

New York State Courts' Pandemic Practices Working Group Issues Report

Proskauer For Good on **March 2, 2023**

On February 15th, the Commission to Reimagine the Future of New York's Courts' Pandemic Practices Working Group (PPWG) issued a [report](#) evaluating the court system's response to the pandemic and calling for, among other recommendations, the expansion of remote proceedings, enhancement of the court's technological capacity, and an increase in court staffing. Beginning last summer, I had the privilege along with other Proskauer attorneys of assisting the PPWG with its information-gathering efforts and with drafting the report.

This effort was a huge undertaking. The Working Group, which was comprised of judges, lawyers, court administrators and other distinguished individuals led by Judge Craig J. Doran of the Seventh Judicial District, met frequently and kept an ambitious schedule. We held full-day hearings in Albany, Buffalo, and New York City; hosted 30 remote listening sessions; and reviewed dozens of written submissions and reports authored by various organizations. In all, the PPWG heard testimony and reviewed submissions from a diverse collection of over 300 people and organizations.

The report provides a detailed overview of court operations during the pandemic, evaluates the strengths and weaknesses of those operations, and ultimately provides recommendations on the practices that should be retained and built upon going forward. The report also serves as a vital blueprint for adaptation in the face of future disruptive events, whether another pandemic or some other emergency, like severe weather.

Key recommendations include:

- Bringing greater transparency and consistency to the use of virtual proceedings
- Improving the functioning of remote proceedings

- Expanding alternatives for court users to access virtual proceedings and other court resources
- Improving accessibility for people who require special accommodations
- Enhancing systems for communicating with and supporting court users, including revamping the Court System’s website
- Ensuring that there is appropriate public access to virtual proceedings
- Expanding the use of electronic filing
- Investing in locally appropriate modernization projects that will permit courthouses to better support virtual, hybrid and in-person proceedings
- Improving training and technical support for judges, court staff and court users
- Developing a detailed plan for responding to a future pandemic or other court disruption and a system for testing, refining and deploying that plan
- Appropriating and earmarking supplemental funds for court modernization and emergency preparedness
- Creating a permanent working group of stakeholders, external experts and internal decision-makers to help implement the above recommendations and identify future needs

These recommendations are only the starting point. The PPWG will now shift its focus to implementation and will supplement its findings in coming months.

Proskauer associates Wilderness Castillo-Dobson, Portia Proctor, and Nicole Swanson assisted the PPWG with organizing the public hearings, reporting on virtual listening sessions, reviewing written materials, and writing the report. Pro Bono Partner Bill Silverman serves as co-chair of the PPWG’s hearing subcommittee. They all continue to provide ongoing support to the PPWG in its implementation efforts.

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