

2023 COURSES

January 2023

2023 New Judges Seminar

The annual New Judges Seminar was held virtually and in-person over eight days in early January 2023. During the seminar, over 100 newly elected and appointed judges attended sessions designed to help them make the transition from practicing attorney to judge. The New Judges Seminars emphasize the teaching of skills unique to judging and include substantive and procedural law sessions geared to each court type.

February 2023

The Reasonable Efforts Judicial Academy

The Reasonable Efforts Judicial Academy (REJA) was a two-day training for Family Court Judicial Officers who hear removal and permanency hearings. REJA provided instruction on the black letter law and the art of making reasonable efforts findings and included a half-day discussion on the Indian Child Welfare Act and Active Efforts. Attendees learned new skills to prevent unnecessary removal of children from their homes and make sure those who are removed are returned to their parents or achieve permanence as quickly as possible. REJA was co-sponsored by the Judicial Institute, the Office for Justice Initiative's Child Welfare Court Improvement Project, and the Capacity Building Center for Courts.

School-to-Prison Pipeline Program

In this data-driven program based on the Preliminary Report of the American Bar Association's Joint Task Force on Reversing the School-to-Prison Pipeline, the faculty explained what the Pipeline is, the problems associated with the Pipeline, and the extent to which certain groups (e.g., students of color) are impacted by the Pipeline. Acknowledging the complexity of this problem and that there are no easy solutions, the faculty suggested that solutions should focus on ways to (a) improve academic achievement and increase the likelihood that students will remain in school, graduate, and prepare to become positive, contributing members of our society, (b) decrease the number of suspensions, expulsions, and referrals to law enforcement; and (c) decrease disparities along racial and other lines relating to discipline and academic achievement.

March 2023

Strong Starts Court Initiative Training Series

The Strong Starts Court Initiative is a Family-Court based, specialized, intergenerational collaborative approach to handling abuse and neglect cases involving children birth to three years of age. This training provided a foundation in infant mental health and early childhood development and introduced the Strong Starts model for addressing the needs of young court-involved children and their parents/caregivers.

April 2023

Inaugural Jurist in Residence Program

The Judicial Institute in collaboration with the JI Advisory Board and Pace Law presented the Inaugural Jurist in Residence Program and our first Jurist in Residence, Chief Judge Jeffrey S. Sutton of the U.S. Court of Appeals for the Sixth Circuit, at the Judicial Institute's campus. This inaugural program, a symposium on New York State constitutional history and interpretation, is a fitting representation of our commitment to provide a space where judges and scholars can come together to address current developments in the law, emerging trends, and cutting-edge legal issues. Going forward, the goal of our Jurist in Residence programs is to connect judicial scholars with judges from the Unified Court System and students from New York law schools.

The Nuremberg Trial

This program commemorated Holocaust Remembrance Day by providing a rich discussion on the international rule of law, while also addressing the ethical and legal ramifications the Nuremberg Trials had globally in present day society. Several important questions posed by this program include the following: Were the trials a triumph or failure? How are the trials' impact relevant to war crimes alleged today.

Domestic Violence and Firearms

This program, which was mandatory for new judges, addressed firearm issues in Domestic Violence cases, including the following: factors associated with lethality, firearm provisions involving possession and licensing, CPL 370.15 Firearm Removal and qualifying charges, the hearing, sentencing, and issues involving orders of protection.

May 2023

20th Anniversary Celebration

This year the New York State Judicial Institute marked its 20th Anniversary. Since 2003, the JI has evolved in the face of ordinary and extraordinary challenges to execute its mandate to provide educational and training programs for judges and justices, quasi-judicial personnel, and attorneys of the Unified Court System.

On Friday, May 5, we recognized this important milestone with a celebration at the JI. The event, which included a welcome reception followed by a formal program, highlighted the JI's history, accomplishments, and the people who made it all possible. Special tribute was paid to the contributions of the JI's four Deans with the unveiling of their portraits which are now displayed in the JI's Institute Room on the first floor.

Climate Science

In this diverse state, we are seeing changing weather patterns and increased impacts from extreme events, including intensified storms and heat waves. There has also been an effort to control carbon emissions, advance renewable energy, and ensure justice for communities affected by these

transitions. These trends are driving litigation in New York courts. Many of these cases will raise complex questions related to the science of climate change. In this two-part program, the JI welcomed three distinguished experts who provided an introduction to climate science, examined what climate change means for New York, and explored how climate-related issues are likely to unfold in state courtrooms.

A View of the Well: A Discussion About Practice, Perspective and Public Perception

This program examined how the public's "view of the well" impacts the way judges conduct the day-to-day operations in their courtrooms. Following a keynote address by Karol V. Mason, President of John Jay College of Criminal Justice, an expert panel discussed plea bargaining and how differences between "insider" and "outsider" perspectives as well as depictions on TV may contribute to the public's perception of fairness and justice in the criminal system.

PINS 101 and Case Law Update

This program, a continuation of New Judges Seminar 2023, provided an overview of characteristic youth behaviors that give rise to the filing of PINS (Persons in Need of Supervision) petitions, reviewed PINS law and recent case law developments, and provided tips on how to conduct a PINS proceeding.

Cybersecurity 101

This program introduced cybersecurity, data breach and protection, and privacy concepts to UCS judges and court attorneys. Among other topics, the

faculty examined why these concepts are relevant to legal practice, how judges can protect themselves, and the ethics involved when cybersecurity and related technology issues arise.

June -July 2023

2023 Judicial Summer

Seminars, Weeks 1 and 2

The theme of this year's Judicial Summer Seminars was "Enhancing Public Trust and Confidence in the Judiciary through Education." The Summer Seminars bring judges from throughout the state together to attend educational sessions on recent developments in the law and emerging issues impacting the law.

September 2023

Judicial Ethics Essentials 2023

This hybrid program examined the parameters of ethical conduct for judges, both on and off the bench. Representatives of the Advisory Committee on Judicial Ethics discussed a series of fact patterns based on recent Advisory Committee opinions.

The Appellate Process for Trial Judges Series

This five-part hybrid series provided focused, practical training on how the appellate process affects trial court proceedings. Specifically, this series addressed why trial judges should care about what happens on appeal, the appellate process (e.g., what's appealable and what's not, jurisdiction, filing and perfecting appeals), what

appellate judges do, writing cogent decisions, including how to avoid obvious and technical mistakes, and conducting trials from the appellate perspective, including managing the trial to protect the record.

2023 Recent Developments in the Law Series

This 16-program series examined the impact of recent legal and ethical developments in several areas of the law, including civil, criminal, ethics, evidence, family, generative artificial intelligence, landlord-tenant, matrimonial, and surrogate court practice. This series included subject primers as well as case law and legislative updates.

- ▶ Court of Appeals Update: A Review of Select Criminal Appeals (2022-2023 Term), Parts 1 & 2
- ▶ Court of Appeals Civil Update (2023)
- ▶ CPLR Legal Update (2023)
- ▶ Evidence 2023
- ▶ Latest New York Appellate Decisions Reviewing Surrogate's Courts Determinations (2023)
- ▶ Legal and Ethical Issues Concerning the Use of Generative AI Tools (Fall 2023)
- ▶ Recent Developments in No-Fault Law (2023)
- ▶ Recent Developments in Commercial Real Estate Law (2023)
- ▶ Residential Landlord-Tenant Case Law Review for New York City (2023)
- ▶ Sidewalk and Premises Liability Essentials 2023
- ▶ Matrimonial Update 2023
- ▶ Foreclosure Law Update 2023

- ▶ Guardians Ad Litem: A Primer and Practical Tools for Landlord-Tenant Judges
- ▶ Modern Trends in Surrogate's Court Practice
- ▶ 2023 Changes to New York's Bail Law
- ▶ CPLR 4519-The Dead Person's Statute

The 2023 Court Attorney Referee Seminar

For the first time since 2019, the Judicial Institute presented an in-person Court Attorney Referee Seminar from September 21-22, 2023. This two-day, comprehensive seminar provided the referees with training in courtroom practices and procedures as well as ethical obligations and requirements. In addition to covering civil, family, matrimonial, and surrogate issues Court Attorney Referees frequently encounter, the seminar provided training on evidentiary issues, decision and order writing, dealing with attorneys, unrepresented litigants, and the public, and countering implicit bias.

October 2023

The Child Welfare Symposium

The 2023 Child Welfare Symposium, a full-day, tri-state program geared to all stakeholders in the Child Welfare community, was presented by the Judicial Institute, in collaboration with the American Bar Association, in connection with the 60th anniversary of the Family Court Act. Following a keynote address by Connecticut's first black female Chief Public Defender, this symposium featured presentations on the history and law of the child

welfare system as well as the trends impacting that system, including the state of child welfare law on a national level, but with particular focus on New York, Connecticut, New Jersey, and the United Kingdom, and the intersection of the child welfare and juvenile justice systems.

Reasonable Efforts Judicial Academy

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Assisted Outpatient Treatment (MHL 9.60) Training Series, Parts I and II

Part I of this series provided an overview of the voluntary and involuntary admission process pursuant to Mental Hygiene Law Article 9 and examined recent interpretive guidance for the process of transporting individuals for emergency assessments.

Part II of this series addressed the New York State Assisted Outpatient Treatment (AOT) Program, also known as "Kendra's Law." This training

provided an overview and history of Kendra's Law, a review of updates to the statute and a discussion about the systemic considerations and challenges with regard to court-ordered participation in outpatient treatment.

Part III of this series, which addresses the anatomy of an AOT case and hearing, is scheduled to be presented live in a hybrid format at the Judicial Institute on March 12, 2024.

Security Protocols for Court Attorney Referees

This program was developed in response to a survey that showed that Court Attorney Referees view security concerns as one of their major challenges. The goal of this program was to provide skills Court Attorney Referees can readily use to command presence in the courtroom. Among other skills and tools discussed, the program addressed how to set the tone for order and decorum, how to address mental health issues of a party exhibiting signs of a potential crisis before the court, how to assess the room, and recognize body language.

November 2023

Enhancing Court Responses to Domestic Violence

This program, which was presented in collaboration with the National Council of Juvenile and Family Court Judges, was designed to ensure that judges who attended this program were better able to: (1) recognize the context of domestic violence (including coercive controlling abuse) and its effects on survivors and children, and (2) identify a few suggested approaches for enhancing responses to domestic violence cases.

The speakers also discussed the Family Court Judicial Guide to Domestic Violence Risk Factors.

Contested Private Adoption Trial Program

This program featured a simulated contested private adoption trial with a panel discussion. The goals of this program were to identify relevant issues in a contested adoption, highlight arguments and considerations to be made when a parent is alleged to have abandoned their child, identify evidentiary issues, and consideration for settlement options. Before the trial simulation and debrief, the faculty provided an overview of the governing adoption statutes as well as important issues, e.g., burden of proof, abandonment, best interests, and pre-trial discovery.

Screening of "Intersections" - A Series about Hope, Healing, and Miracles with Panel Discussion

"Intersections" is an award-winning, multi-season docuseries that explores the lives of the "Children of the Dust," a Vietnamese term for mixed-race children (known as Amerasians) born in Vietnam during the Vietnam War who were, in many cases, orphaned and adopted into families around the world. The docuseries also shares the stories of the men, women, and military service members who helped shape the lives of these children. After the screening, there was a panel discussion on several topics, including the legal issues attending transracial and intercountry adoptions.

Keeping Indian Families and Children Together: The Preservation of Sovereignty & Culture

In recognition of National Native American Heritage Month, the Judicial Institute, in Collaboration with the Office for Justice Initiatives, presented this program which featured a simulated Indian Child Welfare Act hearing and a panel discussion, that addressed several important hearing issues, including inquiry and notice, making active efforts, placement preferences, and qualified expert witnesses.