life. And this time when she gave birth, I was there and I had a chance to see my son being born."

Look, judges are not firemen or firewomen or police officers. They're not in the business of rescuing people. We don't really usually think of judges as rescuers, but judges and treatment courts are saving people's lives.

Judge Kaye used to talk about the revolving door of justice. I really bought into that very heavily, even before I became a judge. I worked with Judge Acosta when he ran the Harlem Community Justice Center and then I eventually founded the Mental Health Court in Queens. It was the first Mental Health Court for misdemeanor defendants in Queens. Because what was happening was people were being referred to get assessed for drug treatment and they were getting rejected from my

Drug Treatment Court because of their mental health issues. I thought, this is crazy.

So what we need to do is set up a situation where if they can't get into drug treatment, we're going to create a Mental Health Treatment Court. And so that was my next project, and I did that. And I thought that court too was very effective. The victims of defendants who have serious mental illness are typically people that the defendant knows. Sometimes it's an aunt, sometimes it's a neighbor, sometimes it's a family member. And typically, the victims are the ones who really don't want their mentally ill neighbor to wind up in jail. It always seems like we had the victim on board to get the defendant to go into mental health treatment.

And then I did the Youth Court, which was also a wonderful thing where we were able to avoid the serious consequences of sending a young person to jail and divert them to programs and get them back into school and all of that. So to me, there was that. That's I think a crowning achievement of the court system, the diversion courts, dissuading a lot of judges from maybe an instinct that they have had to send people to jail when jail was not really solving the problem.

John Caher: That's kind of the easy way out. It's easy to put somebody in jail and kick a can down the road a little bit, but maybe that doesn't achieve much.

Judge Zayas: It's a very expedient thing to do. I mean, you send somebody to the jail, that case is over for that judge. You send someone to drug treatment, I got to then see that defendant to monitor him 30, 40 other times. And if there's problems, even longer. We monitor for a full year, once or twice a month. And so there's at least 12 times where you're monitoring and then it extends the case. But that's the best result in the long run because that person is less likely to come back and recidivate.

John Caher: You're doing a wonderful job of illustrating the topic we started with, which is empathy.

Judge Zayas: Right, exactly. And I still think that empathy is the best attribute a judge can have, along with humility and all of the cousins of empathy.

John Caher: Let's turn to your new job, if I may. By my account, you are the 11th person to hold that position of Chief Administrative Judge. Why did you want that job?

Judge Zayas: That's a long story and you are assuming a fact not in evidence, Mr. Caher!

So I was the administrator for nine years in Queens, and my last few years was COVID, and I felt a little burnt out by the whole process. Then I got appointed to the Appellate Division. I had the best job in the world, John, sitting in the Second Department. It was a peaceful existence. It was intellectually challenging and I had no intention of leaving. I loved what I was doing. I was working for a PJ, Hector LaSalle, extraordinary leader in our courts and basically it's a peaceful life. Yeah, you have your run-ins with the judges when you're deciding a case and sometimes you disagree, but it was a wonderful life.

It turns out that my wife, who was an OBGYN nurse and a postpartum nurse for 32 years, had retired just a month or two after I got the appointment to the Appellate Division. So she was also home. We have five grandkids and it was just a wonderful. Everything was smooth. The Appellate Division, my wife keeps reminding me was my end game, that I hustled and ran for Supreme, all of that.

And so where you say I "wanted" this job, I didn't want this job. And I don't mean that in a bad way. I don't mean that in a way to suggest that I don't love the job now, but I did not want the job. Folks had been reaching out to me to put in for the Chief Judge's job, especially after Hector LaSalle was so unfairly treated and the vote came down, but I'm not interested. I'm happy at the Appellate Division. And then people would come to me and say, "Hey, well if you're not going to put in for the Chief Judge's job, would you consider being the Chief Administrative Judge." And I said, "No, that's even worse. It's back to administration. I've done that."

I hope the Chief doesn't mind me sharing this story. I've shared it publicly anyway, but the Chief, before he was appointed, but he knew he was going to get appointed, calls a dinner with me. We weren't friends, but we knew each other from different events and I was a big fan of his, obviously read his cases and everything. And we had dinner with a third party as well who set it up. I just had sat that day on the Appellate Division. I pull into my driveway, I see a text, "Joe, I need you to come back to Manhattan to have dinner with Judge Wilson." What about? "Well, he's going to be our next Chief Judge and he wants to talk to you about you taking the Chief Administrative Judge's part."

So I tell my friend, "Listen, if the new Chief is asking me to meet him, I'm not saying no. I'll have dinner with him, but I'm just letting you know it's going to be a hard 'no.' I really don't want to do that job." And my friend said, "Well, why don't you just hear him out, hear the Chief Judge out."

So I go back in the house, tell my wife, "Sweetie, they want me to do this. They're asking me again about the Chief Administrative Judge job, but I'm telling you sweetie, is going to be a hard no." And she rolls her eyes and then I say, "But at the very least, I'm going to tell them I need to talk to my wife first."

So anyway, during that dinner, I was getting persuaded that this might be something that I wanted. I still accuse him of hypnotizing me that day. Because I went in thinking I ain't taking this job and by the time I left and we talked through, I realized that my vision about what a court system should look like, my vision of justice, of how to dispense it, how to run OCA, was perfectly aligned with the chief. I realized that at that dinner. So somehow I left thinking, "Oh wow, maybe this is a possibility. Maybe this is going to happen."

I drive home, I meet with my wife again, she sees it all over my face. And I said, "Well, let me just pray about it. Let me think about it." And I told Judge Wilson, "Give me a few days. Give me the weekend." This was a Thursday. So my mentor is Judge Acosta, Rolando Acosta, because I clerked for him. Next morning we meet with Judge Acosta and his wife Vasthi, who's a doctor of education, PhD in education. Brilliant, brilliant woman. I was Rolando's, Judge Acosta's, clerk. We became best friends. We vacationed together. So he's my guy that I go to when I need to get advice, especially about big things like this.

And we talk to them, had breakfast with them. And the things that happened to Judge LaSalle really devastated the Latino community, but also the legal community. And in the meantime, I knew Rolando was leaving because he was going to go to Pillsbury. And so what happened to Judge LaSalle, the gut punch that the Latino community had to endure with what happened to him, plus Rolando's leaving, was leaving a real vacuum in leadership in OCA. So that was one of the things Judge Acosta and I discussed. My wife as well was concerned that the Latino community, especially the judges, needed to be inspired in some way. This would make history. And somehow before I knew it, we agreed that maybe this is something we need to do.

Me and my wife told Rolando and his wife, we'll pray about it. We'll pray over it another night or two. And on the drive back from Manhattan to Queens where we live, my wife leans over and says, "By the way, are they going to let you keep your chambers in Queens if you take this job?" And I start laughing hysterically. And she said, "What are you laughing at?" I said, "I am the 'they,' and I will let myself keep those chambers in Queens." And there was something about that that made me realize like,

wait a minute, I'm going to be the person who's deciding all of this. But we prayed about it, we talked about it a lot.

And Saturday, or maybe it was Sunday, I called the Chief. I said, "Chief, I am so honored that you would ask me to be the Chief Administrative Judge and I'm honored to serve under you." Those were the words I used. And he stopped me right away and he said, "Joe, Joe, no, stop. You're not serving *under* me. I didn't choose you to serve *under* me. I chose you to serve side by side with me. I want a collaborative leadership team. I want to work together." And there I knew I made the right decision. He's just an incredible leader and brilliant. People talk about his brilliance in his decisions. But even as an administrator of the courts, because that's the second hat he wears, he is so smart. His instincts are right on. And I'm so impressed with him, and I'm so happy and proud to be working with him.

John Caher: Well, it seems to have been the right decision because I've noticed that every single picture I've seen of you since you became Chief Administrative Judge, you are smiling from ear to ear!

Judge Zayas: Well, that's true.

John Caher: Which is historically unusual because most of your predecessors quit after two or three years!

Judge Zayas: Yes. Yeah, right. I smile a lot and because it disarms people, I did it in the courtroom. When a defendant is coming before me, they call the case and I see him so anxious and he might have been charged with something egregious. And lawyers too, if a lawyer's approaching and I'm noticing that they're little anxious, I start out by smiling at them. And it's disarming for people. And when I first took the bench, it's funny you say that, because when I first took the bench, I practiced in the Queens somebody came up to me and said, "Well, are your jaws hurting? You have not stopped smiling since you took the bench 30 days ago."

But it's also a feeling of gratitude. Here I was, a kid who grew up in the projects, big Puerto Rican family, never imagined that I could become a lawyer, much less a judge, much less an Appellate Judge, much less the Chief Administrative Judge. And so I feel really, really blessed. And that's where the smile comes. It's very easy for me to smile because I feel so blessed and not only professionally. I have a beautiful wife of 40 years, five grandkids, three adult kids. What do I have not to smile about?

John Caher: What a great attitude. Now you have inherited quite the task, as you well know. I mean, you've got 15,000 employees to worry about, 3,500 judges

an enormous budget, probably a dozen labor unions to negotiate with. What are your immediate priorities?

Judge Zayas:

My immediate priority is to put the right people in the right place to help me to lead. You heard me say earlier that the Chief Judge and I believe strongly in collaborative leadership, leadership from the bottom up, not the top down. And so my main priority has been to put together a team that can implement the vision that the Chief and I have.

So one of the first things I did is appointed a Deputy Chief Administrative Judge, Norman St. George, who was leading the court's outside of New York. And I felt that this new vision that we had required me to have a first deputy because I needed somebody who can work at Beaver Street, be a presence at Beaver Street, deal with all the changes we wanted to make at Beaver Street in terms of how we were going to structure things, et cetera, and that I needed to restore.

I knew I would be busy trying to restore a lot of the broken relationships with the Legislature. I mean, it's so obvious to me, and I know you have read the news about that, the broken relationship with the governor's office, broken relationship with the judges across the state—morale was just terrible—and then broken relationships with the public. And I saw that my role, that I needed to be focused on that. And my priority was to put a team in place. Judge St. George to me is one of the most organized people. I mean, he hasn't been in the military, I understand, but he is so organized, so on top of everything and is doing an incredible job. I mean, I told him the other day, I said, "My friend, I do not know if I would've been able to do this job without you."

And then we have Deputy Chief Administrative Judge [Edwina] Richardson-Mendelson, Deputy Chief Administrative Judge [Deborah] Kaplan, and we brought on Deputy Chief Administrative Judge [James] Murphy, who was an upstate AJ. And so my main goal was to put that team together, and that team is doing phenomenal.

The other main priority is to build morale and to start being supportive of the judges. That's one of our main priorities, to be supportive of the judges. OCA is there not to tell judges what to do, but to be supportive of the judges. And so we are seeking to make sure that OCA's goals and ambitions and what we expect to do are aligned with what the judges' goals are. We have extraordinary respect for what they do, for what judges do, and their independence. We want to be able to work more closely with them. We want to support them. We want to know what they need to do their jobs better, and we think that that's going to

produce better outcomes when it comes to dispensing justice and supporting the judges.

And the other thing is, I believe that judges are being treated unfairly in the press. I want to change the image that judges have, the unfair treatment that they receive and protect our independence.

John Caher: That's quite an agenda. What should the judges and staff know about you?

Judge Zayas: That I am always accessible. I have great respect for [prior Chief Administrative Judges] Jonathan Lippman and Gail Prudenti and Larry Marks, and I recognize I have big shoes to fill. But I was a judge for 20 years, I worked in the lower court and criminal court. I worked as an Acting Supreme Court Judge. I worked in the court as a Court of Claims Judge. I worked as a Supreme Court Judge doing trials -- I've done hundreds and hundreds of them. I did the work the judges do, and then I went to the Appellate Division. So I think I bring to this position, again, maybe empathy and a completely different perspective as to what judges actually do on the ground. I am one of them. I am one of you. I treat people with kindness and respect. This is all about relationship building, building relationships as the administrative judge, getting their input on things, showing them respect, talking to them. If you know someone's going through an issue, being empathetic to them and being helpful to them in any way you can.

And I know that because I did that for eight years in Queens, and I honestly felt that those judges were my friends. They were my brothers and sisters. When I became the AJ of criminal term in Queens, I was young, I was 52 I think, and I was one of the youngest Supreme Court Judges on the bench there. So here I am, assigned to be their AJ. And so the first thing I did was set up lunches with the elder statesmen and stateswomen, the senior judges, and took them to lunch at my expense and basically got their input. They'd been doing this for years. And I would ask them, "Okay, so what do I need to do to be a good leader here? What needs to change? How can I make us more productive? What are we going to do about the backlog?"

And for weeks, week after week after week, I would take one of those judges out to lunch. And it was not false humility, I honestly wanted to know and took a lot of the things they told me and took their advice. But by the time I was the AJ for two or three years where they saw I was in the courtroom, sometimes I did more trials than they did, and then handled more cases than they did, did more dispositions than they did,

they'd see me doing the work. I honestly felt like those were my friends and they would do anything that I want. So I hope that if people are asked, "Who's Joe Zayas, what do you think about him?" that those are the types of things that they would say about me.

John Caher: I asked you and the Chief Judge the same question. I asked each of you, "What should the judges and what should the staff know about you?" The Chief Judge answered, "I care about them." Your answer was, "I am one of them." And those two statements seem to sum up exactly what your management approach is going to be.

Judge Zayas: Right! And as I said, it became very obvious to me and every day it becomes even more obvious that me and the Chief Judge are aligned. We are just naturally aligned. I don't know how we got there, but I have not disagreed with a single thing that he wants to do. And he hasn't disagreed with any of the big things that I might want to do. We really are aligned in our big goals.

John Caher: That's great to hear, and that's a wonderful place to end. Judge, thank you so much for your time, and thank you for your service.

Judge Zayas: Sure, absolutely. You're welcome, John. Thanks for having me. Appreciate it.