



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 63

February 18, 2021

**ESTABLISHING THE CENTER FOR CREATIVE CONFLICT RESOLUTION AND
PROMOTING RESTORATIVE JUSTICE PRINCIPLES**

WHEREAS one of government's central functions is to provide fair, transparent, accessible, inclusive processes for resolving conflict within the New York City community and between City government agencies and members of the community;

WHEREAS, the Office of Administrative Trials and Hearings is already designated as the City's independent impartial tribunal and resolves conflicts involving the City workforce and the community through formal processes;

WHEREAS, workplace disputes can often be resolved through alternative dispute resolution methods, without resort to costly litigation;

WHEREAS, disputes between City agencies and members of the communities they serve can often be resolved with cost-effective alternative dispute resolution methods;

WHEREAS, conflict resolution and restorative approaches help to improve workplace relationships, boost morale and increase productivity, thereby improving public service;

WHEREAS, punitive modes of enforcement tend to burden communities of color and low-income communities disproportionately;

WHEREAS, the principles of restorative justice can in appropriate cases assist the City in resolving disputes between residents, between residents and government agencies, and between public agencies, in a manner that recognizes the dignity of the parties to the dispute, respects the diverse backgrounds and interests of the parties, and seeks to find common ground to develop mutually agreeable and beneficial solutions;

WHEREAS the City uses restorative justice efforts to build bridges and design initiatives to improve relationships between City agencies and the communities they serve;

WHEREAS, the City seeks to consolidate leadership and coordination of conflict resolution efforts taking place across City agencies, consistent with the powers and duties assigned to City agencies;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered that:

Section 1. The Center for Creative Conflict Resolution (“the Center”) is hereby continued and formally established within the Office of Administrative Trials and Hearings (“OATH”), to serve as the City’s central resource for Alternative Dispute Resolution (“ADR”) processes and conflict resolution services, including restorative justice practices.

The Center shall be led by an Executive Director whose functions include carrying out the Center’s duties and chairing the Center’s Advisory Committee. The Executive Director shall be appointed by the Chief Administrative Law Judge of OATH.

Section 2. Functions of the Center. The Center’s responsibilities shall include, but not be limited to:

- (a) The provision of ADR and conflict resolution services, including services that incorporate restorative justice practices, to all City agencies and City employees, to address workplace conflicts;
- (b) The provision of ADR and conflict resolution services, including services that incorporate restorative justice practices, to City agencies, members of the public and business establishments, to address conflicts between government and members of the community, conflicts between public agencies, and conflicts between and among members of the public and business establishments where such conflicts affect City interests and concerns;
- (c) The provision of training, strategic planning, technical assistance and other support to City agencies, and their contractors, to facilitate their use of ADR and conflict resolution services, including restorative justice practices, to enhance public services, develop restorative justice programs and address conflicts in the community; and
- (d) The provision of restorative justice and community reconciliation programs to provide support to criminal and civil law enforcement officers and agencies, including support to such officers and agencies to facilitate communication with other municipalities seeking to exchange information concerning best practices regarding ADR, conflict resolution services and restorative justice practices.

Section 3. Duties of City Agencies.

- (a) All agencies shall consult with the Center regarding restorative justice approaches that can be incorporated into their work, consistent with applicable law.
- (b) All agencies shall designate an ADR Coordinator to serve as a liaison to the Center and to refer matters to the Center for services as appropriate.

Section 4. Establishment of an Advisory Committee. There is hereby established under the direction of the Center an Advisory Committee.

- (a) The Advisory Committee will convene regularly.
- (b) The Advisory Committee will be chaired by the Center's Executive Director, and will have no fewer than seven members, including the Chair, with other appointees being members of the public with relevant expertise in any of the following areas: ADR, restorative justice, ADR scholarship, conflict resolution, organizational leadership and development, change management, dispute system design, online dispute resolution and group conflict management. Members will be appointed by the Chief Administrative Law Judge of OATH, in consultation with the Center's Executive Director.
- (c) Under the direction of the Center, the Advisory Committee shall:
 - i. Provide feedback and advice to the Center on initiatives and methods to carry out its functions effectively;
 - ii. Make recommendations to the Center regarding legislative and executive action to further promote and encourage ADR and restorative justice endeavors;
 - iii. Make recommendations to the Center regarding efforts to educate the public about mediation, ADR, restorative justice and the work of the Center; and
 - iv. Advise the Center regarding opportunities to work collaboratively with community-based organizations and other non-governmental organizations to expand the use of ADR and restorative practices throughout the city.

Section 5. Construction of Order. Nothing in this Order shall be construed to prevent any agency from complying with any applicable law or regulation, or from taking any action within its jurisdiction, including but not limited to enforcing any law, rule or regulation.

Section 6. Effective Date. This Order shall take effect immediately.


Bill de Blasio,
MAYOR