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NYS DRA Testimony

Joint Legislative Public Hearing

February 10, 2021

Joint Legislative Public Hearing on 2021 Executive Budget Proposal: Public Protection

TESTIMONY presented by:

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Good morning/afternoon/evening Honorable Committee Members. Thank you for this opportunity to speak at today's hearing. My name is Regina Ritcey. I am the Executive Director of the **New York State Dispute Resolution Association**, or NYSDRA, appearing today on behalf of the statewide network of **Community Dispute Resolution Centers**, or CDRCs.

As the ramifications of the COVID-19 pandemic continue to unfold, New Yorkers in conflict need help. Many are still struggling to adjust to the abrupt upending of daily routines and supports. The radical shifts brought on by school closures, suspension of various services, the switch to remote learning and work, (or the reduction or elimination of employment), healthcare demands, (including unanticipated costs and caregiving), and loss of family and friends to COVID have upended lives. New Yorkers are experiencing unprecedented change, loss, and stress. These are *real* stressors creating *real* conflict. Housing disputes in particular, including landlord/tenant conflicts, eviction disputes, and shared living conflicts, are just some of the many pressing and distressing issues affecting New Yorkers today. Help is available through NYSDRA and the Community Dispute Resolution Centers.

New York State is home to the statewide network of 20 Community Dispute Resolution Centers (CDRC)s. Since 1981, every one of New York's 62 counties has been served by a CDRC. The New York State Dispute Resolution Association (NYS DRA), a nonprofit membership organization, is the association of the CDRCs and their mediators. Collectively, the CDRCs and their dedicated, statewide corps of professionally trained volunteer mediators are an invaluable community resource. CDRCs provide a wide range of conflict resolution services and training including:

- Mediation
- Facilitation
- Conflict Coaching
- Restorative Justice Circles, and more

NYS DRA is committed to supporting the CDRCs and their mediators in providing quality conflict management and promoting peaceful dispute resolution. Their work helps people address and resolve conflict, improving their lives and strengthening their communities. The vast majority of this work is done *pro bono* by the CDRC mediators. Our most recent data shows that 1,500 volunteer mediators contributed to their communities across New York State with in-kind support valued at \$4 million annually, logging 53,400 volunteer hours at an in-kind rate of \$75/hour^[1]. From April 1, 2019 to March 31, 2020, CDRCs managed 27,068 cases and served 71,876 individuals. Additionally, a total of 27,068 referrals for services were sourced from city, town, and village courts, family and civil courts, public agencies, schools and self-referrals. From 2019-2020, judicial districts referred 38,755 individuals to CDRC services^[2]. The CDRCs are an excellent return on investment and are key to the effective administration of justice; their work makes the court system more effective through the referral and diversion to mediation of appropriate civil cases, thereby decreasing court backlogs, and often providing the most efficient and effective administration of justice.

Funded in part by the NYS Unified Court System, independent funding, contract, and grants, CDRCs are independent, non-profit organizations providing dispute resolution services tailored and responsive to the needs of local communities. CDRCs match OCA funding nearly dollar for dollar through contracts, grants, and fees.

Most courts were forced to close for a time last year, but conflict, naturally, continued. For many, it increased with the increasing stressors of the pandemic. For nearly a year, the CDRCs have offered fully virtual dispute resolution services. In March 2020, the CDRCs mobilized in response to the pandemic. They pivoted to remote services and have continued providing efficient and effective services with no lapse. While courts have largely resumed operations, the need for prompt and effective dispute resolution, both connected to and independent of the court system, is on the rise. And, as always, nearly all services are being provided *at no cost to participants*.

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Effective communication, access to justice, and prompt response to conflict, always essential, are now imperative. CDRCs can respond to a wide range of issues, including:

- Landlord/Tenant disputes
- Roommate/shared housing conflicts
- Elder care family communication and decision-making conflicts
- Co-parenting mediation in appropriate cases, for parents who are not together but need to resolve child care and parenting plan changes
- Parent-Teen conflicts
- Parent/Child/School conflicts
- Neighbor-to-neighbor conflicts
- and many more

The CDRCs also offer highly skilled communications training, community forum facilitation, and conflict de-escalation skills that can be extremely useful to business owners, schools, community groups, and others as they respond to new challenges. CDRCs offer these trainings and services to help people address, mitigate, and even avert conflict. Tensions arising from the pandemic and renewed calls for social change demand response. The CDRCs are equipped, eager, and able to meet these demands for increased access to justice and provide the training and services required.

The CDRCs value their partnership with the Office of Court Administration, a partnership made more important with Chief Judge DiFiore's implementation of Presumptive Dispute Resolution. Now, more courts are working with their local CDRCs so more community members have access to dispute resolution programs; more families are working out their parenting plans on their own; and more youth find their voice as they engage with the adults in their lives. The CDRCs provide these services in appropriate circumstances so that individuals who wish to work out these issues on their own, have a forum to do so.

As the COVID crisis has continued, the need for CDRC services has grown exponentially. CDRCs want to continue working in partnerships with OCA and the bar to meet these increased demands. Due to the state's current fiscal crisis, OCA projects a 10% reduction in CDRC funding for FY 2021-22. I ask for your help in preventing any further cuts to the OCA budget. The 10% cut will be a hit to the CDRCs—any further cuts would be devastating to the CDRC programs and programs we have worked so hard to provide and that your constituents have come to rely on.

In addition, we are asking to preserve the appropriation in the Executive Budget of \$10 million in the Division of Criminal Justice Services (DCJS) Aid to Localities budget for state and local crime reduction, youth justice, and gang prevention.

Our partnerships across the state with our Juvenile Justice partners and school districts are critical for helping meet the youth in age-appropriate ways. We are seeing the impact of our work going beyond the immediate program; the teens are telling us how they are changing how they engage with their parents after learning the skills in our program. These programs are changing relationships across every level of the community. Particularly, at this time when students are under immense pressure to maintain school engagement with a range of in-school and remote arrangements, it's imperative that youth, their families, and schools have an accessible and effective forums to resolve conflict.

Effective communication, access to justice, and prompt response to conflict are essential for all New Yorkers, especially in these times of challenge and change. By funding skilled, responsive, proven, cost-effective Community Dispute Resolution Center Programs the Legislature will make an immediate and positive difference for individuals and communities throughout the state.

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For more information about how and where to refer your constituents for help with the conflicts in their lives--housing, family, community, personal or professional--please contact me (regina@nysdra.org). I would be pleased to speak with you to get your office and your constituents connected with your local Community Dispute Resolution Center. Thank you.

[1] http://ww2.nycourts.gov/sites/default/files/document/files/2018-07/AnnualReport_2013-14.pdf

[2] http://ww2.nycourts.gov/sites/default/files/document/files/2020-10/CDRC%20Annual%20Statistical%20Report%202019-2020_0.pdf