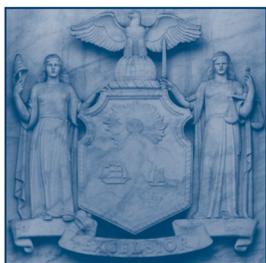
The background of the cover is a large, faint, blue-toned seal of the New York State Unified Court System. The seal features an eagle with wings spread, perched atop a shield. The shield contains a sun with rays. To the right of the shield is a figure of a woman, likely representing Justice, holding a scale of justice. Below the shield is a banner with the word "EXCELSIOR".

**NEW YORK STATE**  
Unified Court System

# Annual Report 2011

EXCELSIOR





STATE OF NEW YORK

# Report of the Chief Administrator of the Courts

FOR THE CALENDAR YEAR JANUARY 1 THROUGH DECEMBER 31, 2011

## **COURT OF APPEALS**

JONATHAN LIPPMAN *Chief Judge*

CARMEN BEAUCHAMP CIPARICK

VICTORIA A. GRAFFEO

SUSAN PHILLIPS READ

ROBERT S. SMITH

EUGENE F. PIGOTT, JR

THEODORE T. JONES

## **CHIEF ADMINISTRATOR OF THE COURTS**

ANN PFAU, *through November 30, 2011*

A. GAIL PRUDENTI, *from December 1, 2011*

## **ADMINISTRATIVE BOARD OF THE COURTS**

JONATHAN LIPPMAN *Chair*

ANTHONY V. CARDONA, *deceased, December 4, 2011*

A. GAIL PRUDENTI

HENRY J. SCUDDER

LUIS A. GONZALEZ

---

## NEW YORK STATE UNIFIED COURT SYSTEM 2011

|                     |  |
|---------------------|--|
| FERN FISHER         | <i>Deputy Chief Administrative Judge, New York City Courts</i>         |
| MICHAEL V. COCCOMA  | <i>Deputy Chief Administrative Judge, Courts Outside New York City</i> |
| JUANITA BING NEWTON | <i>Dean, New York State Judicial Institute</i>                         |
| JUDY HARRIS KLUGER  | <i>Chief of Policy and Planning</i>                                    |
| LAWRENCE K. MARKS   | <i>Administrative Director, Office of Court Administration</i>         |
| RONALD P. YOUNKINS  | <i>Chief of Operations, Office of Court Administration</i>             |

### ADMINISTRATIVE JUDGES – NEW YORK CITY

|                             |   |
|-----------------------------|---|
| DOUGLAS E. MCKEON           | <i>Bronx County Supreme Court-Civil</i>       |
| EFRAIN ALVARADO             | <i>Bronx County Supreme Court-Criminal</i>    |
| SYLVIA HINDS-RADIX          | <i>Kings County Supreme Court-Civil</i>       |
| BARRY KAMINS                | <i>Kings County Supreme Court-Criminal</i>    |
| SHERRY KLEIN HEITLER        | <i>New York County Supreme Court-Civil</i>    |
| MICHAEL J. OBUS             | <i>New York County Supreme Court-Criminal</i> |
| JEREMY WEINSTEIN            | <i>Queens County Supreme Court-Civil</i>      |
| FERNANDO CAMACHO            | <i>Queens County Supreme Court-Criminal</i>   |
| PHILIP G. MINARDO           | <i>Richmond County Supreme Court</i>          |
| EDWINA RICHARDSON-MENDELSON | <i>New York City Family Court</i>             |

### ADMINISTRATIVE JUDGES – OUTSIDE NEW YORK CITY

|                       |   |
|-----------------------|---|
| GEORGE B. CERESIA JR. | <i>Third Judicial District</i>  |
| VITO C. CARUSO        | <i>Fourth Judicial District</i>   |
| JAMES C. TORMEY       | <i>Fifth Judicial District</i>  |
| ROBERT V. MULVEY      | <i>Sixth Judicial District</i>  |
| THOMAS VAN STRYDONCK  | <i>Seventh Judicial District, through February 28, 2011</i>             |
| CRAIG DORAN           | <i>Seventh Judicial District, from March 1, 2011</i>                    |
| PAULA L. FEROLETO     | <i>Eighth Judicial District</i>   |
| ALAN D. SCHEINKMAN    | <i>Ninth Judicial District</i>  |
| ANTHONY MARANO        | <i>Tenth Judicial District (Nassau County)</i>                          |
| H. PATRICK LEIS III   | <i>Tenth Judicial District (Suffolk County), through March 13, 2011</i> |
| C. RANDALL HINRICHS   | <i>Tenth Judicial District (Suffolk County), from March 14, 2011</i>    |

### ADMINISTRATIVE JUDGE – STATEWIDE

|                 |   |
|-----------------|---|
| RICHARD E. SISE | <i>Presiding Judge, Court of Claims</i> |
|-----------------|---|

## MESSAGE FROM THE CHIEF ADMINISTRATIVE JUDGE



**THIS HAS BEEN A YEAR MARKED BY UNPRECEDENTED CHALLENGES AND HARD CHOICES.** Faced with severe budgetary constraints, the Unified Court System implemented many difficult measures to reduce spending, including reductions to our non-judicial workforce, shortened court hours and cutbacks to vital court system programs.

Regrettably, we lost over 400 non-judicial employees to layoffs in 2011, compounded by the early retirement last year of hundreds of highly experienced non-judicial staff whose positions remain largely unfilled due to the precarious fiscal climate. At the same time, the persistent effects of the economic downturn have exacerbated the legal needs of numerous individuals and families across our state, with many New Yorkers looking to the courts to resolve legal matters involving their most basic needs. Striving, in this era of diminished resources and formidable caseloads, to fulfill our constitutional mandate to deliver fair and timely justice, the court system continued to explore more efficient and creative ways to do business.

Included among such efforts in 2011 were:

- the expansion of online programs to guide unrepresented litigants in preparing court forms that are ready to print, serve and file;
- the launch of an innovative court part in Buffalo that, supported by a grant from the New York State Health Foundation, replicates a highly lauded pilot program initiated in Bronx County Supreme Court to promote early settlements in medical malpractice suits, reduce the high litigation costs associated with these cases and ensure fair resolutions for all parties;
- the implementation of a new pro bono effort in New York City, dubbed “Bridge the Gap,” offering free training to recent law graduates and newly admitted attorneys—to be applied toward fulfillment of New York’s mandatory continuing legal education requirements—in exchange for their volunteer service on behalf of low-income litigants seeking resolution of matters involving life’s essentials.

I invite you to read more about these and other court system initiatives in this edition of the Annual Report of the Chief Administrator of the Courts, where you will also find an overview of the Unified Court System’s structure as well as caseload activity data and legislative updates for calendar year 2011.

Sincerely,

A handwritten signature in black ink that reads "A. Gail Prudenti". The signature is written in a cursive, flowing style.

**A. GAIL PRUDENTI**

*This 2011 edition of the Annual Report of the Chief Administrator of the Courts has been submitted to the Governor and Legislature in accordance with Section 212 of the Judiciary Law.*

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## THE YEAR IN REVIEW: A SUMMARY OF 2011 HIGHLIGHTS

**EVEN IN THE BEST OF ECONOMIC TIMES**, fulfilling the Judiciary's mandate to provide fair and timely justice for all New Yorkers is difficult given the volume and complexity of cases that make their way to our state courts. This mission has become an even greater challenge as the weak economy continues to strain judicial budgets and diminish legal resources, at the same time exacerbating the legal needs of many across our state, with more and more families and individuals turning to the courts to resolve legal problems involving their most basic needs.

We begin our 2011 Year in Review with highlights of initiatives that, compatible with today's fiscal realities, strive to more effectively respond to the urgent civil legal needs of New Yorkers who come to our courts seeking justice.

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### INITIATIVES AIMED AT CLOSING NY'S ACCESS TO JUSTICE GAP

#### *Task Force Focuses on Funding, Other Solutions to Narrow NY's Access to Justice Gap*

**IN OUR 2010 ANNUAL REPORT, WE DISCUSSED THE RISE IN THE NUMBER** of litigants unable to afford legal representation, an unfortunate trend that continued throughout 2011 as New Yorkers, faced with foreclosure, consumer debt and other pressing legal matters, attempted to navigate New York's complex civil justice system on their own.

According to the Task Force to Expand Access to Civil Legal Services in New York—a distinguished panel appointed last year by the Chief Judge to identify more reliable funding streams for civil legal services providers and otherwise seek ways to narrow the state's access to justice gap—80 percent of the legal needs of low-income families and individuals currently go unmet because of a lack of funding to support civil legal services providers.

In its second report to the Chief Judge, released in November 2011, the task force stated that “63 percent of New Yorkers are unrepresented at statutorily required settlement conferences in foreclosure cases, and 90 percent of the reports of civil legal services providers in New York documented that they had to turn away the same number or even more potential clients than they did just one year ago.”

Civil legal services providers have traditionally relied on monies from the Interest on Lawyers Account Fund of New York State (IOLA), with these revenues plummeting in recent years in response to shrinking interest rates. In its initial report last year, the task force, acknowledging the state's unyielding fiscal problems, proposed a series of incremental reforms to address the civil legal services crisis, including a four-year plan to allocate additional funding within the Judiciary's budget for civil legal assistance to low-income New Yorkers in matters involving their housing, family safety, access to health care and other basic needs.

In April 2011, the Judiciary allocated \$12.5 million in grants to civil legal services providers, with their services thus far helping thousands of families and individuals across the state facing eviction, foreclosure, consumer debt and other serious legal problems. Investing in civil legal services actually saves the state money in the long run because meaningful legal assistance can help avert foreclosures and evictions, reduce the need for social services, keep families together, and protect litigants' rights to veterans' and other benefits.

In addition to its efforts to build more reliable funding streams for New York's civil legal services providers, the task force issued non-monetary recommendations in 2011 to help address the access to justice

gap. Among other measures, the task force has called for increasing the available pro bono assistance provided by private lawyers and law student resources; simplifying court forms and expanding and improving self-help tools to aid unrepresented litigants navigate the court system without legal assistance; and averting or reducing litigation by prioritizing the provision of early intervention and preventive civil legal services.

The task force will continue its study of the issues surrounding New York's civil legal crisis, working with the court system's justice partners and Access to Justice Program (see below) to develop, improve and expand pro bono services, self-help tools and other programs aimed at eliminating the state's access to justice gap.

For more information, visit [www.nycourts.gov/ip/access-civil-legal-services/](http://www.nycourts.gov/ip/access-civil-legal-services/)

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## **STATEWIDE PROGRAM ADDRESSES URGENT JUSTICE NEEDS OF NEW YORKERS**

**THE COURTS' STATEWIDE ACCESS TO JUSTICE PROGRAM** continued to partner with not-for-profit organizations, law schools, government agencies and bar associations in carrying out its mission to ensure access to justice in civil and criminal matters for New Yorkers of all incomes, backgrounds and special needs.

### ***Pro Bono Efforts***

The Access to Justice Program oversees a variety of in-house voluntary attorney programs, several of which collaborated this year to launch the "Bridge the Gap" initiative. This new program offers law school graduates and newly minted attorneys free training—toward fulfillment of the state's mandatory continuing legal education (CLE) requirements—in exchange for a 50-hour pro bono commitment within six months of their training. Participants earn 16 CLE credits, providing 50 hours of supervised pro bono service assisting New York City Civil Court and Supreme Court litigants with housing, consumer debt and uncontested divorce matters.

The initial Bridge the Gap training sessions were held over a four-day period during National Pro Bono Celebration Week in October 2011. This first-time initiative was oversubscribed, with some 150 recent law graduates and newly admitted attorneys participating and plans now under way to make the program a twice-a-year event.

### ***Online Self-Help Programs Aid Unrepresented Litigants***

With educational seminars aimed at unrepresented litigants curtailed this year due to budget cuts—and public demand for online legal and court information on the rise—the Access to Justice Program continued to look to technology-based tools and resources to help individuals without legal representation navigate the justice system.

In previous annual reports, we highlighted the Access to Justice Program's interactive, online Do-It-Yourself (DIY) Form programs, which guide litigants to prepare ready-to-file court forms in landlord-tenant, child support, paternity and other matters. This self-help initiative, already available to litigants in Family, Supreme, Surrogate's, New York City Civil and New York City Housing Courts, was expanded in 2011 with the roll-out of the first DIY Form programs for the state's city, district and local town and village courts. (For a current list of DIY Form programs, visit:

[www.nycourts.gov/ip/nyarj/diyforms.shtml#availableprograms](http://www.nycourts.gov/ip/nyarj/diyforms.shtml#availableprograms).)

DIY programs are accessible via Courthelp, our website for unrepresented litigants, which is maintained by the Access to Justice Program and received over 740,000 visits this year, a 23 percent increase over 2010.

For more information about these and other Access to Justice Program initiatives, see the program's 2011 annual report, available at: [www.nycourts.gov/ip/nya2j/pdfs/NYA2J\\_2011report.pdf](http://www.nycourts.gov/ip/nya2j/pdfs/NYA2J_2011report.pdf).

### ***Enhancing Court Access for Non-English Speakers and the Hearing Impaired***

New York remains a leader among the state court systems in meeting the needs of persons with limited English language proficiency and hearing disabilities. Our court interpreting program is larger in scope and more generous in its provision of services than in any other judiciary in the nation.

In 2011, the Unified Court System provided court interpreters in 99 different languages in more than 52,000 civil and criminal cases, including remote interpreting—by video or teleconference—when an on-site interpreter was not available. In addition, more than 600 candidates participated in language-skills screening exams, with 108 new interpreters added to the per diem roster, and 150 staff and per diem interpreters attended mandatory training programs.

For more information, visit the courts' Office of Court Interpreting Services online: [www.nycourts.gov/courtinterpreter](http://www.nycourts.gov/courtinterpreter).

### ***Enhancements to Town and Village Courts Improve Operations, Access***

New York's 1,200-plus justice courts serve towns and villages in the 57 counties outside New York City, handling a range of civil matters; trying misdemeanors, minor offenses and violations; conducting felony arraignments and preliminary hearings; and collecting millions of dollars a year in statutory fines, fees and surcharges. Annually, these courts handle close to two million cases.

While constitutionally part of the Unified Court System, New York's justice courts are supported mostly through local funding, with many localities in recent years lacking the financial and other resources to adequately support their Justice Courts. In 2006, the Office of Court Administration developed a comprehensive plan that focused on improving justice court operations; updating courthouse technology, facilities and security; and stepping up training for justice court judges—approximately two-thirds of whom are non-lawyers—and staff to ensure these courts are fully prepared to meet their myriad responsibilities. The plan was devised to provide immediate assistance and resources to the state's justice courts within the existing legal framework.

Since the plan was launched, new computers, printers, digital recorders, credit card machines, hand-held and walk-through metal detectors and other equipment have been installed in justice courts across the state. In addition, justice court judges and staff have been incorporated into the court system's e-mail system and justice courts provided with access to law libraries and online legal research databases such as Lexis and Westlaw.

Implementation of the Action Plan forged ahead in 2011, with administrative, training and other justice court functions now centralized within the court system's Office of Justice Court Support. Most recently, the court system implemented online registration for training programs conducted by the Office of Justice Support to make the process more convenient and eliminate postage, printing and other costs associated with mail-in registration.

Since 1999, the Justice Court Assistance Program (JCAP) has provided small grants to New York's justice courts to fund basic expenses such as computers and printers. Under the Action Plan, JCAP funding has ex-

panded to include financial support for security needs as well as facility upgrades. This year, a more streamlined, user-friendly JCAP online application was introduced to facilitate the grant application process.

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## **IMPROVING OUTCOMES FOR AT-RISK FAMILIES**

**FAMILY COURT FILINGS IN NEW YORK'S 62 COUNTIES EXCEEDED** 715,000 in 2011, with the court system and its partners working to further develop and refine case management practices and other strategies that aim to reduce case delays and improve outcomes for at-risk children and families. Highlights of some of these initiatives are outlined in this section of our Year in Review.

### ***Federally Funded Program Promotes Safety, Permanency of Neglected Children***

The Child Welfare Court Improvement Project (CWCIP) is a federally funded initiative that supports the Family Court's mandate to promote the safety, permanency and well-being of children who are the subject of abuse, neglect, foster care, termination of parental rights and adoption proceedings.

During 2011, the CWCIP partnered with the state Office of Children and Family Services to develop and implement a "continuous quality improvement" (CQI) initiative, an interdisciplinary legal system-child welfare system approach that incorporates shared measurement systems, continuous communication and other elements to improve the processing of child welfare matters and help achieve better outcomes in these cases. For more information, visit [www.nycourts.gov/ip/cwcip](http://www.nycourts.gov/ip/cwcip).

### ***On-Site Centers Offer Drop-In Child Care to At-Risk Families***

The courts' Children's Centers Program oversees a statewide network of drop-in child care centers that offer free, quality child care to youngsters while their parents are in court. Operated by local service providers, the centers promote literacy through story-telling and other activities, also linking families to health, education and other essential services.

Regrettably, this year's judicial budget cuts led to service reductions at children's centers statewide, forcing the closure of several sites, with the centers serving fewer children in 2011—approximately 39,000 youngsters—than in previous years. Center staffers worked diligently this year to help ensure that families were linked to vital services, a task that has become increasingly more challenging with these services being diminished in communities across our state due to the fiscal crisis. To learn more about the Children's Centers, visit [www.nycourts.gov/ip/childrenscenter](http://www.nycourts.gov/ip/childrenscenter).

### ***Statewide Commission Focuses Efforts on At-Risk Youth***

The Permanent Commission on Justice for Children was established in 1988 to improve the lives of children involved with the New York State courts. While the commission's earlier focus was on infants and younger children, much of its recent work targets teens in New York's foster care and juvenile justice systems.

Throughout 2011, the commission worked to underscore the value of engaging youth in their permanency hearings, improve educational outcomes for court-involved children and address problems typically encountered by children of incarcerated parents, with some of this year's efforts centered on the launch of two new initiatives: the facilitation of a New York City school-justice partnership; and the planning of the first National Leadership Summit on School-Justice Partnerships, titled "Keeping Kids in School and Out of Court."

The summit, scheduled for March 2012, will bring together academics, child advocates, educators, judicial leaders, juvenile justice experts, legislators, policymakers, public health specialists, researchers and other experts to examine practices and policies designed to prevent or reduce children's involvement in the justice system and help them thrive in school. Summit partners include the American Association of School Administrators, American Bar Association's Commission on Youth at Risk, Conference of Chief Justices, National Alliance of Pupil Services Organizations, National Association of State Boards of Education, National Center for State Courts, National Council of Juvenile and Family Court Judges, National Center for State Courts, and U.S. Department of Education, with support provided by various foundations, the law firm of Skadden, Arps, Slate, Meagher & Flom LLP and the U.S. Department of Justice.

Also this year, with funding from The Atlantic Philanthropies, the commission collaborated with Advocates for Children to convene a multi-disciplinary task force that has been charged with examining school disciplinary policies and practices and making recommendations for reform. The task force will review alternative practices that incorporate a less punitive approach in promoting safe, supportive learning environments. The group will issue its findings in a comprehensive report scheduled for release in 2013. For more information, visit the Permanent Commission on Justice for Children online at [www.nycourts.gov/ip/justice\\_forchildren/index.shtml](http://www.nycourts.gov/ip/justice_forchildren/index.shtml).

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## **ONGOING UPGRADES TO TECHNOLOGY YIELD GREATER EFFICIENCY, EASIER ACCESS TO THE COURTS**

### ***Further Enhancements Made to Courts' Automated Case Management Systems***

**THE COURT SYSTEM CONTINUED TO UPGRADE AND EXPAND** its automated case processing systems throughout 2011, including enhancements to Surrogate's Court and Family Court applications. Among other improvements, progress was made on the development of automated record-keeping and cashiering systems scheduled for installation in New York City's county clerks' offices.

### ***E-Filing Systems Save Time, Travel***

In 1999, at the request of the Unified Court System, legislation was enacted that established a pilot program to test the utility of e-filing of court documents in certain civil cases. Subsequently, a series of amendments was established by the Legislature to expand e-filing to include more courts and case types. Over the years, e-filing has proven reliable, efficient, convenient and secure, allowing court papers to be filed and served at any time and from anywhere, minimizing the need to travel to the courthouse and reducing record storage, retrieval and reproduction costs.

Attorneys and self-represented litigants may electronically file documents with the court and county clerk and electronically serve those documents upon participating parties and counsel via the New York State Courts Electronic Filing System (NYSCEF).

In May 2010, mandatory e-filing began in the New York County Supreme Court in newly filed commercial cases. Beginning in February 2011, mandatory e-filing of commercial and tort cases was introduced incrementally in Westchester County Supreme Court; and in June, mandatory e-filing was initiated in Rockland County Supreme Court for all case types except those expressly excluded by statute.

As of December 2011, over 360,000 cases have been e-filed and more than 23,000 users registered with the NYSCEF system.

For more information, please refer to the report, “eFiling in the New York State Courts,” available at: [www.nycourts.gov/whatsnew/pdf/eFiling-Report\\_6-2011](http://www.nycourts.gov/whatsnew/pdf/eFiling-Report_6-2011)

### ***High-Speed Network Supports Court System’s Wide-Ranging Needs***

Once again this year, video inmate appearances and other court proceedings were conducted via the courts’ high-speed network, CourtNet, which also served as an integral training and public outreach tool for the court system, broadcasting judicial seminars, courthouse ceremonies and other events.

### ***Online Program Makes Attorney Registration More Convenient***

Last year, the court system introduced an online attorney registration pilot program. This program was expanded in June 2011, offering lawyers throughout the state the option to electronically file their biennial New York State registration forms.

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## **PROGRAMS HELP PARTIES TO RESOLVE DISPUTES OUT OF COURT**

**THE COURT SYSTEM’S OFFICE OF ALTERNATIVE DISPUTE RESOLUTION** (ADR) and Court Improvement Programs oversees a variety of mediation and other ADR programs to help parties settle their disputes out of court, including court- and community-based programs to facilitate the resolution of pending commercial, divorce and family cases and community-based services that aim to prevent disputes from turning into court cases. Additionally, the ADR office coordinates educational programs for mediators, attorneys, judges, non-judicial court employees and members of the public. For more information, visit [www.nycourts.gov/ip/adr/index.shtml](http://www.nycourts.gov/ip/adr/index.shtml).

### ***Statewide Network of Providers Serves Thousands***

The Unified Court System oversees a statewide network of not-for-profit community dispute resolution centers (CDRCs) that offer mediation, conciliation, arbitration and other dispute resolution services on a wide range of disputes that might otherwise become civil, family and criminal court cases, with the grant program administered and monitored by the courts’ Office of Alternative Dispute Resolution and Court Improvement Programs.

CDRCs provide mediation in housing disputes and family matters such as child custody and visitation, while matters referred for arbitration include consumer-merchant disputes, issues involving the division of matrimonial property and automobile Lemon Law cases. Cases are referred by the courts and community-based agencies and organizations, including local police and county-based departments of social services and probation.

The CDRCs experienced significant budget cuts in 2011, resulting in staff and other reductions. Thanks to the outstanding professionalism and dedication of CDRC staff members and volunteer mediators statewide, the centers were able to handle a substantial caseload in spite of this year’s financial difficulties. In 2011, CDRCs served 80,177 people, facilitating the resolution of 75 percent of the 17,514 cases referred for dispute resolution services this year, with family matters, including child custody, visitation and support, accounting for 34 percent of this caseload.

### ***Collaborative Family Law Center Works to Reduce Trauma of Divorce***

The court-sponsored Collaborative Family Law Center was launched in late 2009 to provide free or reduced-fee alternative dispute resolution services to eligible couples in New York City to help reduce the pain, trauma and expense of divorce on families. The Center promotes child-centered, needs-based processes such as collaborative law and mediation services.

Under collaborative law, each spouse agrees not to litigate and hires a specially trained lawyer, with the couple and their respective attorneys working to resolve divorce-related disputes, mutually deciding on such issues as child custody and finances. If the negotiations break down and the parties decide to take their case to court, the collaborative process ends and each spouse proceeds with new counsel. Communications made during the collaborative process are confidential and cannot be used against either party in subsequent hearings.

In 2011, the Collaborative Family Law Center provided divorce-related assistance and information to approximately 75 families per week. Cases mediated via this process had a 95 percent settlement rate. For more information, visit [www.nycourts.gov/ip/collablaw](http://www.nycourts.gov/ip/collablaw).

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## **PROBLEM-SOLVING APPROACHES HELP STOP REVOLVING DOOR OF JUSTICE**

**FOR MORE THAN A DECADE**, the court system has implemented a variety of problem-solving court models to address drug addiction and other underlying problems that often bring people into the criminal justice system in an effort to improve outcomes for victims, communities and defendants. These problem-solving tribunals, which include drug courts, domestic violence courts, mental health courts and community courts, incorporate such features as specially trained judges and staff, intensive judicial monitoring of offenders, and coordination with outside services and agencies.

The first of these problem-solving models to emerge in New York were drug courts. There are now 166 drug courts in operation statewide—combining family, criminal, juvenile and town and village treatment courts in New York’s 13 judicial districts—and more in the planning, with nearly 29,000 individuals successfully completing drug court treatment programs and 764 babies born drug-free since their inception. To learn more about New York’s drug treatment and other problem-solving courts visit [www.nycourts.gov/problem\\_solving](http://www.nycourts.gov/problem_solving).

### ***Pilot Courts Offer Nonviolent Teen Offenders A Chance to Lead Law-Abiding, Productive Lives***

Between 40,000 and 50,000 16- and 17-year olds are arrested in New York each year and prosecuted as adults. While only a small percentage of these cases involve serious crimes, these offenders face criminal convictions that can adversely affect their ability to finish school, obtain future employment and pursue a range of other important life goals.

The age of criminal responsibility was set arbitrarily in New York in 1962, with the understanding that the issue would be revisited. Today, New York remains one of only two states to automatically charge 16-year olds like adults even as clinical evidence shows the adolescent brain is not fully matured and studies indicate this approach neither improves public safety nor enhances quality of life in our communities.

This fall, the Chief Judge called on the state’s sentencing commission to propose new legislation that

would increase the age of criminal responsibility in New York State. In the meantime, the Chief Judge announced the establishment of experimental courts—Adolescent Diversion Parts (ADPs)—that will steer cases of nonviolent offenders ages 16 and 17 to specially trained criminal court judges who understand the legal and psycho-social issues involving troubled adolescents and who are familiar with the broad range of age-appropriate services and interventions specifically intended to meet the needs and risks of this population.

By 2012, ADPs will be launched in Bronx, Erie, Kings, Onondaga, Nassau, New York, Richmond, Queens and Westchester counties, with each of these new parts utilizing existing local resources and personnel.

Under the new program, participating judges will have access to new sentencing options, typically combining community service with short-term social service interventions designed to promote accountability and build concrete life skills. In general, the program will seek to use short-term interventions as a springboard for voluntary engagement in longer-term services. Defendants who comply with the probation and other conditions of the ADPs may qualify to have their records sealed, a measure that will enable those who continue to avert criminal behavior as adults to obtain employment, college aid and other benefits to assist in their transition into productive citizens. Cases of non-compliant offenders will be returned to the court for further action.

### ***Court-Community Partnerships Help Make Neighborhoods Safer***

The Center for Court Innovation is a private-public partnership that tests new strategies designed to improve judicial responses to juvenile delinquency, quality of life crime and other problems, devising pilot projects that rely on collaborative relationships with local stakeholders.

Among other efforts this year, the center coordinated with the court system, the Brooklyn D.A.'s Office, the New York City Department of Probation and other partners on the development of a community court to open in Brownsville. The Brownsville Community Justice Center will address crime by providing educational, occupational and other services and support that local residents need to become productive members of society. The goal of the center is to not only reduce crime but also the use of incarceration. To learn more about Center for Court Innovation projects and studies visit [www.courtinnovation.org](http://www.courtinnovation.org).

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## **COMMERCIAL DIVISION SPECIALIZES IN COMPLEX BUSINESS DISPUTES**

**WITH NEW YORK A HUB OF INTERNATIONAL COMMERCE**, the Unified Court System established the Commercial Division of the Supreme Court 17 years ago to offer businesses a forum in which to bring their disputes for efficient, effective resolution. Operating in ten jurisdictions around the state and incorporating cutting-edge technology and other resources, the Commercial Division is lauded by lawyers, clients and judges throughout New York and the nation. The Commercial Division Law Report, published several times a year, highlights key cases. For more information about the Commercial Division and to review its Law Report, visit [www.nycourts.gov/comdiv/](http://www.nycourts.gov/comdiv/).

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## **PROGRAM AIMS TO REDUCE HIGH COST OF MEDICAL MALPRACTICE SUITS**

**A COURT PROGRAM DEVOTED TO THE HANDLING OF MEDICAL MALPRACTICE LAWSUITS** was launched in Erie County Supreme Court in September, taking a novel approach to help reduce the high costs associated with medical liability litigation and ensure fair and appropriate resolutions for all parties.

The Erie County Medical Liability Reform Model, supported by a grant from the New York State Health Foundation, incorporates a method coined “judge-directed negotiations,” with cases assigned to a dedicated judge who has special training in medical terminology, malpractice patterns, patient safety, mediation and negotiation techniques. Judges hold regular conferences early on to encourage pre-trial settlement, where appropriate. The court, which will eventually handle all medical malpractice suits filed in Erie County, currently handles malpractice cases in which hospitals affiliated with the Catholic and Kaleida Health Systems and the Erie County Medical Center Corporation are named as defendants.

The new Buffalo court replicates a program originating in Bronx County Supreme Court that gained national prominence in June 2010, when the New York State Unified Court System was awarded a \$3 million federal grant from the Agency for Healthcare Research Quality, a division of the United States Department of Health and Human Services. The federal initiative, aimed at enhancing patient safety and trimming medical malpractice overhead, awarded 21 grants nationwide.

While most of these grants were awarded to hospitals and hospital systems, the court system grant was the only one to include a court component. The federal grant expanded the original Bronx model, which had been limited to public hospitals, to five private hospitals located in the Bronx, Brooklyn and Manhattan.

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## **ONGOING IMPROVEMENTS MAKE JURY SERVICE MORE CONVENIENT**

**A LEADER IN THE NATION’S JURY REFORM MOVEMENT**, the Unified Court System has implemented numerous jury service improvements over the past two decades, making jury pools more representative and terms of service shorter and less frequent, among other enhancements. This year, following the court system’s intense monitoring of juror utilization patterns across the state, summoning procedures were modified to improve juror utilization rates, leading to a more rewarding jury experience for many New Yorkers and resulting in substantial savings—\$2.8 million—in juror fees.

For more information, visit [www.nyjuror.gov](http://www.nyjuror.gov).

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## **COURT PROGRAMS PROMOTE DIVERSITY, GENDER FAIRNESS**

**THE UNIFIED COURT SYSTEM CELEBRATES DIVERSITY** and has a longstanding commitment to equal employment opportunity, the elimination of under-representation of minorities and women in the workforce, and the fair and equal treatment of minorities and women within the court system.

The New York State Judicial Commission on Minorities, which marked its 20-year anniversary in 2011, works to foster racial diversity and cultural sensitivity in the courts and throughout the legal profession. This year, the commission engaged in multiple efforts to increase the pool of qualified candidates of color applying for judgeships, holding meetings with University of Buffalo School of Law and New York Law School officials and legal writing faculty members to discuss strategies aimed at boosting the number of minority judicial candidates; and corresponding with legislative and other state leaders, encouraging them to consider diversity as a priority when making appointments to the panels that screen candidates for Appellate Division, Court of Claims and Court of Appeals judgeships.

Also in 2011, the commission co-sponsored the Bronx Family Court’s Disproportionate Minority Representation Committee conference, “Transforming Child Welfare Practice to Promote Racial Equity for Children and Families,” and continued to oversee a mentor program that pairs newly minted minority attorneys with

judges. For more information about the commission, visit [www.nycourts.gov/ip/minorities/index.shtml](http://www.nycourts.gov/ip/minorities/index.shtml).

The New York State Judicial Committee on Women in the Courts is dedicated to achieving gender fairness in the court system and greater community. Among its efforts this year, the committee, in celebration of its 25-year anniversary, organized a day-long symposium on gender-related issues at New York University School of Law; solicited and wrote articles for a volume of the New York University Review of Law and Social Change dedicated to the symposium; collaborated with the Lawyers Committee Against Domestic Violence to present a two-day continuing legal education program at Fordham University School of Law titled “Healing or Hurting: Hopes and Hazards of Mixing Mental Health and the Courts”; published and distributed “The Lawyer’s Manual on Human Trafficking: Pursuing Justice for Victims”; provided assistance to the courts’ statewide network of gender fairness committees on Domestic Violence Awareness Month and Women’s History Month events; and responded to litigants’ complaints. For more information, visit the committee online at: [www.nycourts.gov/ip/womeninthecourts/index.shtml](http://www.nycourts.gov/ip/womeninthecourts/index.shtml).

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## OUTREACH EFFORTS FOSTER PUBLIC UNDERSTANDING OF THE COURTS

**IN 2011, THE COURT SYSTEM ENGAGED IN A VARIETY OF OUTREACH ACTIVITIES** to foster public understanding of the New York State Judiciary and raise awareness about court programs, including efforts to highlight the benefits of mediation in appropriate cases, familiarize young people with the workings of the courts, and promote the courts’ online Judicial Voter Guide—which this year had the highest number of visitors (*see below*)—and e-filing programs (*see page 10*). To learn more about the courts’ outreach efforts, visit [www.nycourts.gov/admin/publicaffairs/index.shtml](http://www.nycourts.gov/admin/publicaffairs/index.shtml).

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## CENTER PROMOTES INFORMED VOTER PARTICIPATION IN JUDICIAL ELECTIONS

**THE JUDICIAL CAMPAIGN ETHICS CENTER** serves as a central resource on campaign ethics for judicial candidates and informs the public about judicial elections in New York State. In 2011, the center fielded over 300 ethics-related inquiries from judicial candidates.

For the first time this year, the center offered mandatory judicial campaign ethics training exclusively by online video, consistent with the courts’ budgetary constraints and green initiative. Over 180 judicial candidates, including all candidates for state-paid elective judicial office who appeared on the ballot in the general election, completed ethics training. The center also revised its “frequently asked questions” web page to address questions specific to town and village justice court candidates. The center’s online Judicial Candidate Voter Guide contained biographical information on 100 candidates for state-paid elective judicial office, receiving over 20,000 visitors in the period leading up to Election Day 2011. For more information about the center, visit [www.nycourts.gov/ip/jcec](http://www.nycourts.gov/ip/jcec).

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## TRAINING INSTITUTE FOSTERS JUDICIAL EXCELLENCE

**THE JUDICIAL INSTITUTE, LOCATED ON THE PACE UNIVERSITY SCHOOL OF LAW** campus in Westchester County, is a year-round center for education and scholarship designed to enhance the quality of the courts and ensure judicial excellence.

In 2011, the institute expanded access to its distance-learning programs, making them available to judges and court attorneys via the internet as well as the court system's intranet. In addition to conducting seminars for new judges, the institute also provided programming and technical assistance for other court-related education programs, including the Mental Hygiene Legal Services-sponsored court attorney program.

Also this year, the institute co-sponsored several educational programs, including "Public Health Science and the Law," funded by the Public Health Law Program of the Centers for Disease Control and Prevention; "Lesbian, Gay, Bisexual and Transgender Issues in the Courts"; "Technologies for the Detection of Environmental Crimes," funded by the U.S. Department of Justice; and "Bankruptcy Law for New York State Judges," a three-part series videotaped before live audiences.

The institute also co-sponsored a symposium on environmental courts that was attended by judges from around the world, including Australia, Brazil and the Philippines, and published a digital edition of the *Journal of Court Innovation*, which focused on these courts.

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## **PERSONNEL PROGRAMS OFFER PROFESSIONAL, PERSONAL GROWTH**

**IN 2011, THE COURT SYSTEM PROVIDED TRAINING WORKSHOPS** specific to the needs of employees in the Court Clerk, Court Interpreter and certain other non-judicial job titles as well as programs for new supervisors and managers. In addition, computer training and professional and personal development programs were made available to all non-judicial employees; and the New York State Court Officers Academy provided in-service and weapons re-qualification training for the courts' uniformed and non-uniformed officers.

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## **OFFICE OF GUARDIAN AND FIDUCIARY SERVICES PROVIDES TRAINING, SUPPORT**

**THE OFFICE OF GUARDIAN AND FIDUCIARY SERVICES** (GFS) provides training and other support services to judges, non-judicial court employees, attorneys and other professionals in the areas of the guardianship practice under Article 81 of the Mental Hygiene Law and fiduciary appointments under Part 36 of the Rules of the Chief Judge.

GFS also coordinates training-related assistance for lay guardians—including family members and friends of the incapacitated person—via the Guardian Assistance Network (GAN), which since 2006 has provided live training in accordance with statutory requirements to over 1,000 lay guardians in the metropolitan New York area. In April, GAN launched a free online video training program designed exclusively for lay guardians, with over 300 lay guardians statewide completing online training as of the end of this year. Visit GFS online at [www.nycourts.gov/ip/gfs/index.shtml](http://www.nycourts.gov/ip/gfs/index.shtml).

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## **UPGRADES TO FACILITIES ADDRESS COURTS' EVOLVING NEEDS**

**NEW YORK COURT FACILITIES ARE PROVIDED AND MAINTAINED** by the cities and counties they serve. Since the Court Facilities Act was passed in 1987—in response to inadequacies in many court facilities—the Unified Court System has extended technical and financial support to local governments statewide for the maintenance, renovation and construction of court facilities.

In 2011, among the various projects under way, two major undertakings reached completion: the Albany County Courthouse, a complex, multi-phase renovation and restoration of an occupied courthouse; and

the Allegany County Courthouse, a two-phase plan involving the construction of a courthouse addition followed by the renovation of the county's historic courthouse.

In New York City, work continued this year on multiple projects, including construction on the new Richmond County Supreme-Criminal court facility; expansion of and upgrades to the Kings County Supreme-Civil Courthouse; upgrades to Kings County Criminal Court; and renovations to the Bronx County Supreme-Civil Court facility and the county's Family-Criminal Court facility. In addition, progress was made on the latest phase of a multi-year renovation of Suffolk County's Riverhead court facilities.

## COURT STRUCTURE AND CASELOAD ACTIVITY

**ARTICLE VI OF THE STATE CONSTITUTION** specifies the organization and jurisdiction of the courts, establishes the methods for the selection and removal of judges and provides for administrative supervision of the courts. The responsibility and authority of the New York State Unified Court System (UCS) is vested in the Chief Judge, who also serves as Chief Judge of the Court of Appeals, New York’s highest court.

The UCS is made up of 11 separate trial courts: New York City Civil, New York City Criminal, City, District, town and village Justice, Supreme, County, Family and Surrogate’s Courts and the Court of Claims; the intermediate Appellate Terms and Appellate Divisions; and the Court of Appeals. This chapter describes the jurisdiction of these courts and provides an overview of their 2011 caseload activity as well as a summary description of the Office of Court Administration (OCA), the court system’s administrative arm.

### APPELLATE COURTS

**THE COURT OF APPEALS**—New York’s highest court—hears civil and criminal appeals. In most cases, the court’s authority is limited to the review of questions of law. Depending on the issue, some matters may be appealed as of right and some only by leave or permission from the court or the Appellate Division. The Court of Appeals also presides over appeals of decisions reached by the State Commission on Judicial Conduct (which reviews allegations of misconduct brought against judges) and sets rules governing the admission of attorneys to the bar. The Court of Appeals consists of the Chief Judge and six Associate Judges appointed by the Governor, with the advice and consent of the Senate, to 14-year terms. Five members of the court constitute a quorum, with the agreement of four required for a decision. The court’s caseload activity is reported in **TABLE 1**.

There are four **APPELLATE DIVISIONS OF THE SUPREME COURT**, one in each judicial department (*see chart*). Their responsibilities include resolving appeals from judgments or orders of the superior courts of original jurisdiction in civil and criminal cases; reviewing civil appeals taken from the Appellate Terms and

### FOR ADMINISTRATIVE PURPOSES, THE NEW YORK STATE APPELLATE DIVISION IS DIVIDED INTO FOUR JUDICIAL DEPARTMENTS, AS FOLLOWS:

| JUDICIAL DEPARTMENTS BY COUNTY |              |             |              |              |         |
|--------------------------------|--------------|-------------|--------------|--------------|---------|
| FIRST DEPT.                    | SECOND DEPT. | THIRD DEPT. |              | FOURTH DEPT. |         |
| Bronx                          | Dutchess     | Albany      | Montgomery   | Allegany     | Ontario |
| New York                       | Kings        | Broome      | Otsego       | Cattaraugus  | Oswego  |
| (Manhattan)                    | Nassau       | Chemung     | Rensselaer   | Cayuga       | Seneca  |
|                                | Orange       | Chenango    | St. Lawrence | Chautauqua   | Steuben |
|                                | Putnam       | Clinton     | Saratoga     | Erie         | Wayne   |
|                                | Queens       | Columbia    | Schenectady  | Genesee      | Wyoming |
|                                | Richmond     | Cortland    | Schoharie    | Herkimer     | Yates   |
|                                | Rockland     | Delaware    | Schuyler     | Jefferson    |         |
|                                | Suffolk      | Essex       | Sullivan     | Lewis        |         |
|                                | Westchester  | Franklin    | Tioga        | Livingston   |         |
|                                |              | Fulton      | Tompkins     | Monroe       |         |
|                                |              | Greene      | Ulster       | Niagara      |         |
|                                |              | Hamilton    | Warren       | Oneida       |         |
|                                |              | Madison     | Washington   | Onondaga     |         |

*The Court of Appeals, New York's highest court, hears civil and criminal appeals.  
The court also presides over appeals of decisions reached by the State Commission on Judicial Conduct  
and sets rules governing the admission of attorneys to the bar.*

County Courts acting as appellate tribunals; establishing rules governing attorney conduct; conducting proceedings to admit, suspend or disbar attorneys. Presiding and Associate Justices of each division are selected from the Supreme Court by the Governor. Presiding Justices serve for the remainder of their term; Associate

**TABLE 1 CASELOAD ACTIVITY IN THE COURT OF APPEALS – 2011**

|  |                 |                 |                 |                  |               |              |
|--|-----------------|-----------------|-----------------|------------------|---------------|--------------|
| Applications Decided [CPL 460.20(3(b))]  | 2,089           |                 |                 |                  |               |              |
| Records on Appeal Filed  | 257             |                 |                 |                  |               |              |
| Oral Arguments (Includes Submissions)  | 247             |                 |                 |                  |               |              |
| Appeals Decided  | 242             |                 |                 |                  |               |              |
| Motions Decided  | 1,403           |                 |                 |                  |               |              |
| Judicial Conduct Determinations Reviewed   | 0               |                 |                 |                  |               |              |
| <b>DISPOSITIONS OF APPEALS DECIDED IN THE COURT OF APPEALS<br/>by Basis of Jurisdiction</b>  |                 |                 |                 |                  |               |              |
| <b>BASIS OF JURISDICTION</b>   | <b>AFFIRMED</b> | <b>REVERSED</b> | <b>MODIFIED</b> | <b>DISMISSED</b> | <b>OTHER*</b> | <b>TOTAL</b> |
| <b>All Cases:</b>  |                 |                 |                 |                  |               |              |
| Dissents in Appellate Division   | 12              | 5               | 1               | 1                | 0             | 19           |
| Permission of Court of Appeals or Judge thereof  | 80              | 48              | 10              | 1                | 0             | 139          |
| Permission of Appellate Division or Justice thereof  | 39              | 20              | 13              | 2                | 1             | 75           |
| Constitutional Question  | 1               | 0               | 0               | 0                | 0             | 1            |
| Stipulation for Judgment Absolute  | 0               | 0               | 0               | 0                | 0             | 0            |
| Other  | 0               | 0               | 1               | 0                | 7             | 8            |
| <b>Total</b>   | <b>132</b>      | <b>73</b>       | <b>25</b>       | <b>4</b>         | <b>8</b>      | <b>242</b>   |
| <b>Civil Cases:</b>  |                 |                 |                 |                  |               |              |
| Dissents in Appellate Division   | 12              | 5               | 1               | 1                | 0             | 19           |
| Permission of Court of Appeals   | 29              | 21              | 2               | 0                | 0             | 52           |
| Permission of Appellate Division   | 24              | 13              | 12              | 0                | 1             | 50           |
| Constitutional Question  | 1               | 0               | 0               | 0                | 0             | 1            |
| Stipulation for Judgment Absolute  | 0               | 0               | 0               | 0                | 0             | 0            |
| Other  | 0               | 0               | 1               | 0                | 7             | 8            |
| <b>Total</b>   | <b>66</b>       | <b>39</b>       | <b>16</b>       | <b>1</b>         | <b>8</b>      | <b>130</b>   |
| <b>Criminal Cases:</b>   |                 |                 |                 |                  |               |              |
| Permission of Court of Appeals Judge   | 51              | 27              | 8               | 1                | 0             | 87           |
| Permission of Appellate Division Justice   | 15              | 7               | 1               | 2                | 0             | 25           |
| Other  | 0               | 0               | 0               | 0                | 0             | 0            |
| <b>Total</b>   | <b>66</b>       | <b>34</b>       | <b>9</b>        | <b>3</b>         | <b>0</b>      | <b>112</b>   |
| *Includes anomalies which did not result in an affirmance, reversal, modification or dismissal (e.g., judicial suspensions, acceptance of a case for review pursuant to Court Rule 500.27) |                 |                 |                 |                  |               |              |

Justices are designated for five-year terms or the remainder of their unexpired terms of office, if less than five years. The Appellate Divisions' caseload activity is listed in **TABLE 2**.

**APPELLATE TERMS OF THE SUPREME COURT IN THE FIRST AND SECOND DEPARTMENTS** hear appeals from civil and criminal cases originating in New York City's Civil and Criminal Courts. In the Second Department, the Appellate Terms also hear appeals from civil and criminal cases originating in District, City, and town and village Justice Courts. Justices are selected by the Chief Administrator, upon approval of the Presiding Justice of the appropriate Appellate Division. The Appellate Terms' caseload activity is listed in **TABLE 3**.

**TABLE 2 CASELOAD ACTIVITY IN THE APPELLATE DIVISION – 2011**

|   | FIRST DEPT   |            | SECOND DEPT  |              | THIRD DEPT   |            | FOURTH DEPT |            | TOTAL         |
|---|--------------|------------|--------------|--------------|--------------|------------|-------------|------------|---------------|
|   | Civil        | Criminal   | Civil        | Criminal     | Civil        | Criminal   | Civil       | Criminal   |               |
| <b>Records on Appeal Filed</b>  | <b>1,786</b> | <b>704</b> | <b>3,171</b> | <b>775</b>   | <b>1,600</b> | <b>392</b> | <b>835</b>  | <b>589</b> | <b>9,852</b>  |
| Disposed of before argument or submission (e.g., dismissed, withdrawn, settled) | 162          | 129        | 5,906        | 721          | 3            | 1          | 0           | 0          | 6,922         |
| Disposed of after argument or submission:                                       |              |            |              |              |              |            |             |            |               |
| Affirmed  | 1,056        | 579        | 1,747        | 661          | 925          | 320        | 420         | 485        | 6,193         |
| Reversed  | 342          | 58         | 765          | 89           | 135          | 22         | 98          | 42         | 1,551         |
| Modified  | 234          | 38         | 305          | 50           | 155          | 31         | 147         | 54         | 1,014         |
| Dismissed   | 181          | 23         | 403          | 16           | 125          | 7          | 154         | 20         | 929           |
| Other   | 82           | 6          | 120          | 107          | 4            | 3          | 12          | 5          | 339           |
| <b>Total Dispositions</b>   | <b>2,057</b> | <b>833</b> | <b>9,246</b> | <b>1,644</b> | <b>1,347</b> | <b>384</b> | <b>831</b>  | <b>606</b> | <b>16,948</b> |
|   |              | FIRST DEPT | SECOND DEPT  |              | THIRD DEPT   |            | FOURTH DEPT |            | TOTAL         |
| Oral Arguments*   |              | 1,167      | 2,182        |              | 743          |            | 703         |            | <b>4,795</b>  |
| Motions Decided*  |              | 4,793      | 10,424       |              | 6,341        |            | 5,169       |            | <b>26,727</b> |
| Admissions to the Bar   |              | 2,873      | 2,525        |              | 4,120        |            | 635         |            | <b>10,153</b> |
| Atty. Disciplinary Proceedings Decided  |              | 217        | 224          |              | 45           |            | 66          |            | <b>552</b>    |

\*Not broken down by civil or criminal

**TABLE 3 CASELOAD ACTIVITY IN THE APPELLATE TERMS – 2011**

|  | FIRST DEPT |            |            | SECOND DEPT  |              |              | TOTAL        |
|--|------------|------------|------------|--------------|--------------|--------------|--------------|
|  | Civil      | Criminal   | Total      | Civil        | Criminal     | Total        |              |
| <b>Records on Appeal Filed</b>   | <b>289</b> | <b>101</b> | <b>390</b> | <b>2,128</b> | <b>1,032</b> | <b>3,160</b> | <b>3,550</b> |
| Disposed of before argument or submission (e.g. dismissed, withdrawn, settled) | 24         | 3          | 27         | 1,590        | 760          | 2,350        | 2,377        |
| Disposed of after argument or submission:                                      |            |            |            |              |              |              |              |
| Affirmed   | 115        | 23         | 138        | 308          | 136          | 444          | 582          |
| Reversed   | 76         | 6          | 82         | 257          | 54           | 311          | 393          |
| Modified   | 51         | 1          | 52         | 70           | 13           | 83           | 135          |
| Dismissed  | 28         | -          | 28         | 27           | 7            | 34           | 62           |
| Other  | 6          | -          | 6          | 26           | 4            | 30           | 36           |
| <b>Total Dispositions</b>  | <b>300</b> | <b>33</b>  | <b>333</b> | <b>2,278</b> | <b>974</b>   | <b>3,252</b> | <b>3,585</b> |
| Oral Arguments*  |            |            | 202        |              |              | 419          | 621          |
| Motions Decided*   |            |            | 1,782      |              |              | 5,634        | 7,416        |

\*Not broken down by civil or criminal

## TRIAL COURTS

IN 2011, 4,221,246 cases were filed statewide in the trial courts. Excluding parking tickets, filings totaled 4,055,065 — 41 percent of which were criminal filings, 38 percent civil filings, 18 percent Family Court filings and 3 percent Surrogate’s Court filings. As TABLE 4 shows, total filings remained high. FIGURE A shows the percentage of filings by case type.

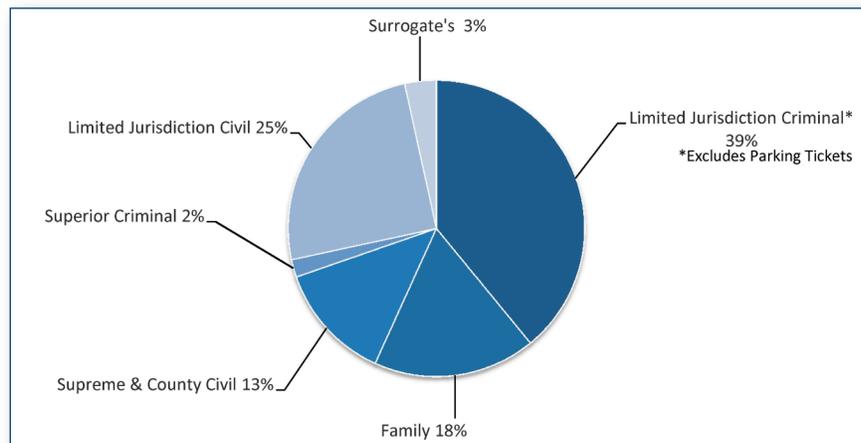
THE SUPREME COURT generally handles cases outside the authority of the lower courts such as civil matters beyond the monetary limits of the lower courts’ jurisdiction; divorce, separation and annulment proceedings; equity suits, such as mortgage foreclosures and injunctions; and criminal prosecutions of felonies. THE COMMERCIAL DIVISION, which is devoted exclusively to complex business litigation, is part of the Supreme Court. Supreme Court justices are elected by judicial district to 14-year terms.

**TABLE 4 FILINGS IN THE TRIAL COURTS: FIVE-YEAR COMPARISON**

| COURT   | 2007                 | 2008                 | 2009                 | 2010                 | 2011                 |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|
| <i>CRIMINAL</i>                                     |                      |                      |                      |                      |                      |
| Supreme and County Courts Criminal                  | 81,956 <sup>a</sup>  | 81,267 <sup>a</sup>  | 80,837 <sup>a</sup>  | 85,661 <sup>a</sup>  | 77,842 <sup>a</sup>  |
| Criminal Court of the City of NY <sup>b</sup>       | 862,690              | 869,479              | 888,181              | 913,365              | 861,378              |
| City & District Courts Outside NYC <sup>b</sup>     | 781,502              | 780,788              | 772,176              | 756,767              | 723,008              |
| Parking Tickets                                     | 144,230              | 163,391              | 156,173              | 150,804              | 166,181              |
| <b>Criminal Total</b>                               | <b>1,870,378</b>     | <b>1,894,925</b>     | <b>1,897,367</b>     | <b>1,906,597</b>     | <b>1,828,409</b>     |
| <i>CIVIL</i>  |                      |                      |                      |                      |                      |
| Supreme Court Civil <sup>c</sup>                    | 414,132              | 440,157              | 466,470              | 474,440              | 440,026              |
| Civil Court of the City of NY <sup>d</sup>          | 940,334              | 958,676              | 909,064              | 820,355              | 717,632              |
| City & District Courts Outside NYC <sup>d</sup>     | 358,541              | 382,171              | 358,529              | 336,141              | 293,973              |
| County Courts Civil <sup>e</sup>                    | 26,491               | 34,380               | 42,178               | 37,453               | 48,349               |
| Court of Claims                                     | 1,589                | 1,707                | 1,696                | 1,561                | 1,505                |
| Small Claims Assessment Review Program <sup>e</sup> | 73,103               | 77,257               | 85,265               | 96,720               | 33,729               |
| <b>Civil Total</b>                                  | <b>1,814,190</b>     | <b>1,894,348</b>     | <b>1,863,202</b>     | <b>1,766,670</b>     | <b>1,535,214</b>     |
| <i>FAMILY</i>                                       | 709,293 <sup>f</sup> | 739,662 <sup>f</sup> | 742,365 <sup>f</sup> | 720,850 <sup>f</sup> | 717,818 <sup>f</sup> |
| <i>SURROGATE'S</i>                                  | 141,671              | 142,330              | 138,182              | 138,396              | 139,805              |
| <b>Total</b>  | <b>4,535,532</b>     | <b>4,671,265</b>     | <b>4,641,116</b>     | <b>4,532,513</b>     | <b>4,221,246</b>     |

<sup>a</sup>Includes felonies and misdemeanors, of which 29,183 were misdemeanor filings in 2011.  
<sup>b</sup>NYC includes arrest and summons cases; outside NYC includes arrest cases and uniform traffic tickets.  
<sup>c</sup>Includes new cases, ex parte applications and uncontested matrimonial cases.  
<sup>d</sup>Includes civil, housing, small claims and commercial claims.  
<sup>e</sup>Includes new cases and ex parte applications.  
<sup>f</sup>Includes Permanency Planning Hearings Held.

**FIGURE A TRIAL COURT FILINGS BY CASE TYPE – 2011**

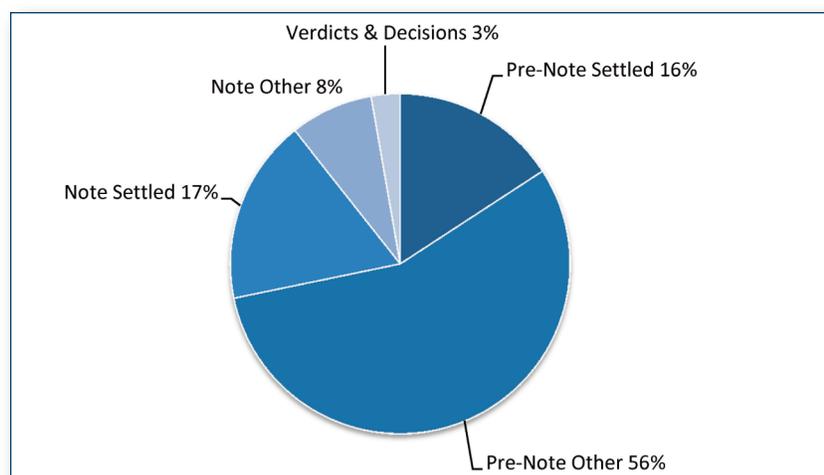


## CIVIL CASES

**DURING 2011** there were **440,026** civil filings in Supreme Court, including **168,551** new cases, **221,690** ex parte applications and **49,785** uncontested matrimonial cases. A total of **441,301** matters reached disposition. Three standard-and-goal periods measure the length of time from filing a civil action to disposition. The first or “pre-note” standard measures the time from filing a request for judicial intervention (RJI)—when parties first seek some form of judicial relief—to filing the trial note of issue, indicating readiness for trial. The second or “note” standard measures the time from filing the note of issue to disposition. The third standard covers the entire period from filing the RJI to disposition. The respective time frames are 8-15-23 months for expedited cases; 12-15-27 months for standard cases; and 15-15-30 months for complex cases. In matrimonial cases, the standards are 6-6-12 months; in tax certiorari cases, 48-15-63 months. **FIGURE B** shows the breakdown of cases by manner of disposition.

**COUNTY COURTS**, located in each county outside New York City, handle criminal prosecutions of felonies and misdemeanors committed within the county, although in practice most minor offenses are handled by lower courts. County Courts also have limited jurisdiction over civil lawsuits, generally involving claims up to \$25,000. County Courts in the Third and Fourth Departments, while primarily trial courts, hear appeals from cases originating in the city, town and village courts. County Court judges are elected to 10-year terms. The statistical data for the County Courts’ felony caseload are reported in combination with

**FIGURE B SUPREME CIVIL DISPOSITIONS BY TYPE OF DISPOSITION – 2011**



the felony caseload data for Supreme Court in **TABLE 5**.

**THE COURT OF CLAIMS** is a statewide court with exclusive authority over lawsuits involving monetary claims against the State of New York or certain other state-related entities such as the New York State Thruway Authority, the City University of New York and the New York State Power Authority (claims for the appropriation of real property only).

The court hears cases at nine locations around the state. Cases are heard without juries. Court of Claims judges are appointed by the Governor, with the advice and consent of the Senate, to nine-year terms.

During 2011, **1,505** claims were filed and **1,403** cases decided.

**TABLE 5**

**SUPREME CRIMINAL & COUNTY COURT – FELONY CASES 2011**

| FILINGS            |               |               |               | DISPOSITIONS  |               |              |            |                  |              |              |
|--------------------|---------------|---------------|---------------|---------------|---------------|--------------|------------|------------------|--------------|--------------|
| Location           | Total         | Indictments   | SCI's*        | Total         | Guilty Pleas  | Convictions  | Acquittals | Nonjury Verdicts | Dismissals   | Other        |
| <b>TOTAL STATE</b> | <b>48,659</b> | <b>31,894</b> | <b>16,765</b> | <b>50,975</b> | <b>44,624</b> | <b>1,198</b> | <b>518</b> | <b>383</b>       | <b>3,248</b> | <b>1,004</b> |
| NYC                | 22,158        | 18,082        | 4,076         | 23,547        | 19,448        | 680          | 366        | 114              | 2,212        | 727          |
| New York           | 7,125         | 6,470         | 655           | 7,656         | 6,212         | 251          | 99         | 42               | 831          | 221          |
| Bronx              | 5,027         | 4,192         | 835           | 4,935         | 3,991         | 73           | 84         | 8                | 628          | 151          |
| Kings              | 5,541         | 4,976         | 565           | 6,089         | 5,054         | 174          | 114        | 16               | 473          | 258          |
| Queens             | 3,708         | 1,916         | 1,792         | 4,129         | 3,556         | 167          | 67         | 48               | 213          | 78           |
| Richmond           | 757           | 528           | 229           | 738           | 635           | 15           | 2          | 0                | 67           | 19           |
| <b>ONYC**</b>      | <b>26,501</b> | <b>13,812</b> | <b>12,689</b> | <b>27,428</b> | <b>25,176</b> | <b>518</b>   | <b>152</b> | <b>269</b>       | <b>1,036</b> | <b>277</b>   |
| Albany             | 1,044         | 603           | 441           | 1,073         | 960           | 34           | 11         | 1                | 60           | 7            |
| Allegany           | 100           | 30            | 70            | 107           | 103           | 0            | 0          | 0                | 4            | 0            |
| Broome             | 713           | 346           | 367           | 716           | 644           | 11           | 11         | 3                | 46           | 1            |
| Cattaraugus        | 276           | 180           | 96            | 264           | 249           | 7            | 0          | 0                | 7            | 1            |
| Cayuga             | 239           | 134           | 105           | 207           | 194           | 4            | 0          | 0                | 8            | 1            |
| Chautauqua         | 428           | 158           | 270           | 470           | 460           | 1            | 1          | 1                | 6            | 1            |
| Chemung            | 320           | 288           | 32            | 295           | 247           | 19           | 5          | 7                | 15           | 2            |
| Chenango           | 146           | 112           | 34            | 146           | 138           | 4            | 1          | 0                | 2            | 1            |
| Clinton            | 241           | 101           | 140           | 244           | 236           | 4            | 0          | 0                | 4            | 0            |
| Columbia           | 100           | 32            | 68            | 142           | 130           | 0            | 0          | 1                | 6            | 5            |
| Cortland           | 146           | 53            | 93            | 148           | 141           | 1            | 0          | 0                | 4            | 2            |
| Delaware           | 66            | 39            | 27            | 77            | 75            | 2            | 0          | 0                | 0            | 0            |
| Dutchess           | 427           | 125           | 302           | 455           | 418           | 9            | 2          | 1                | 11           | 14           |
| Erie               | 1,866         | 620           | 1,246         | 2,043         | 1,793         | 48           | 14         | 118              | 47           | 23           |
| Essex              | 84            | 54            | 30            | 94            | 89            | 3            | 0          | 0                | 2            | 0            |
| Franklin           | 175           | 101           | 74            | 145           | 134           | 5            | 0          | 0                | 4            | 2            |
| Fulton             | 117           | 44            | 73            | 124           | 118           | 1            | 3          | 0                | 2            | 0            |
| Genesee            | 202           | 108           | 94            | 209           | 188           | 8            | 4          | 3                | 4            | 2            |
| Greene             | 129           | 31            | 98            | 145           | 142           | 1            | 0          | 0                | 0            | 2            |
| Hamilton           | 6             | 1             | 5             | 8             | 6             | 0            | 0          | 0                | 2            | 0            |
| Herkimer           | 190           | 46            | 144           | 190           | 187           | 1            | 0          | 0                | 2            | 0            |
| Jefferson          | 454           | 152           | 302           | 478           | 436           | 5            | 1          | 1                | 25           | 10           |
| Lewis              | 110           | 37            | 73            | 115           | 107           | 2            | 1          | 0                | 2            | 3            |
| Livingston         | 228           | 120           | 108           | 234           | 225           | 3            | 0          | 2                | 3            | 1            |
| Madison            | 130           | 60            | 70            | 129           | 120           | 1            | 0          | 1                | 7            | 0            |
| Monroe             | 2,301         | 1,321         | 980           | 2,288         | 1,994         | 67           | 27         | 61               | 127          | 12           |
| Montgomery         | 145           | 53            | 92            | 151           | 146           | 2            | 2          | 0                | 0            | 1            |
| Nassau             | 2,186         | 1,063         | 1,123         | 2,229         | 1,979         | 41           | 8          | 9                | 169          | 23           |
| Niagara            | 523           | 303           | 220           | 523           | 452           | 9            | 5          | 4                | 51           | 2            |
| Oneida             | 828           | 603           | 225           | 863           | 821           | 12           | 1          | 3                | 24           | 2            |
| Onondaga           | 1,314         | 700           | 614           | 1,342         | 1,227         | 33           | 11         | 3                | 65           | 3            |
| Ontario            | 421           | 201           | 220           | 463           | 439           | 13           | 2          | 2                | 7            | 0            |
| Orange             | 835           | 612           | 223           | 932           | 863           | 13           | 4          | 8                | 25           | 19           |
| Orleans            | 88            | 73            | 15            | 127           | 105           | 2            | 3          | 0                | 10           | 7            |
| Oswego             | 200           | 70            | 130           | 241           | 226           | 8            | 1          | 2                | 2            | 2            |
| Otsego             | 100           | 74            | 26            | 105           | 93            | 4            | 1          | 0                | 6            | 1            |
| Putnam             | 145           | 70            | 75            | 127           | 122           | 0            | 0          | 0                | 4            | 1            |
| Rensselaer         | 293           | 123           | 170           | 275           | 253           | 6            | 2          | 0                | 7            | 7            |
| Rockland           | 614           | 398           | 216           | 616           | 582           | 10           | 8          | 6                | 7            | 3            |
| St. Lawrence       | 351           | 192           | 159           | 377           | 354           | 7            | 1          | 4                | 10           | 1            |
| Saratoga           | 342           | 82            | 260           | 337           | 332           | 2            | 1          | 0                | 1            | 1            |
| Schenectady        | 440           | 321           | 119           | 435           | 402           | 18           | 1          | 1                | 9            | 4            |
| Schoharie          | 69            | 24            | 45            | 61            | 58            | 0            | 0          | 0                | 1            | 2            |
| Schuyler           | 67            | 22            | 45            | 82            | 80            | 0            | 0          | 0                | 0            | 2            |
| Seneca             | 100           | 50            | 50            | 112           | 95            | 1            | 0          | 0                | 6            | 10           |
| Steuben            | 230           | 97            | 133           | 214           | 204           | 3            | 0          | 2                | 4            | 1            |
| Suffolk            | 3,541         | 2,197         | 1,344         | 3,722         | 3,506         | 20           | 2          | 4                | 153          | 37           |
| Sullivan           | 265           | 141           | 124           | 268           | 251           | 7            | 0          | 2                | 6            | 2            |
| Tioga              | 144           | 115           | 29            | 144           | 129           | 4            | 0          | 7                | 3            | 1            |
| Tompkins           | 206           | 108           | 98            | 204           | 186           | 3            | 0          | 1                | 9            | 5            |
| Ulster             | 314           | 153           | 161           | 386           | 355           | 13           | 3          | 0                | 11           | 4            |
| Warren             | 246           | 85            | 161           | 295           | 283           | 4            | 1          | 0                | 6            | 1            |
| Washington         | 173           | 136           | 37            | 184           | 169           | 3            | 1          | 0                | 11           | 0            |
| Wayne              | 239           | 172           | 67            | 262           | 229           | 5            | 3          | 1                | 2            | 22           |
| Westchester        | 1,594         | 508           | 1,086         | 1,570         | 1,488         | 31           | 8          | 10               | 20           | 13           |
| Wyoming            | 175           | 129           | 46            | 169           | 151           | 2            | 1          | 0                | 6            | 9            |
| Yates              | 75            | 41            | 34            | 66            | 62            | 1            | 1          | 0                | 1            | 1            |

\*Superior Court Information

\*\*Outside New York City

**SURROGATE'S COURT**, located in every county of the state, hears cases involving the affairs of the deceased, including the validity of wills and the administration of estates. These courts are also authorized to handle adoptions. Surrogate's Court judges are elected to 10-year terms in each county outside New York City and to 14-year terms in all New York City counties. See **TABLE 6** for 2011 filings and dispositions by case type.

**FAMILY COURT**, located in every county of the state, hears matters involving children and families, including adoption, guardianship, foster care approval and review, juvenile delinquency, family violence, child

**TABLE 6 SURROGATE'S COURT FILINGS & DISPOSITIONS: PROCEEDINGS BY CASE TYPE – 2011**

| Case Type                | TOTAL STATE    |                | NYC           |               | OUTSIDE NYC    |               |
|--------------------------|----------------|----------------|---------------|---------------|----------------|---------------|
|                          | Filings        | Dispositions*  | Filings       | Dispositions* | Filings        | Dispositions* |
| <b>Total</b>             | <b>139,805</b> | <b>107,310</b> | <b>35,409</b> | <b>32,333</b> | <b>104,396</b> | <b>74,977</b> |
| Probate                  | 41,688         | 43,206         | 11,303        | 11,467        | 30,385         | 31,739        |
| Administration           | 13,878         | 14,659         | 6,001         | 6,008         | 7,877          | 8,651         |
| Voluntary Admin.         | 22,528         | 22,528         | 6,778         | 6,778         | 15,750         | 15,750        |
| Accounting               | 29,627         | 4,705          | 4,005         | 1,630         | 25,622         | 3,075         |
| <i>Inter Vivos</i> Trust | 1,306          | 1,140          | 260           | 248           | 1,046          | 892           |
| Miscellaneous            | 10,060         | 9,012          | 2,672         | 3,023         | 7,388          | 5,989         |
| Guardianship             | 19,060         | 9,851          | 4,062         | 2,965         | 14,998         | 6,886         |
| Adoption                 | 1,439          | 1,987          | 326           | 213           | 1,113          | 1,774         |
| Estate Tax               | 219            | 222            | 2             | 1             | 217            | 221           |

\*Includes orders and decrees signed.

abuse and neglect, custody and visitation, and child support. Family Court judges in New York City are appointed to 10-year terms by the Mayor. Family Court judges serving outside New York City are elected to 10-year terms. See **TABLE 7** for a breakdown of Family Court filings and dispositions. This table also contains filings and dispositions for the state's Integrated Domestic Violence (IDV) Courts.

### TRIAL COURTS OF LIMITED JURISDICTION WITHIN NEW YORK CITY

**THE CIVIL COURT OF THE CITY OF NEW YORK** has jurisdiction over civil cases involving amounts up to \$25,000. It includes small claims and commercial claims parts for the informal resolution of matters involving amounts up to \$5,000, and a housing part for landlord-tenant proceedings. New York City Civil Court judges are elected to 10-year terms; housing judges are appointed by the Chief Administrator to five-year terms. **TABLE 8** shows the breakdown of filings and dispositions by case type and county.

**THE CRIMINAL COURT OF THE CITY OF NEW YORK** handles misdemeanors and violations. New York City Criminal Court judges also conduct felony arraignments and other preliminary (pre-indictment) felony

**TABLE 7 FAMILY & SUPREME COURT (IDV)<sup>a</sup> FILINGS & DISPOSITIONS<sup>b</sup> BY TYPE OF PETITION – 2011**

| Type of Petition                      | TOTAL STATE    |                | NYC            |                | OUTSIDE NYC    |                |
|---------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
|                                       | Filings        | Dispositions   | Filings        | Dispositions   | Filings        | Dispositions   |
| <b>Total</b>                          | <b>717,818</b> | <b>707,252</b> | <b>250,327</b> | <b>247,277</b> | <b>467,491</b> | <b>459,975</b> |
| Termination of Parental Rights        | 3,490          | 3,433          | 1,517          | 1,363          | 1,973          | 2,070          |
| Surrender of Child                    | 2,101          | 2,086          | 649            | 649            | 1,452          | 1,437          |
| Child Protective (Neglect & Abuse)    | 39,349         | 40,400         | 11,043         | 12,015         | 28,306         | 28,385         |
| Juvenile Delinquency                  | 15,460         | 14,999         | 6,416          | 6,167          | 9,044          | 8,832          |
| Designated Felony                     | 383            | 219            | 165            | 65             | 218            | 154            |
| Persons in Need of Supervision        | 5,918          | 6,197          | 1,058          | 1,174          | 4,860          | 5,023          |
| Adoption                              | 3,625          | 3,635          | 1,599          | 1,588          | 2,026          | 2,047          |
| Adoption Certification                | 300            | 298            | 82             | 81             | 218            | 217            |
| Guardianship                          | 4,891          | 4,560          | 2,914          | 2,717          | 1,977          | 1,843          |
| Custody/Visitation                    | 200,369        | 196,093        | 53,225         | 52,562         | 147,144        | 143,531        |
| Foster Care Review                    | 134            | 30             | 111            | 3              | 23             | 27             |
| Foster Care Placement                 | 1,018          | 813            | 659            | 492            | 359            | 321            |
| Family Offense                        | 65,263         | 63,563         | 26,473         | 25,507         | 38,790         | 38,056         |
| Paternity                             | 38,617         | 38,981         | 21,160         | 21,715         | 17,457         | 17,266         |
| Support                               | 278,097        | 273,218        | 87,871         | 85,753         | 190,226        | 187,465        |
| Uniform Interstate Family Support Act | 11,584         | 11,553         | 5,735          | 5,814          | 5,849          | 5,739          |
| Consent to Marry                      | 5              | 5              | 5              | 5              | 0              | 0              |
| Other                                 | 614            | 569            | 79             | 41             | 535            | 528            |
| Permanency Planning Hearings Held     | 46,600         | 46,600         | 29,566         | 29,566         | 17,034         | 17,034         |

<sup>a</sup>See Figure 9 for nonfamily case-types in the IDV courts.  
<sup>b</sup>Petition type may change between filing and disposition.

**TABLE 8 NEW YORK CITY CIVIL COURT: FILINGS & DISPOSITIONS BY CASE TYPE AND COUNTY – 2011**

|                      | CIVIL ACTIONS        |                           | HOUSING              |                           | SMALL CLAIMS  |               | COMMERCIAL CLAIMS |              |
|----------------------|----------------------|---------------------------|----------------------|---------------------------|---------------|---------------|-------------------|--------------|
|                      | Filings <sup>a</sup> | Dispositions <sup>b</sup> | Filings <sup>a</sup> | Dispositions <sup>b</sup> | Filings       | Dispositions  | Filings           | Dispositions |
| <b>New York City</b> | <b>408,002</b>       | <b>262,694</b>            | <b>274,931</b>       | <b>308,460</b>            | <b>26,671</b> | <b>21,377</b> | <b>8,028</b>      | <b>8,719</b> |
| New York             | 71,464               | 40,526                    | 60,808               | 47,231                    | 6,507         | 4,736         | 1,961             | 2,874        |
| Bronx                | 80,697               | 52,695                    | 87,111               | 149,225                   | 3,719         | 3,087         | 1,016             | 972          |
| Kings                | 111,737              | 74,050                    | 77,890               | 67,518                    | 8,150         | 6,749         | 1,856             | 1,444        |
| Queens               | 122,205              | 73,783                    | 43,188               | 39,012                    | 6,601         | 5,398         | 2,230             | 2,587        |
| Richmond             | 21,899               | 21,640                    | 5,934                | 5,474                     | 1,694         | 1,407         | 965               | 842          |

The large difference between the number of filings and dispositions is due to the number of cases filed but never pursued by the filing party.  
<sup>a</sup>Includes both answered and unanswered cases.  
<sup>b</sup>Includes courtroom dispositions and default judgments.

proceedings. They are appointed by the Mayor to 10-year terms.

During 2011, 73 percent of the arrests were misdemeanors with 44 percent of all cases reaching disposition by plea. Another 37 percent were dismissed; 3 percent were sent to the grand jury; 15 percent were

**TABLE 9 NEW YORK CITY CRIMINAL COURT:  
FILINGS & DISPOSITIONS BY CASE TYPE AND COUNTY – 2011**

|                      | ARREST CASES   |                | SUMMONS CASES  |                |
|----------------------|----------------|----------------|----------------|----------------|
|                      | Filings        | Dispositions   | Filings*       | Dispositions   |
| <b>New York City</b> | <b>357,842</b> | <b>354,916</b> | <b>503,536</b> | <b>453,360</b> |
| New York             | 102,938        | 103,490        | 150,874        | 132,047        |
| Bronx                | 69,829         | 69,298         | 103,934        | 99,254         |
| Kings                | 104,871        | 101,862        | 136,121        | 128,568        |
| Queens               | 68,673         | 69,485         | 95,750         | 78,708         |
| Richmond             | 11,531         | 10,781         | 16,857         | 14,783         |

\*Includes both answered and unanswered cases.

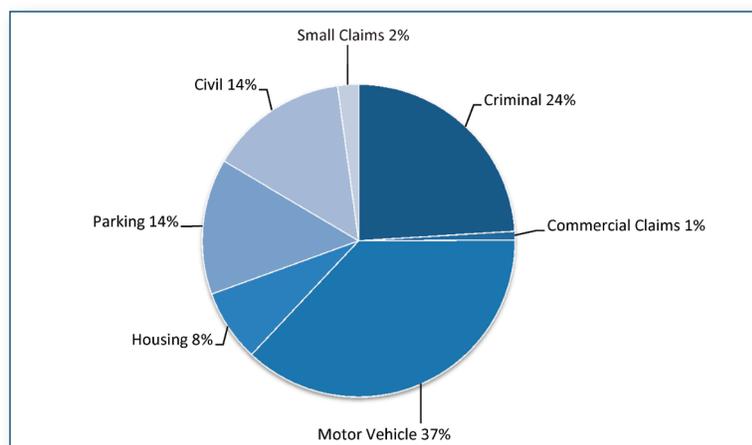
disposed of by other means; and 1 percent pled to a superior court information. **TABLE 9** shows filings and dispositions by county for both arrest cases and summons cases (cases in which an appearance ticket, returnable in court, is issued to the defendant).

### TRIAL COURTS OF LIMITED JURISDICTION OUTSIDE NEW YORK CITY

**CITY COURTS ARRAIGN FELONIES AND HANDLE MISDEMEANORS AND LESSER OFFENSES** as well as civil lawsuits involving claims up to \$15,000. Some City Courts have small claims parts for the informal disposition of matters involving claims up to \$5,000 and/or housing parts to handle landlord-tenant matters and housing violations. City Court judges are either elected or appointed, depending on the city, with full-time City Court judges serving 10-year terms and part-time City Court judges serving six-year terms. **DISTRICT COURTS**, located in Nassau County and the five western towns of Suffolk County, arraign felonies and handle misdemeanors and lesser offenses as well as civil lawsuits involving claims up to \$15,000. District Court judges are elected to six-year terms.

In 2011 there were a total of **1,183,162** filings and **1,098,153** dispositions in the City and District Courts. **FIGURE C** shows filings by case type; **TABLE 10** contains a breakdown of filings by location and case type.

**FIGURE C CITY & DISTRICT COURT FILINGS BY CASE TYPE – 2011**



**TABLE 10 CITY AND DISTRICT COURTS: FILINGS BY CASE TYPE – 2011****Total Filings 1,183,162**

| <b>Location</b>  | <b>Criminal</b> | <b>MV</b>      | <b>Parking</b> | <b>Civil</b>   | <b>Small Claims</b> | <b>* L&amp;T</b> | <b>Commercial</b> |
|------------------|-----------------|----------------|----------------|----------------|---------------------|------------------|-------------------|
| <b>TOTAL</b>     | <b>284,217</b>  | <b>438,791</b> | <b>166,181</b> | <b>169,598</b> | <b>25,614</b>       | <b>88,170</b>    | <b>10,591</b>     |
| Albany           | 8,085           | 16,951         | 0              | 3,261          | 699                 | 4,931            | 209               |
| Amsterdam        | 1,053           | 2,823          | 0              | 592            | 119                 | 196              | 26                |
| Auburn           | 1,563           | 2,981          | 1,174          | 752            | 218                 | 724              | 45                |
| Batavia          | 755             | 1,631          | 128            | 374            | 112                 | 245              | 50                |
| Beacon           | 891             | 6,224          | 0              | 413            | 100                 | 144              | 39                |
| Binghamton       | 3,882           | 5,155          | 232            | 2,152          | 435                 | 1,635            | 171               |
| Buffalo          | 21,731          | 5,454          | 0              | 11,863         | 2,434               | 7,703            | 801               |
| Canandaigua      | 788             | 1,994          | 66             | 627            | 153                 | 95               | 43                |
| Cohoes           | 1,253           | 2,756          | 73             | 425            | 94                  | 400              | 33                |
| Corning          | 728             | 2,174          | 41             | 529            | 85                  | 84               | 18                |
| Cortland         | 2,776           | 3,586          | 819            | 550            | 187                 | 256              | 23                |
| Dunkirk          | 980             | 849            | 338            | 323            | 132                 | 63               | 61                |
| Elmira           | 2,612           | 2,420          | 2,981          | 1,143          | 317                 | 687              | 84                |
| Fulton           | 1,238           | 3,005          | 29             | 534            | 92                  | 245              | 15                |
| Geneva           | 809             | 1,976          | 0              | 219            | 43                  | 154              | 3                 |
| Glen Cove        | 1,275           | 4,740          | 2,940          | 14             | 76                  | 330              | 51                |
| Glens Falls      | 1,411           | 3,177          | 0              | 575            | 106                 | 163              | 56                |
| Gloversville     | 871             | 553            | 26             | 446            | 140                 | 362              | 31                |
| Hornell          | 707             | 1,279          | 0              | 138            | 61                  | 173              | 14                |
| Hudson           | 934             | 1,391          | 0              | 302            | 160                 | 140              | 146               |
| Ithaca           | 2,180           | 6,654          | 3,467          | 529            | 171                 | 8,692            | 43                |
| Jamestown        | 3,012           | 2,641          | 1,262          | 1,050          | 300                 | 266              | 181               |
| Johnstown        | 521             | 654            | 28             | 316            | 67                  | 62               | 19                |
| Kingston         | 2,117           | 7,160          | 154            | 981            | 196                 | 778              | 158               |
| Lackawanna       | 1,763           | 8,587          | 130            | 185            | 195                 | 1,533            | 85                |
| Little Falls     | 335             | 649            | 0              | 229            | 186                 | 33               | 46                |
| Lockport         | 1,584           | 4,289          | 38             | 1,023          | 254                 | 229              | 45                |
| Long Beach       | 3,043           | 4,944          | 18,350         | 33             | 94                  | 216              | 6                 |
| Mechanicville    | 327             | 818            | 0              | 222            | 56                  | 78               | 66                |
| Middletown       | 2,680           | 7,379          | 349            | 1,378          | 224                 | 1,601            | 161               |
| Mount Vernon     | 5,410           | 10,747         | 0              | 1,283          | 341                 | 2,836            | 119               |
| New Rochelle     | 3,493           | 13,653         | 93,201         | 1,866          | 345                 | 1,213            | 162               |
| Newburgh         | 2,715           | 5,966          | 3,094          | 1,319          | 147                 | 1,738            | 68                |
| Niagara Falls    | 4,526           | 10,536         | 1,828          | 1,331          | 284                 | 1,193            | 78                |
| North Tonawanda  | 1,321           | 3,121          | 0              | 532            | 136                 | 257              | 44                |
| Norwich          | 543             | 353            | 20             | 399            | 92                  | 72               | 85                |
| Ogdensburg       | 1,360           | 634            | 0              | 513            | 144                 | 67               | 153               |
| Olean            | 1,010           | 2,818          | 142            | 314            | 81                  | 181              | 21                |
| Oneida           | 983             | 2,219          | 125            | 1,031          | 73                  | 87               | 28                |
| Oneonta          | 1,264           | 1,741          | 760            | 255            | 186                 | 52               | 40                |
| Oswego           | 1,771           | 2,679          | 0              | 804            | 217                 | 136              | 41                |
| Peekskill        | 2,089           | 3,842          | 0              | 368            | 201                 | 425              | 56                |
| Plattsburgh      | 1,579           | 3,454          | 0              | 494            | 230                 | 205              | 123               |
| Port Jervis      | 1,520           | 2,993          | 116            | 262            | 48                  | 175              | 14                |
| Poughkeepsie     | 3,302           | 8,491          | 2,362          | 1,590          | 325                 | 2,034            | 112               |
| Rensselaer       | 535             | 1,501          | 61             | 436            | 54                  | 153              | 58                |
| Rochester        | 19,829          | 9,128          | 0              | 8,322          | 2,177               | 7,341            | 492               |
| Rome             | 1,970           | 8,096          | 0              | 1,266          | 206                 | 387              | 15                |
| Rye              | 491             | 3,188          | 0              | 109            | 101                 | 32               | 102               |
| Salamanca        | 883             | 1,259          | 0              | 101            | 53                  | 68               | 13                |
| Saratoga Springs | 1,810           | 6,325          | 672            | 1,228          | 250                 | 141              | 166               |
| Schenectady      | 5,310           | 9,867          | 36             | 2,374          | 460                 | 2,612            | 131               |
| Sherrill         | 44              | 143            | 0              | 233            | 12                  | 0                | 10                |
| Syracuse         | 15,782          | 38,300         | 0              | 7,191          | 924                 | 5,634            | 201               |
| Tonawanda        | 889             | 4,662          | 86             | 333            | 157                 | 89               | 127               |
| Troy             | 3,292           | 10,045         | 0              | 1,335          | 268                 | 2,115            | 55                |
| Utica            | 5,199           | 11,582         | 0              | 1,464          | 358                 | 925              | 145               |
| Watertown        | 2,436           | 4,854          | 0              | 809            | 218                 | 619              | 48                |
| Watervliet       | 780             | 3,047          | 0              | 315            | 50                  | 415              | 5                 |
| White Plains     | 3,718           | 20,637         | 6,208          | 829            | 241                 | 885              | 155               |
| Yonkers          | 14,267          | 35,173         | 0              | 2,964          | 592                 | 6,541            | 184               |
| Nassau District  | 33,314          | 27,833         | 7,964          | 44,378         | 4,043               | 7,065            | 2,191             |
| Suffolk District | 68,878          | 55,010         | 16,881         | 52,372         | 5,094               | 10,259           | 2,620             |

\* Landlord-Tenant

**TOWN AND VILLAGE JUSTICE COURTS** handle misdemeanors and lesser offenses as well as civil lawsuits involving claims up to \$3,000 (including small claims cases not exceeding \$3,000). While the majority of cases handled by these courts are minor traffic offenses, drunk-driving cases and zoning violations, town and village Justice Court judges also conduct preliminary felony proceedings. There are approximately 1,277 Justice Courts and 2,200 town and village justices. Town and village justices are elected to four-year terms. Most are not attorneys; non-attorney justices must complete a certification course and participate in ongoing judicial education.

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## ADMINISTRATIVE STRUCTURE

**THE NEW YORK STATE UNIFIED COURT SYSTEM** is administered by the Office of Court Administration (OCA) under the authority of the Chief Judge. OCA provides financial management, automation, public safety, personnel management and other essential services to support day-to-day court operations.

The Office of Court Administration comprises six divisions: the **DIVISION OF ADMINISTRATIVE SERVICES** purchases goods and services, procures contracts, processes revenues and manages accounts; the **DIVISION OF TRIAL AND SUPPORT SERVICES** provides support and guidance to trial court operations including alternative dispute resolution and court improvement programs, court interpreting services, legal information, parent education programs, records management and operational issues related to the American Disabilities Act; the **DIVISION OF FINANCIAL MANAGEMENT** prepares the judiciary budget and formulates and implements fiscal policies; the **DIVISION OF GRANTS AND PROGRAM DEVELOPMENT** assists court administrators in identifying grant opportunities relating to the operational needs of the courts, also coordinating the submission of grant proposals; the **DIVISION OF HUMAN RESOURCES** is responsible for personnel administration and the delivery of professional development programs for non-judicial employees, also overseeing negotiations with the court system's labor unions and managing the courts' workforce diversity program; the Division of Technology provides automation and telecommunications services to all courts and agencies, including oversight of the statewide Domestic Violence Registry and the courts' technical support center.

In addition, the **DEPARTMENT OF PUBLIC SAFETY** is responsible for developing and implementing uniform policies and procedures to ensure the safety and accessibility of our state courthouses; **COUNSEL'S OFFICE** prepares and analyzes legislation and represents the UCS in litigation; the **INSPECTOR GENERAL'S OFFICE** is responsible for the investigation and elimination of infractions of discipline standards, conflicts of interest and criminal activities on the part of non-judicial employees and individuals or corporations doing business with the courts; the **OFFICE OF COURT FACILITIES MANAGEMENT** provides oversight to localities in relation to the maintenance, renovation and construction of court facilities; the **OFFICE OF COURT RESEARCH** provides caseload activity statistics, jury system support and operations research to all UCS courts; the **OFFICE OF INTERNAL AFFAIRS** conducts internal audits and investigations to support the attainment of long-term UCS goals; the **OFFICE OF JUSTICE COURT SUPPORT** provides oversight to local town and village Justice Courts; the **COMMUNICATIONS OFFICE** serves as the courts' liaison to the media, responding to press inquiries, issuing news advisories and releases; the **OFFICE OF PUBLIC AFFAIRS** coordinates communications and public education programs with other governmental entities, the public and the bar.

## FISCAL OVERVIEW

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### UNIFIED COURT SYSTEM 2011-2012 BUDGET

**THE UNIFIED COURT SYSTEM IS BASED UPON A FISCAL YEAR** that runs from April 1 through March 31. The budget is presented by the Chief Administrator (Chief Administrative Judge) to the Court of Appeals for approval and certification by the Chief Judge, then transmitted to the Governor for submission to the Legislature in accordance with Article VII, Section 1, of the State Constitution.

Appropriations of \$2.3 billion were approved by the Legislature for the State Judiciary for the 2011-2012 fiscal year.

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### REVENUES COLLECTED FOR THE YEAR 2011

**IN 2011, THE UNIFIED COURT SYSTEM COLLECTED FINES AND FEES** totaling approximately \$535.7 million. These monies include fees for services provided by the courts' Criminal History Search Unit, which since 2003 has sold statewide criminal history public records that include felony and misdemeanor convictions from all 62 New York counties.

By law, the Office of Court Administration is solely responsible for the sale of such records produced by a search of its electronic database, charging a \$65 fee per name and date of birth searched. The revenue generated from each search request is allocated as follows: \$16 to the Office of Court Administration's Judiciary Data Processing Offset Fund; \$35 to the Indigent Legal Services Fund; \$9 to the Legal Services Fund; and \$5 to the General Fund. In 2011, the Criminal History Search Unit received \$81,844,945 for criminal history record searches.

Under Section 486-a of the Judiciary Law and the Rules of the Chief Administrator (22 NYCRR Part 118) every attorney admitted to practice in New York must file a biennial registration form. Attorneys actively practicing law in New York State or elsewhere must, upon registering, pay a \$375 fee, allocated as follows: \$60 to the Lawyers' Fund for Client Protection to support programs providing restitution to clients of dishonest attorneys; \$50 to the Indigent Legal Services Fund to cover fees of lawyers serving on 18-b panels representing indigent defendants; \$25 to the Legal Services Assistance Funds; and the balance to the Attorney Licensing Fund to cover the cost of the Appellate Division attorney admission and disciplinary programs. In 2011, the court system collected \$37,590,450 in attorney registration fees.

## LEGISLATIVE UPDATE

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### LEGISLATIVE UPDATE

**THE OFFICE OF COUNSEL IS THE PRINCIPAL REPRESENTATIVE OF THE UNIFIED COURT SYSTEM** in the legislative process, responsible for developing the Judiciary's legislative program and for providing the legislative and executive branches with analyses and recommendations concerning legislative measures that may have an impact on the courts and their administrative operations.

The office staffs the Chief Administrative Judge's advisory committees on civil practice, criminal law and procedure, family law, estates and trusts, and the local courts. Annually, these committees formulate legislative proposals in their respective areas of concern and expertise for submission to the Chief Administrative Judge. When approved by the latter, they are transmitted to the Legislature, in bill form, for sponsors and legislative consideration.

The Office of Counsel is also responsible for drafting legislative measures to implement recommendations made by the Chief Judge in the State of the Judiciary message, as well as measures required by the Unified Court System, including budget requests, adjustments in judicial compensation and measures to implement collective bargaining agreements negotiated with court employee unions pursuant to the Taylor Law. In addition, the office analyzes other legislative measures that have potential impact on the administrative operation of the courts and makes recommendations to the Legislature and the Executive.

During the 2011 legislative session and with the assistance of the Chief Administrative Judge's advisory committees, the Office of Counsel prepared and submitted 55 measures for legislative consideration—of which 16 measures were enacted into law—also furnishing the Governor's counsel with analyses and recommendations on 53 measures awaiting executive action.

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### MEASURES ENACTED INTO LAW IN 2011

**CHAPTER 51** (Senate 2801-A/Assembly 4001-A)

Enacts the 2011-12 Judiciary Budget. Effective 4/1/11

**CHAPTER 179** (Senate 5449/Assembly 8007)

Amends the Judiciary Law to provide that any grant or gift of money to the Unified Court System shall be disposed of by the Chief Administrator of the Courts in the manner provided by the State Finance Law. Effective 7/20/11

**CHAPTER 284** (Senate 4594/Assembly 6836)

Amends the Uniform City Court Act in relation to an application for relief in aid of arbitration in a city court. Effective 9/2/11

**CHAPTER 285** (Senate 4584/Assembly 6837)

Amends the Estates, Powers and Trusts Law in relation to renunciation of interests in jointly held property. Effective 8/3/11

**CHAPTER 286** (Senate 4591-A/Assembly 6838-A)

Amends the Estates, Powers and Trusts Law and the Surrogate's Court Procedure Act in relation to probate proceedings involving wills which contain a provision that disposition is conditioned upon the beneficiary not contesting the will; clarifies the scope of disclosure authorized where a will contains a "no contest" clause. Effective 8/3/11

**CHAPTER 305** (Senate 3947/Assembly 7388)

Amends the CPLR to add a further, more streamlined, way to determine the value of real property used in a secured bail bond. Effective 8/3/11

**CHAPTER 307** (Senate 4586-A/Assembly 7465-A)

Amends the CPLR to make clear that, in the absence of a patient's authorization, a trial subpoena duces tecum seeking the production of medical records may be issued under CPLR 2302(b) by a court, but not an attorney, and that the CPLR 3122, requiring a patient's authorization, applies only to subpoenas issued during discovery. Effective 8/3/11

**CHAPTER 309** (Senate 4302-A/Assembly 7632)

Amends the Family Court Act to add criminal obstruction of breathing or blood circulation and strangulation to the list of actionable allegations in family offense petitions. Effective 8/3/11

**CHAPTER 436** (Senate 5582/Assembly 7520)

Amends the Domestic Relations Law and the Family Court Act in relation to the child support obligation of indigent non-custodial parents. Effective 11/15/11.

**CHAPTER 451** (Senate 5801/Assembly 8297-A)

Amends the Estates, Powers and Trusts Law in relation to the exercise of a power of appointment and an authorized trustee's authority to invade trust principal. Effective 8/17/11

**CHAPTER 473** (Senate 4581/Assembly 7466)

Amends the CPLR in relation to the time of service, the time in which a defect in form must be raised, a copy of a proposed amended pleading and the time of voluntary discontinuances. Effective 1/1/12

**CHAPTER 529** (Senate 5519/Assembly 7729)

Amends the Estates, Powers and Trusts Law to modify certain formulas construed to refer to the federal estate and generation-skipping transfer tax on estates of decedents dying during 2010 (effective 9/23/11) and deemed to have been in full force and effect on and after January 1, 2010; provisions of this act shall apply to wills and trusts of decedents who died after December 31, 2009 and before January 1, 2011.

**CHAPTER 543** (Senate 5635-B/Assembly 8368-A)

Amends the CPLR to specify the courts and types of actions in which pilot programs will be authorized to permit use of electronic means to commence an action or special proceeding. Effective 9/23/11

**CHAPTER 565** (Senate 4469/Assembly 7464)

Amends the Criminal Procedure Law to create new procedures in relation to revocation of orders of recognition. Effective 10/23/11

**CHAPTER 566** (Senate 4577-A/Assembly 7519-A)

Amends the CPLR in relation to the award of attorneys' fees in class actions. Effective 9/23/11

**CHAPTER 592** (Senate 4091-B/Assembly 7794-A)

Amends the Family Court Act and the Social Services Law in relation to orders for child support obligors to seek employment or participate in job training, employment counseling or other available programs designed to lead to employment. Effective 1/12/12

**CHAPTER 605** (Senate 5694-A/Assembly 7836-A)

Amends the Family Court Act and the Social Services Law in relation to procedures for destitute children in the Family Court, and to repeal section 1059 of the Family Court Act relating to abandoned children. Effective 1/27/12

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**MEASURES NEWLY INTRODUCED IN THE 2011 LEGISLATIVE SESSION AND NOT ENACTED INTO LAW**

**SENATE 4576**

This measure would amend section 5-335 of the General Obligations Law to further facilitate resolution of personal injury lawsuits.

**SENATE 4578/ASSEMBLY 6835**

This measure would amend the CPLR in relation to service of papers; amend the definition of "mailing" to allow mailing from outside of the state; provide that six days shall be added to a prescribed period when service is made by mail from outside the state; require a stipulation prior to service by facsimile on an attorney.

**SENATE 4579/ASSEMBLY 6697**

This measure would amend the CPLR in relation to the apportionment of liability for non-economic loss in personal injury actions.

**SENATE 4580**

This measure would add a new rule 2103-b to the CPLR to address the confidentiality of personal information in the filing of papers in civil proceedings.

**SENATE 4592**

This measure would amend section 3101 of the CPLR in relation to the time for disclosure of expert witnesses' information and broaden expert disclosure in commercial cases.

**SENATE 4589**

This measure would amend the CPLR to: (1) authorize payment of prejudgment interest in personal injury actions, and (2) change the legal rate of interest and make the interest rate for all actions uniform.

**SENATE 4542**

This measure would amend the CPLR in relation to making service upon a financial institution of orders of attachment and notices and orders in aid of enforcement of judgments effective upon any account as to which the institution is a garnishee.

**SENATE 4588/ASSEMBLY 7797**

This measure would amend sections 5701 and 5704 of the CPLR in relation to appellate review of an ex parte order or applications for provisional remedies.

**SENATE 4459**

This measure would amend the CPLR in relation to the notice of medical, dental or podiatric malpractice action.

**SENATE 4585-A**

This measure would amend the CPLR in relation to the judgment lien on real property in an action upon a money judgment.

**SENATE 4595**

This measure would amend the CPLR in relation to the time for making a motion to dismiss for failure to state a cause of action and motion for summary judgment.

**SENATE 4590**

This measure would amend the CPLR in relation to the dismissal of abandoned cases in the Civil Court of the city of New York.

**SENATE 6675/ASSEMBLY 7796**

This measure would amend section 100.25 of the Criminal Procedure Law in relation to the issuance of a supporting deposition.

**SENATE 4051-A**

This measure would amend the Family Court Act and the Domestic Relations Law in relation to recoupment of overpayments of child support in Family Court and Supreme Court.

**SENATE 4090**

This measure would amend the Family Court Act and the Domestic Relations Law in relation to the authority of the court to direct establishment of a trust or other designated account for the benefit of children in matrimonial, child support and paternity cases.

**SENATE 4519**

This measure would add a new section 40.20 to the Penal Law to codify the defense of agency in the Penal Law.

**SENATE 4052-A/ASSEMBLY 7391**

This measure would amend section 720.35 of the Criminal Procedure Law to insure that a final order of protection issued in connection with a youthful offender adjudication is not sealed for law enforcement purposes.

**SENATE 4631/ASSEMBLY 7354**

This measure would amend the Criminal Procedure Law to clarify that the mandatory school notification provisions of the “Project SAVE, the Safe Schools Against Violence in Education Act,” apply only to cases where the student is sentenced to a period of incarceration that will interfere with the student’s school attendance.

**SENATE 4587-B**

This measure would amend the State Constitution to increase the mandatory retirement age for all judges and justices of the Unified Court System, except for justices of town and village courts, from 70 to 74; and permit justices of the Supreme Court and judges of the Court of Appeals to continue in service past the mandatory retirement age for three two-year terms.

**SENATE 4470/ASSEMBLY 7390**

This measure would amend the Criminal Procedure Law to authorize a court to dismiss any traffic infraction that remains as the sole charge in an accusatory instrument the other charges of which were dismissed pursuant to CPL 30.30.

**SENATE 4471/ASSEMBLY 7389**

This measure would amend the Criminal Procedure Law to authorize a court to unseal records, where justice requires it, on notice both to the adverse party and the subject of the records.

**SENATE 4472**

This measure would add a new section 450.65 to the Criminal Procedure Law to provide a statutory basis to vacate a judgment of conviction on the ground of ineffective assistance of appellate counsel.

**SENATE 4596-A/ASSEMBLY 7207-A**

This measure would amend the Uniform City Court Act and the Judiciary Law to increase the number of City Court Judges in certain cities and sets forth the annual salary for such City Court Judges.

**SENATE 4301**

This measure would amend the Family Court Act in relation to truancy allegations in persons in need of supervision and child protective proceedings in Family Court; requires notification of the school district or local educational agency when such district or agency is not the potential petitioner and where the petition includes allegations of truancy and/or school misbehavior.

**SENATE 4593**

This measure would amend the Family Court Act in relation to paternity testing and adjudications in child protective proceedings in Family Court.

**SENATE 4878-A**

This measure would amend the New York City Civil Court Act in relation to increasing the term of office of Judges of the New York City Civil Court Housing Part to ten years upon reappointment after an initial five year term.

**SENATE 4852**

This measure would amend the Judiciary Law in relation to the designation of Housing Judges as Judicial Hearing Officers.

**SENATE 5456/ASEMBLY 7598**

This measure would amend the Family Court Act and the Social Services Law in relation to notice of indicated reports of child maltreatment and changes of placement in child protective and voluntary foster care placement and review proceedings.

**SENATE 5541/ASSEMBLY 7288**

This measure would add a new section 160.57 to the Criminal Procedure Law to authorize the sealing of the court records relating to convictions for petty offenses.

**SENATE 6678/ASSEMBLY 7639**

This measure would amend the Family Court Act in relation to adjournments in contemplation of dismissal and suspended judgments in child protective proceedings in Family Court.

**SENATE 6657/ASSEMBLY 8344-A**

This measure would amend the Estates, Powers and Trusts Law to include marketable securities within the list of items considered family benefit exemptions and not included as assets of the estate.

**ASSEMBLY 9624**

This measure would amend the Family Court Act and the Social Services Law in relation to orders for child support obligors to seek employment or participate in job training, employment counseling or other programs.

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**MEASURE VETOED IN THE 2011 LEGISLATIVE SESSION****SENATE 4050-B/ASSEMBLY 7599-A**

This measure would have amended sections 735 and 742 of the Family Court Act in relation to warrants and orders of protection in persons in need of supervision cases.

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**RULES OF THE CHIEF ADMINISTRATOR (CHIEF ADMINISTRATIVE JUDGE) ADDED OR AMENDED DURING 2011**

**SECTION 118.1(d)** of the **RULES OF THE CHIEF ADMINISTRATOR OF THE COURTS** was amended, permitting the online filing of attorney registration statements.

**PART 118** of the **RULES OF THE CHIEF ADMINISTRATOR OF THE COURTS** was amended to add sections 118.3 and 118.4, addressing the registration of in-house counsel.

**PART 122** of the **RULES OF THE CHIEF ADMINISTRATOR OF THE COURTS** was amended, addressing (a) volunteer judicial hearing officers, and (b) practice restraints upon judicial hearing officers without assignments.

**PART 149** of the **RULES OF THE CHIEF ADMINISTRATOR OF THE COURTS** was added, relating to the operation of Adolescent Diversion Parts.

**SECTION 150.9(b)** of the **RULES OF THE CHIEF ADMINISTRATOR OF THE COURTS** was amended to alter the quorum requirements of the Independent Judicial Election Qualification Commissions. In addition, Question 21 of the IJEQC Questionnaire was amended, relating to disciplinary complaints against candidates.

**PART 151** of the **RULES OF THE CHIEF ADMINISTRATOR OF THE COURTS** was added, addressing the re-assignment of cases involving contributors to judicial campaigns.

**SECTIONS 202.5-b** (consensual e-filing) and **202.5-bb** (mandatory e-filing) of the **UNIFORM CIVIL RULES FOR THE SUPREME COURT AND THE COUNTY COURT** were amended, implementing operational improvements in e-filing practices.

**SECTION 202.6(b)** of the **UNIFORM CIVIL RULES FOR THE SUPREME COURT AND THE COUNTY COURT** and **SECTIONS 202.70(d)(1) AND (2)** of the **UNIFORM CIVIL RULES FOR THE SUPREME COURT AND THE COUNTY COURT** were amended, relating to use of a revised request for judicial intervention (RJI) form.

**SECTION 202.6(b)** of the **UNIFORM CIVIL RULES FOR THE SUPREME COURT AND THE COUNTY COURT** was amended, addressing no-fee filing of Request for Judicial Intervention in certain cases.

**SECTION 202.16(f)(2)** of the **UNIFORM CIVIL RULES FOR THE SUPREME COURT AND THE COUNTY COURT** was amended, relating to a uniform preliminary conference order for use in matrimonial actions.

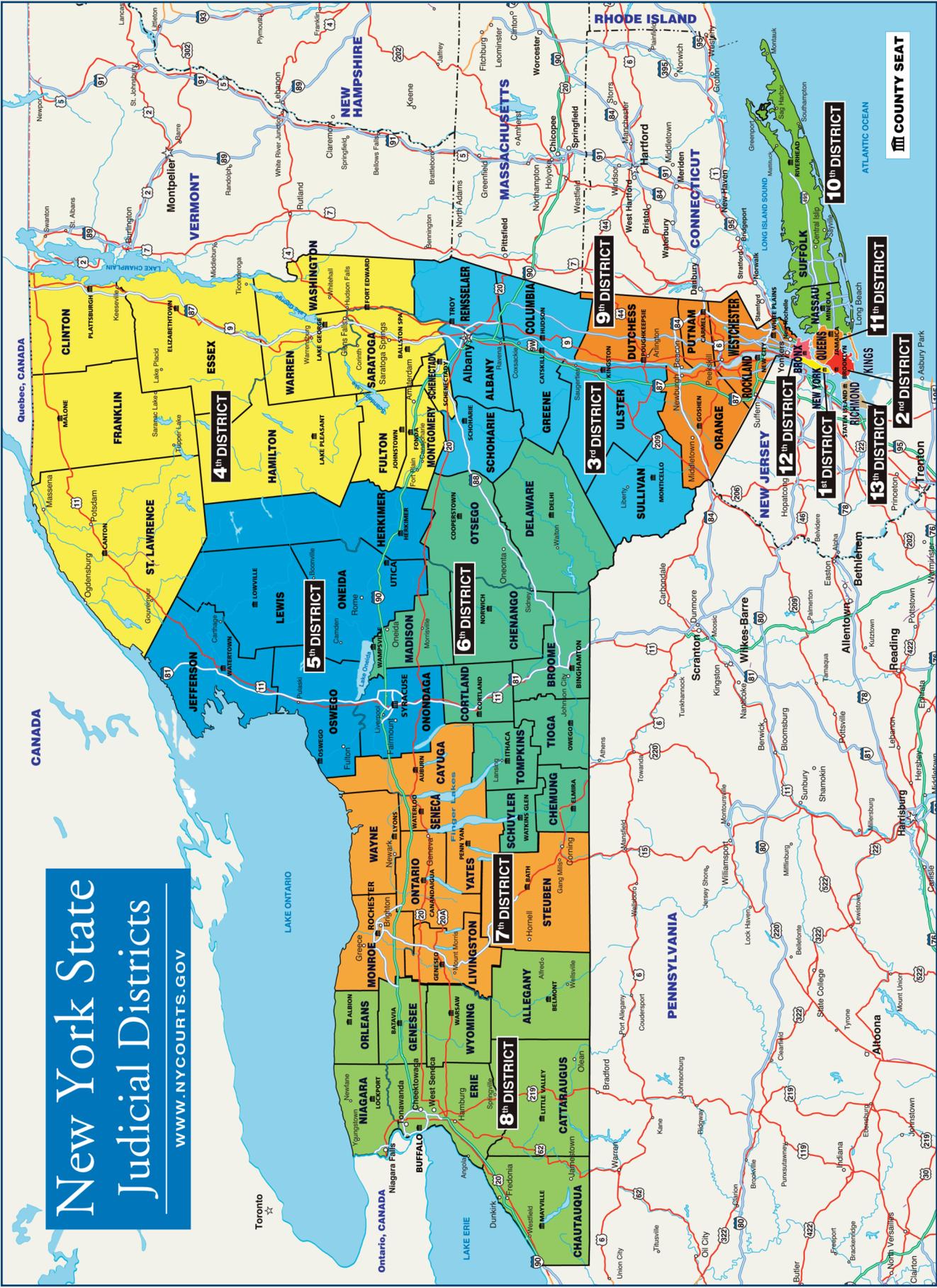
**SECTION 202.58(h)(2)** of the **UNIFORM CIVIL RULES FOR THE SUPREME COURT AND THE COUNTY COURT** was amended, addressing judicial hearing officer compensation as small claims assessment review hearing officers.

**SECTIONS 205.7a, 205.12, and 205.29** of the **UNIFORM RULES FOR THE FAMILY COURT** were amended, relating to (1) electronic transmission of orders of protection, (2) conferences, and (3) transfers of documents by electronic means in juvenile delinquency cases transferred for disposition.

**SECTION 207.4-a** of the **UNIFORM CIVIL RULES FOR THE SURROGATE'S COURT** was amended, and **SECTION 207.4-aa** of those rules was added, implementing operational improvements in e-filing practices in the Surrogate's Court.

# New York State Judicial Districts

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NEW YORK STATE

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Unified Court System