

DAY 2 – OCTOBER 14, 2022

PANEL 4: ADVOCACY PLANNING AND CLOSING REMARKS¹

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MAYA GROSZ:

Good afternoon, everybody. This is the last panel of this conference, and this has been such an incredible conference that I feel that there is a lot of pressure on our panel to say something brilliant to bring it all together. But I also feel like we can have a casual, kind of in the moment conversation about what moved us, what made us sad, what made us feel inspired, and I'm going to try to bring that all out in the hour that we have with all of these amazing

¹ See Sanctuary for Families, *Advocacy Planning + Closing Remarks*, YouTube (Oct. 24, 2022), <https://www.youtube.com/watch?v=xnse7CDJa54&list=PLg6AMDhsnPQff9Ov29QqAvTJPISUuUc4i&index=11> [<https://perma.cc/LAV8-G6X7>].

panelists here with me. So, I'm just going to start off. Can everyone introduce themselves? I'll just start by saying I'm Maya Grosz, I work at NYLAG, and I'm the Director of Training.

ANNA MARIA DIAMANTI:

Anna Maria Diamanti, I'm the Director of the Family and Matrimonial Practice at Her Justice.

KARLA GEORGE:

Karla George, with Sanctuary for Families. I am Deputy Director of the Family Law Project in the Bronx.

SHANI ADESS:

I'm Shani Adess. I'm the associate director of the Domestic Violence Law Unit at NYLAG.

HAMRA AHMAD:

Hi, I'm Hamra Ahmad. I am with Her Justice, I'm the Director of Law and Policy.

CHRISTINE PERUMAL:

Hi, I'm Christine Perumal and I'm the director of the Domestic Violence Law Project at Safe Horizon.

LISA VARA:

Hi, I'm Lisa Vara. I'm the director of the Matrimonial and Economic Justice Project at Sanctuary for Families.

MAYA GROSZ:

Okay, so, I'm going to throw my first question out to the panel, but I want to start by saying that in some ways I think [that in] this conference we are poised between acknowledging the devastating and intractable injustices that you all participate in and witness every day, and some incredibly inspiring and beautiful thoughts and suggestions that people have shared with us. So, I want to kind of bring both of those out. We're going to start first by acknowledging the problems. Each of these folks helped organize one of the panels at the conference. So, what I'd like you to do is name around three of the top

challenges that your panel identified that you feel are most important for us to work on moving forward. I think we're going to start and we'll just go down the line. So Anna Maria, we'll start with you.

ANNA MARIA DIAMANTI:

Sure. I was on the panel and helped organize one of the panels yesterday on conforming or aligning the law with our current concepts of domestic violence. One thing that really stood out to me was something one of my co-panelists said: that the burden should not be on the victim to establish the risk. The burden should be on the evaluator to figure out that that risk exists, and as Jen very astutely said: "mind blown." You know, as attorneys, as advocates, we don't really think of that perspective. We're so used to coming in saying, "I have to prove my case. My client has to prove her case." And we never think about flipping it around to ask whose responsibility it is to ensure or to determine whether this is a high-risk situation, whether there are lethality indicators, etc. So, that was one thing that really stood out to me. Another thing that we identified was an issue or problem that we have in [the way] our current system is structured. [Which] is that there's no real clear direction or indication in the law or in the practice as to when judges, adjudicators, even attorneys, or other folks are supposed to do these kinds of risk analyses. Is it when someone first comes to court? Is it after a major incident? Is it when children are involved? Is it some other point in time? Is it supposed to happen multiple times throughout a proceeding? If a case lasts three months does that mean one evaluation? If a case lasts three years does that mean three? Etc. So building in some concept or some structure for when and how these risk assessments should be done [is a challenge]. I can add a third in: that we have a real problem with a lack of sensitivity and understanding around these issues in our system as a whole. Not just judges, not just adjudicators, but in our system as a whole. Evaluators, police, they see us, everyone, all players involved, including our own profession: attorneys. There are a lot of folks who are just not getting it and we need to figure that out.

KARLA GEORGE:

I was tasked with organizing the "Promoting Judicial Equity from the Bench" panel with my co-chair, Christine, and if you watch the panel, they were obviously rock stars and they had us all going, but they did bring out some really important points that I think we need to highlight. One was a lack of transparency through the judicial process. What happens with the accountability of judges, and lack of transparency has just been an issue through all of the panels over this conference. Another thing was the lack of DV training. I've learned so much from that panel—I, myself, did not know that all judges are not trained on domestic violence; that was so interesting to hear. And when our

moderator, Judge Ally, said that he has taken on the task of training his civil court judges in domestic violence training, that just shed a light on what judges do not know, even though they are very bright and astute. There's still learning that needs to be done and training that needs to be had. One other point that Judge Bing Newton brought up was retaliation when you are filing a claim against a judge for a microaggression or some type of bias. We did not discuss that before the panel so obviously that was brought to their attention in some other realms. So, that's an obvious concern for attorneys when even thinking about reporting bias against themselves or clients.

SHANI ADESS:

So, I had the great pleasure to be able to help coordinate the Vicarious Trauma panel which just ended. I think one of the things that struck me is how imperative it is that we shift our culture to recognize how important it is that vicarious trauma is addressed at every single level. Because, first of all, if it isn't, then the advocates are going to be unwell; it will impact our quality of life—and we're human beings too who come to this with our full-lived experiences and we need, and deserve, to be cared for. But also it means that if we get too crispy around the edges, I forgot what the other word ended up being, we're going to leave. And we're all here for a reason. Most people came here from some driving force and there are communities and survivors that we've heard from throughout this whole experience that are still getting injustice in the system even when we're there. So losing people has real consequences, especially for the folks that want to be here. The other thing is that I love the idea that was brought up by Dorcas about vicarious trauma being a workplace hazard, and I think one of the main problems I have is that it's not treated as such. We react to it instead of having affirmative acts towards it, putting everybody's gear on. And the last piece is what comes out from all of this: the reality that right now there isn't support. Something that was touched on in so many different panels is this deep need for systemic and structural change in our systems and institutions, and I actually think it's the same thing here. We need systemic and structural change in terms of how we engage with advocates, how we work as a community, and hopefully how we collaborate together to make the changes that we need.

HAMRA AHMAD:

I had the pleasure and honor of the second panel of yesterday morning, and even I, having prepared for the panel, was really impacted by the gravity and the weight and the power of what was shared—starting with the client voice, the litigant voice, and really challenging how each of those stories is seen as individual stories: “it was just that one case or it was just that one judge.” But really, I think it is an opportunity to see this as a thread and as a culture that we

need to address. It isn't just one individual case, and the more that we talk about these individual experiences, the more we realize it is a systemic problem that these clients have to face individually. The concept of being receptive to training came out of my panel. I'm proud to say I wasn't the one who said it, but it was the idea that training is effective, important, and crucial. But it's only as effective as those receptive to hearing it and being held accountable for it. And then I would say the third of many things that came up was the idea of how, whether, and when, to bring up issues of microaggressions, how and when to raise safety concerns, and hearing about the backlash that it could actually harm you and set you back further in your legal strategy. The fact that an attorney, with their client, has to really weigh that decision in the middle of litigation or settlement negotiations is just really unacceptable.

CHRISTINE PERUMAL:

I had the privilege of participating as a panelist on the Court Reform panel and I'm representing Bill Silverman right now, the pro bono partner at Proskauer. We talked about New York Courts and their antiquated system, how family courts were deeply impacted throughout COVID, and how they weren't prepared. And all of the issues we talked about related back to an access to justice issue for our low-income families who access the family courts. We identified that the top three issues were: lack of technology, language barriers, and lack of judges and uniformity among the court system. The Unified Court System is far from being unified. And so, how do we get there? This all goes back to a resource issue. We will get into solutions but those were the top three or four issues that we identified.

LISA VARA:

And I had the pleasure and privilege of planning the Child Custody panel in intimate partner violence cases. That was the first panel this morning. And what really struck me as one of the largest problems was Joan Meier's study that she presented first thing in the morning. This study really documented many patterns that many of us in this room and online have been seeing in our work: that accusations of alienation [are used] as a defense when allegations of domestic violence or child abuse are raised as almost a knee-jerk reaction, and can often cause our clients, who are often the primary caregivers and the protective parents, to lose custody, even in cases where the domestic violence is proven and documented. And it seems that courts are more concerned about allegations of alienation as opposed to the actual abusive behavior or even common sense factors that should be considered such as who the primary caretaker of these children [was and if] this other parent even knows who the pediatrician is. Those concerns seem to not be taken seriously at all anymore, and nobody is questioning what the effect is of forcibly separating children from

their primary attachment figure. And the other aspect of this, as Professor Meier noted, is the gendered aspect of this phenomenon in these abuse cases. Ally, our youth survivor, noted that her father was the one who was often saying negative things about her mother to her—that her mother didn't care about her, that her mother only cared about her work. But somehow, he wasn't accused of alienation. Her mother was the one accused of alienation because Ally and her sister did not want to live with their father as a result of his abusive behavior, which is perfectly natural. I mean, would anyone want to even go out for a meal with somebody who was abusive, let alone live with them? Probably not.

MAYA GROSZ:

Okay, so now we have the problems on the table or at least some of the most important problems—there are more. So now I want you to throw out several of the solutions that your panel identified, which I know is the harder part. And if you can talk about some concrete next steps.

SHANI ADESS:

So we're going to resolve this in two minutes.

[Laughter].

MAYA GROSZ:

Yes, all the problems we've discussed at this conference.

ANNA MARIA DIAMANTI:

One thing that really struck me from this morning was when we heard from an adult. I love that she basically called herself a survivor of the family court system. That was a fantastic way to phrase it. One thing that struck me was: I wonder how often judges, lawyers, the players involved, actually hear from children whose lives they impacted so incredibly. How often do they hear about the results? And so, I would love to see a study of children who survived the family court system and hear about their experiences and how they felt about how they were treated. Did they feel heard? Did they feel like the decisions that were made about their lives made sense, were they good decisions? Then, present that to the people who make those decisions and make sure that they get a sense of the actual impact of what they've done. And it's not necessarily to be scolding. There may be examples of "here's when you did something really good and here's why it was so good." But I think that could be really powerful research. I would love to see a long-term, diverse cross-sectional study like that and for us to really dive into it, because I think that could be very telling in so

many ways. I'm trying to think if my specific panel identified any particular solutions. I don't know. Yes, we did talk about the possibility of control legislation. I don't know if we came down on a side as far as what exactly it should look like, but I definitely think there should be some discussion around this idea of getting away from thinking about domestic violence as an incident-based occurrence—it really is pattern of behavior—and to really get our systems to think much more broadly than just “tell me time, place, who the players were, and what crime occurred.” We want to think more broadly about patterns, about controlling behavior, about power and control, and have legislation that really allows us to step back and broaden that focus.

ANNA MARIA DIAMANTI:

Yes, and to include lethality and other risk factors in that. And again, to be very clear about when that's supposed to happen and build in some structure so that judges aren't just left to their own devices but [are] really given some guidance as to when and how to do that. We talked about resources on our panel as well. We need to increase the resources to family court—to all the courts really. We need better resources for 18B attorneys. Not just better pay—better pay is a huge issue—but for those of us that are institutional providers, we know the value of, for example, having social workers on staff to help work with our clients. Most 18Bs don't have access to that so we need to really think about what other resources we can provide to 18Bs to ensure that clients who are represented by [them] are still getting high quality representation and that they're not at a disadvantage compared to clients who are lucky enough to get an institutional provider.

KARLA GEORGE:

So there was a lot of talk outside of the panel because, once again, my panel was pretty robust. And so I encourage the virtual participants, I know space was limited, but being in the room is a large part of this. And so some of the recommendations that came out of this was about discussion outside of the panel in and of itself. So, one of those things was transparency, that is, reforming the court system from how judges are elected, all the way to accountability. So, I'm sure some of us learned in here today how you become a judge. That is not advertised and it's not publicized. We learned there's three different ways. And even with that short discussion, I'm sure we're still not sure how to take that path. We still need a class or we might need a packet to review. So, let's get that out there so people in this room can become judges. How many times was that stated to us over the last two days? So, let's get that publicized out there. [Another thing] that needs to be transparent is the court process. And that goes to uniformity, like Christine said. I get caught up because of that word: uniform. I said yesterday that's my pet peeve. Because it needs to be transparent,

what the rules and regulations are for family court and for each part individually. None of us should have to walk into the room and guess or figure out what we should have prepared, how exhibits are supposed to be submitted, where we are supposed to sit or stand. These things should just be transparent and we should be prepared to engage in that court appearance.

[Another] thing is the training of judges. We know they go through judge school but what does that look like? None of us knows, and then we have to ask that question when we receive bias ourselves. As a Black attorney, I have had the displeasure of having aggression—microaggression—towards me. And so, when I think about that, [I think], “was this judge trained on that?” Even if they were trained in the beginning, is there continued training, and what does that look like? So, we need transparency in that regard. Some of the things that we talked about off the panel with regard to training is the fact that while judges are trained for about two weeks, court officers are trained for about two months. Judges are trained for about two weeks in judge school, about two weeks sitting on the bench viewing other cases. How much of a disparity is that? And not to mention the training that we go through as attorneys. How long do you sit with your supervisor? How long did we go through training at our individual organizations in order to do the work that we do? This in and of itself is a training, is an educational experience, that we sat here for two days and went through. So, what does that look like for judges?

And one other thing that Judge Bing Newton said is “advocate for yourself.” So, when we think about that retaliation comment that I spoke about a few minutes ago, we can't be afraid. We have to advocate for ourselves and thereby advocate for our clients.

SHANI ADESS:

It's interesting because when I'm talking about vicarious trauma it's so personal in so many ways. But when you sit here and talk about systemic injustices, it's kind of the same thing. So, when I think about vicarious trauma, one thing that I know a lot of the panel members brought up are the ideas of individualism and collectivism. And the first thing I'd like to say is that we all have to look at ourselves, and take a hard look at our agencies, ourselves as a supervisor, or ourselves as an advocate engaging in this, and seeing how we are doing. Like really, how are we doing? I love the idea of being receptive to training. I think training has to be receptive and repetitive. It's great to get a vicarious trauma training when you onboard somewhere so you know from the start, “hey, look out for this stuff.” But are you re-training when you start to experience some stuff too? And so, for me I think it's really important that everybody look at themselves, look at their own organizations in the mirror, and then collaborate. The thing about vicarious trauma is that there's no model that

works for everybody. In the beginning of the pandemic, whenever I was on these Zoom calls, people were like, “Everybody introduce yourself and say what you did for self-care this weekend, or what you're going to do this weekend.” I was just like, “I'm going to do nothing, that is my self-care sometimes,” and that's okay. Maybe doing nothing shouldn't always be my self-care, but sometimes it's okay, and I think that what self-care is for every single person is different, and it might be different even for that person in different moments. So, if we are talking to other organizations who are all hopefully in this room caring about this, because at least the people who are here care, then we can think about, “well what are you doing that's good?” Let's learn from each other, let's share ideas, let's provide more support, because I don't think you can do this work without community. And I think that the community that can be found is broader than just who you work with, although hopefully it gets instilled there too. I think the community that we can find from each other can help us bring meaning to our work, help us feel supported, and also help us push ourselves to have momentum to put into place better practices to make sure that everybody that's doing this work feels as supported and inspired as they did when their eyes were huge that very first day, rushing into the room.

HAMRA AHMAD:

I totally agree, and I echo some of what has already been said so hopefully that makes the action plan a little easier. So, back to training. It is important to have transparent accountability of both the process and the results, which might require creating a metric or evaluation or some tool to measure progress. What is the impact of the training, and what is the effectiveness? And it shouldn't wait until the negative impacts of someone's seeming lack of training or sensitivity on a topic [is apparent] for it to take action. Secondly, I think resources—we can't say that enough. We've all acknowledged that the court system is greatly under-resourced and, in order to make some of these changes, [it] needs more support. Which goes into the third piece that we talked about: legislative fixes. So, there is legislation like Kyra's Law and other laws that will improve our way of looking at what the standards are for the best interests of the child, what should or should not be considered. The fact that we have to legislate these things will also require resources to implement and then, again, [for us to] hold people accountable and have transparent systems where we can measure that.

CHRISTINE PERUMAL:

I'm going to echo a lot of what everyone else said regarding resources, accountability, [and] transparency, but one thing that was mentioned on the Court Reform panel was court simplification and court reform. We didn't get too far with that, so we need to revisit it. I think that it's not going to be perfect, but we have to start somewhere. We may not agree on all points, but this really

boils down to a resources issue. We looked at a chart that Denise had up, and we saw how incredibly complex our court system is compared to every other state in the country. We talked about accountability. I know that Her Justice had a wonderful court watch program as it related to child support. We possibly need to go back to that and look at ways that we can do court watch programs in our family offense and CVO court parts. We also talked about language barriers, and how we can do better regarding that. How can we provide information to litigants in more than just two languages? One solution could be conducting surveys in each borough to see what the top five languages are and providing translations of documents in those languages.

LISA VARA:

So, with our panel, I think a common theme that many panelists brought up was treating custody cases like a 50:50 math problem, where the abusive parent, who may not have been very involved in the child's life up until that point, is insisting on having fifty percent custody. And if there's any resistance in any way, there's an accusation of alienation, which may also be repackaged in different ways—the word alienation may not necessarily be used. It may be spoken of as friendly parent or manipulation. But really, listen to children, give children a voice, listen to victims. Another statistic that Joan Meier cited in her study is that only one out of fifty-one cases of child sexual abuse were credited. And we know statistically that can't be right. Statistically, at least fifty to seventy-three percent of these cases are generally verifiable. So, to think that only one out of fifty-one cases has the protective parent, often the mother, telling the truth can't be correct. And that goes into training as well. I have been saying for a very long time that all judges need to receive the training on domestic violence that some specialized judges receive. It isn't apparent that every judge was—and I'm glad to hear that it appears that they will be receiving the training or should be receiving it. But they need to be held accountable for their decisions. We can train all we want, but if they're not receptive to it and if they're not held accountable, that [training] only goes so far.

MAYA GROSZ:

Okay, so we have some extra time. So I have my final question for you, but I'm going to insert a question that I did not tell you about before—but I think you can handle it. You mentioned a minute ago that somebody said something on one of these panels and went like, “mind-blowing.” And I feel like there were a few of those for me. So, what were some of those moments for you all, now [that] you're off your own panel? It can be from any moment throughout the conference. What were some of those moments where somebody said something you hadn't thought of, made a connection that you hadn't connected,

you learned something new, or something surprised you? I did not give them this question in advance, so if you need a moment to [think].

KARLA GEORGE:

I'll start with Ally and her story. I actually had to leave the room, and I'll just be personal for a moment and talk about the vicarious trauma that came with that story. I saw a colleague outside of the conference room when I stepped out and I said, "I don't know if me stepping out—I felt like I wasn't strong enough to hear that." And I had to look at myself and say "Is this vicarious trauma? Did I need to step out the room? Did I show that I was weak in stepping out the room because I couldn't listen to that?" And so that was a wow moment for myself. Throughout all of the years that I've been practicing, it doesn't stop. You still need to step outside the room and you need to take that space for yourself. And just in the substance that she discussed—you know, I practice in New York and in New Jersey at one point. But the fact that there was no AFC to give her a voice in the court—I mean that's happening in other states and these camps that are in hotels—that was—I can't even tell you. So, that was a mind-blowing moment for me.

LISA VARA:

I think for me it was Hawthorne Smith's comment about boat builders and engaging with other boat builders. And you may only be able to help fifty people, but somebody else could help seventy-five, somebody else could help 200, and that's how you do it. That resonated with me because I found out that over 750 people from across the country had registered for this and I said, "Well, you know, if we get the word out, if other people are seeing these same patterns across the country as well, maybe, in fact, we can effectuate change if we feel that we as individuals are not able to."

CHRISTINE PERUMAL:

I'd have to agree with Karla and Lisa. I don't know how you couldn't be touched by Ally's story. I'm also a product of the family court system and I was in family court as a child. So, hearing her story and just how she overcame that resonated with me, because this is why I do this work as well. The boat building analogy resonated with me too. You have to give yourself grace and patience to do this work. There were moments in the conference that you had to take a step back, but I think it's okay to allow yourself to take those few steps back in order to do this work.

MAYA GROSZ:

Okay, as a moderator I'm going to share two [moments] for me. The last piece of the research that [Joan Meier] talked about when she talked about psychological denial and vicarious trauma for judges, I was like, "oh my God." That, to me, explains so much of the frustration that I hear you all speak about when you're talking about the judges. And I just suggest that thinking about why judges are so insensitive, and understanding that through a lens of vicarious trauma, changes how we talk to judges about moving through that. And then, just connecting that to the most recent panel on vicarious trauma. I personally also started having all these flashing things in my mind about different people in my life who are in caring professions, and it just explains so many things about their behavior and my own. So brilliant.

SHANI ADESS:

I'll go next just because mine's connected to that. Anybody that knows me knows I'm not a naively optimistic person. I'd like to call myself a pragmatist who weirdly has optimistic streaks, and one of my optimistic streaks is that I always try to err on the side of compassion. And our system is incredibly broken, but one thing that resonated for me yesterday was Stephanie's incredibly powerful speech and this concept that came out in other panels too of making the invisible, visible to people. You can blame people—and we should. They carry some guilt sometimes for having whole swaths of cultures and communities and lived experiences be invisible to them. We can also try to err on the side of compassion and say, "I hold that as true. That is super problematic that people in positions of power are not understanding or attempting to understand and learn about the people—the true people that are appearing before them." And we can hold that as true and also say, "and what if they did know?" What if we can present to them in some persuasive conversation and err on the side of compassion with, "I also don't know this person's lived experience." Maybe they seem super defensive and not understanding because they're having their own trauma reaction to something.

I'm not going to be too specific, and I'll be very quick with this—there were a couple, so this won't be obvious. But somebody who's no longer on the bench—don't worry, many moons ago—was pretty notorious in their court part for always yelling. When you went into the room you would prep yourself, your colleagues, and your clients, "this person is going to yell, [it] literally isn't about you. That is their mode of communication. Super troubling, super problematic, nothing I can do about it. This will be our experience." And one day, I had this one very specific case that had a fact pattern that was a little bit unusual, and I don't want to share it only because I feel like I might uncover some details. But the judge pulled me up and shared an experience of when they were an attorney and they lost a client with this exact fact pattern. And it was a light bulb moment for me. And I don't forgive the experience that she gave countless

people in actual need walking into her courtroom and being screamed at. I don't forgive that. But it did give me some compassion for like, "whoa, maybe this person shouldn't be here anymore. Maybe this person needs support. Maybe this person needs like a ton of training and therapy. But there's actually something behind this." I wouldn't have conceived—and, again, it doesn't necessarily mean forgiving or saying [that] it's okay. But if we figure out those answers, it might help people be more receptive to change as well as training.

MAYA GROSZ:

All right, our final question is related to what we just said: What did you hear—it could be from your panel or at this conference—that inspires you to believe that we as a community of 750 people who are online and attended this conference can work together to achieve the changes that you know and believe need to happen?

HAMRA AHMAD:

Well, I had a reaction I was talking about with my colleagues., For those of us who've been in the field for twenty plus years, there's been such progress and also so many moments that it gets so bad you become cynical. So, there's finally some recognition that DV exists, and these are the patterns, this happens, and then the huge wave of backlash, which we've talked about. If we don't believe victims, we don't believe that this happens, [and we] become cynical. We internalize it as practitioners. Maybe it's this coping mechanism, or psychological denial, or vicarious trauma where, even with our clients, we're [asking], "Was the abuse bad enough?" Or [saying], "that's not going to fly in court." And it just becomes so negative and heavy. And to be honest, this conference and all of the conversations that we've been having, I feel is a backlash to the backlash. I feel like this is an opportunity. I mean, 700 people, the conversations we're having, and the opportunity to collaborate and to come together is inspiring in and of itself. So, I see so many different points of light, not to reuse that term, but opportunities to expand and enhance.

MAYA GROSZ:

All of you have to answer this question. Yep, all of you have to answer.

ANNA MARIA DIAMANTI:

One thing that struck me was when Judge Bing Newton said, "Don't let the fear of retaliation stop you from reporting a bad judge." What went through my mind was, "That's not it. I'm not afraid of retaliation." I mean, I am. But that's not always the thing that might stop me. What I'm afraid of sometimes is that

even if I report a judge who maybe did something inappropriate, maybe I'll get rid of that judge. But who's that judge going to be replaced with? It might be worse.

MAYA GROSZ:

For those of you online, we just got a 'yes' from the audience.

ANNA MARIA DIAMANTI:

Honestly, that's actually stopped me when I've had situations where a judge was notorious for screaming or just doing something inappropriate. But at the end of the day I'm like, "Yeah, but I'll still get the order of protection. I'll still get the custody order. So just let it go and deal with it, because it's not worth risking getting an even worse jurist to replace them." One thing that inspires me though is that if we can make real reform in our system, if we can improve the process for selecting and training and holding judges accountable, we know we would no longer have to put up with ridiculous screaming or inappropriate behavior for the sake of getting what we need at the end. And I really look forward to that. I look forward to this idea of not having to keep settling for less than. We can actually collectively create a system where we deserve better so we will get better.

SHANI ADESS:

This is going to sound negative—it's the start. I don't know how you don't walk away from the concept that the Jeh Johnson report just repeated what was said back at them however many decades ago, that things haven't moved forward from there in a significant, impactful way, and from our experiences engaging with the system, and not come away thinking, "yeah, the system's totally broken." In so many ways it is broken. And maybe that's a good thing. Maybe when things are so broken that you're having these realizations, that you're just overwhelmed by how horrible it is, that we have the capacity to think bigger and to say, "I don't care if it's not practical and you don't have the resources for this right now. You have to figure this out, and this is why." And, obviously, there are a million steps along the way where it hopefully gets more practical to implement it, but I do think that there is in moments of real despair, the most momentum and possibility for change. And I hope that we take advantage of that versus just having another report a couple decades from now.

CHRISTINE PERUMAL:

I have to admit that it is a bit discouraging to hear that the Jeh Johnson report was exactly the same report that they issued twenty-thirty years ago and

that we haven't moved the needle that much. The conversations that we've had over the past two days are difficult and they are hard. You walk away thinking [that] we're never going to fix this. This is incredibly broken. But then you kind of step back and you think that there were over 700 people who registered for this conference and there's a huge community out there who care about these issues. It is not just the organizers, sponsors, and the co-sponsors. There is a huge community out there who care deeply about this work, and I think that in itself is very encouraging. There are already other non-profits such as The Fund for Modern Courts that do incredible work for the court reform panel. We need to do more collaboration and we have done that over the past ten months with Jennifer Friedman's help. I think that there's momentum and that is very encouraging.

LISA VARA:

Agreed. This really goes back to Hawthorne Smith's point about collaborating with other boat makers. This is exactly that point. Over 700 people registered for this. They may be in touch with other people who weren't able to register for it or weren't able to be here for whatever reason. This can get spread far and wide. There were people from other states who registered for this. These are not issues that are unique to New York by any means. And, yes, we can get more involved in suggesting different trainings, vetting judicial candidates who are going to be receptive to trainings, getting the right people in place, even Kyra's law, which was not something that my panel specifically touched on, but is there in the background, and common-sense measures to prioritize protecting children over everything else. And hopefully [Kyra's Law] has been through various stages of drafting and it's been introduced and we may be able to see that become law one day soon.

KARLA GEORGE:

Yes, hopefully next year. As far as my inspiration, I'll refer back to Stephanie McGraw. She said, "when you're pointing a finger at someone else, you have three pointing back at yourself, so what are you going to do?" And that's what I'm taking away from this. There's more work to be done, and I'm not ready to give up. And, so, I'm going to challenge myself every day to do something better, to do something more, to get more involved in policy work, to help Kyra's Law pass. And going to something that Hawthorne said, you're not going to find the time, you're going to have to create it. And, so, taking away from this, my inspiration is looking back at myself and asking how I can be more powerful, how I can be more impactful, and how I can find the time to create that space so that I can do these things. I know I can, and I know all of you can, and all of the 700 people that registered can do that as well.

MAYA GROSZ:

Okay those were awesome words. Those might be our closing words. I don't know. We have a few more minutes. Is it okay if I take comments from the audience?

JENNIFER FRIEDMAN:

We have been totally fascist in the way that we have organized this, and I can point that finger at myself—whatever that thing was, because I literally just got it, Karla. The three, these three fingers, are pointing back. She said it like four times yesterday, but thank you for it. Maybe we can take a few minutes for either questions or—let's keep it positive—any ways that you were inspired, and I will walk around with the mic. Oh, Dorchen either has a question or is inspired. Let's find out here.

DORCHEN LEIDHOLDT:

Wow, this is amazing, the power of the mic. No, I am totally inspired and moved. This has been the most incredible conference when you think about who has been brought together to address these long-standing intractable problems. One thing I've been thinking about, very much connected with the vicarious trauma panel, which was so fantastic, was the comment in your opening remarks. You talked about the way one judge responded to your client—and I don't remember all of the details—but I do remember that judge just sort of lambasting her in court. And I think of Jacqueline—and there were so many wonderful judges and we've had so many wonderful judges participating in this conference—but the judge who told Jacqueline, when she was articulating her well-founded fears of danger to her daughter, “you better grow up.” And that's a theme. You know, I've had those experiences myself. Someone mentioned Judge Judy. I appeared before Judge Judy. Not Judge Judith Harris Kluger, who's the most amazing judge, and my boss, but Judge Judy—that's how she behaves. What can we do? Charlotte and I were talking about this because there are vicarious trauma issues with our judges. You know, judicial temperament is an ethical obligation. And we are not seeing that. What can we do to make the courts less traumatic environments for survivors and their counsel? What kind of training would really make a difference? What kind of measures of accountability would make a difference? But I think that should be a priority. It doesn't have to be so bad. Survivors don't have to be treated in such abusive ways. We recognize those problems for prosecutors, and we have training that really is a deep dive into trauma for prosecutors. Can we do something comparable for the judiciary? Perhaps, that can be part of the recommendations?

JENNIFER FRIEDMAN:

Thank you [Dorchen], and since you're my supervisor and mentor, still after twenty something years of practice, I'm like, "I don't know, Dorchen, what do we do? You don't know the answer, oh my God, where are we?" But what was really beautiful about the process of putting this conference together is how many really prominent and influential people actually came and spoke and engaged with us and truly care. And so, maybe some of those questions can be posed also to them. And we invited their voices in the room. We were actually a little afraid that they might not want to come into the room with us because we knew we were going to have pretty outspoken advocates and I did have to say to some of these judges that there would be survivors telling their stories, there would be advocates holding your feet to the fire. But we really do invite you and they did come, and I really value and appreciate that. So, hopefully we can get somewhere with them.

SHANI ADESS:

Can I say one quick thing also? Something that that made me think of was that earlier today there was the talk on the Judicial Equity Panel about how judges become judges. I'm actually on the Judiciary Committee for the New York Women's Bar Association. The Bronx Women's Bar Association was here today, and let me just tell you, the people that do the judicial screenings for people that are running to be elected and want support to show that they're qualified—it's filled with people from the private bar. And I'm just saying that we have 700 people here, guys. Let's all start to have some real non-profit community organizations present when judges are being vetted by the bar associations. Or, when we know that there's problems with judges, specifically with temperament or not understanding trauma. And it's so essential they have training on trauma. Let's send letters with examples to the mayor's office when those ten years are up and let's not forget about it.

ANGELA YEBOAH:

So, there are so many things that were mind-blowing to me throughout the two days. But, I used to practice here, in New York, and I left a few years ago. Now, I'm in Fairfax, Virginia, and there are problems with the courts there as well. And one thing that we did in Fairfax that I think was incredibly helpful was a systems walk through. It was a collaboration between judges, victim services providers, and survivors. We had a consultant from OVW. Actually, it took a couple of months, but everybody was committed because we wanted to see how victims operate and navigate their way in the court system, and it was an opportunity for the judges to see what's happening when a victim first walks in until the end of their hearing. It was so enlightening because it gave them an opportunity to actually see firsthand what our clients go through. We were able

to identify gaps and come up with real solutions to address these gaps. So, having a more collaborative and coordinated community response has done wonders for Fairfax County. There's still a lot more work to be done, but in terms of looking at issues with language access, the protective order process, and the notions that people not only understand English, but that they're able to read and write, it just seems insensitive. There are so many things that came out of that system walk through that I think, not just for judges, but even as practitioners, were really eye-opening for us. So as I'm sitting here, and listening to us trying to come up with creative solutions to help improve the system, I think incorporating the voices of survivors in ways that will resonate with the judges is an opportunity for us to make some real change.

ANNA MARIA DIAMANTI:

I just want to jump in. I would love to send some judges to HRA to apply for food stamps or try to get housing through [NYSHA]. Good luck, good luck. I just I had the experience once of appearing in front of a judge who had just changed custody of one of the children. So, the children were split, and the judge did not believe that our client was going to have to leave her shelter residence because the number of children was reduced. She literally called the shelter and demanded that the director get on the phone with her on the record to confirm this. Talk about 'mind-blown' when she heard that, yes, that's in fact the case. Mind-blown. She had no idea how the system worked, and she was stunned. So, I would love this idea of doing some walk throughs so they really see what life is like for our clients.

JENNIFER FRIEDMAN:

About two minutes left and a few people want to say things, so quick.

[AUDIENCE MEMBER (CHARLOTTE)]:

So, to bounce off what Angela said, there was once a great advocate named Ellen Pence. She's passed on now, but she created the safety audit, which was for law enforcement. It was very structured and very neutral. But they looked at the processes, the paper, everything, the way things and documents were kept. And that changed practice. And they could change it because it wasn't like, "Angela, you're doing that wrong." Together, you figured out a better way. The other thing is the resources, when you talk about family court resources, I think it's important not to just think about the numbers of judges and that sort of thing, but also to think about children's centers. In 2008 and 2011, when the economy collapsed, they started closing children's centers. They didn't reopen all of them. Children's centers are very important, as I don't have to tell you, for litigants trying to come into court—so advocate for that as well. Every courthouse ought

to have a children's center where you can leave your children while you're in the court proceeding. And, in addition to children's centers, we need supervised visitation. These kinds of resources, which the people we're serving need to be able to participate in their case, need a lot of advocacy, because it's about money, and they say there's not enough money. We're talking about just a few million dollars. The state's got billions of dollars. The other thing to do is training for how to become a judge. The Franklin Williams Commission that's been mentioned here many times goes all over the state and does a training on how to become a judge. So, maybe sponsor a training with them and see what they do. There were some other things, but I can't remember them right now.

JENNIFER FRIEDMAN:

You know where to find me Charlotte, so that's okay. So, this is a lightning round. I see one hand and then Jacqueline, I'm going to give you the last word.

[AUDIENCE MEMBER]:

I think, COVID has changed a lot, and what I miss pre-COVID, amongst many things, as a supervisor is training new advocates. It's incredibly hard during the post-COVID world. I think someone on the vicarious trauma panel mentioned how we sit in our rooms now and eat lunch alone because it started with six feet away, and that's just becoming ingrained as part of our work culture. It's really hard to connect via a computer screen. And I think, as things reopen, we have to think about how we're going to really try to physically reconnect with each other to provide support for each other. But in addition to that—you know I have litigators who never litigated a case in person and they don't benefit from sitting in the back of the courtroom. Seeing the judge, what they rule on cases coming before them, what triggers them, what they hone in on—those are all lost. I think that we have to be kind of thoughtful about what this next generation of litigants and practitioners are experiencing, and [that] it's not the way we were trained. There's a huge disconnect in supervision now because we weren't brought up in the same experience. And trying to bridge that is something I think we have to really think about.

JENNIFER FRIEDMAN:

Thank you. I think we've all experienced this. This is a big frustration [in] training staff. Okay, Jacqueline, I'm giving you the last word. Actually, I'm giving myself the last word.

JACQUELINE FRANCHETTI:

That's pretty fair, that's pretty fair. First, I just wanted to say thank you to everyone who's here and everyone who's in the Zoom-verse watching this. In terms of just being inspired, even though I've seen the horrors inside of the family court system, and all of you have as well, to see you each day get up and fight and battle and do all of this—just thank you, because we wouldn't know where to turn without you. So, thank you, thank you so much. Also, what happens here I hope doesn't stay here. I hope that we carry this forward in many, many ways. I stepped out of the room for just a few moments today. We are going to have a lobby date for Kyra's law on January 18th up in Albany, and I would love to have all of you come. January 18th. And I'll be making a major announcement about that, but we just found that out, just got it confirmed today. But there's also things like the Downstate Coalition and other ways we need to carry these conversations forward and get the voice out. And, Jennifer, thank you for putting together this incredible conference to get these conversations going and helping them speed ahead in so many different ways.

JENNIFER FRIEDMAN:

Thank you, Jacqueline. You're so inspiring to all of us, really. So, I guess we are at the end. I have a few closing thoughts. First of all, I might actually cry, actually. Barbara Kryszko is also on the Round Table, but I think other than that, this might be the whole actual Round Table. Oh, and Rachel. Rachel, come up here for a second, seriously. Oh, and Jennifer Barry, come over. This is the group. Seriously, come on. I'm not kidding. Actually, physically get out of your chair and come over here. And Rachel, and Barbara. So, this is the group that put together this conference. [*Laughter, Applause*] And when I said that we had ten facilitated conversations, actually Maya was our facilitator. And I actually am going to try not to cry, but I am so amazingly inspired by all of you. This process was a very long process. It was actually like a support group; it was really cathartic when we would meet together and talk about all the problems and we were like, "oh my God, yes!" It was like consciousness raising. These are real, this is not just in my head, I had that experience in court too, etc. And, so, we want this to continue forward as I really got to know all of these women amazingly well. And I just have the most profound, deepest respect, seriously, for all that you do and all that you are, and for your staffs and your organizations because we are all in this together. I know sometimes our organizations operate kind of in silos, but we really do all stand with each other and for the same outcomes and want all the same things. So, this was a great kind of—I don't want to say post-COVID—but a coming out of COVID thing where we could get back together with all of you who might still be there online, maybe, or not. I don't know. It's Friday afternoon. Who knows? Several people said that they felt that the conference was well constructed and we really appreciate that because we spent a lot of time talking about how we can make this not just like, "let's all get together and talk and move on." And we built this

last session for the purpose of [saying:] this is our advocacy agenda; this is what we want to do going forward. I don't know exactly what form that's going to take and we deeply value our existing organizations like LCADV where we do already get together. We have a list of really important advocacy priorities and [we need to think about] how we're going to move those forward, but this is definitely not the end; this is the beginning. So, thank you all for being here. I am so inspired by this group, and I hope you are too. Thank you.

ANNA MARIA DIAMANTI:

I'm sorry Jennifer, I just have to jump in. This was very much a group effort, and I very much appreciate this entire group, but it was very much a Jennifer-led group effort.

SHANI ADESS:

She means Jennifer Friedman and Jennifer Barry. Jennifers next to each other, they did this whole thing.

[Applause].