

ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and with the approval of the Administrative Board of the Courts, I hereby promulgate, effective immediately, new Part 145 of the Rules of the Chief Administrator of the Courts, relating to establishment and operation of an Integrated Youth Court in Westchester County, to read as follows:

PART 145. INTEGRATED YOUTH COURT IN WESTCHESTER COUNTY

§145.1. Definitions.

(a) “Integrated Youth Court” shall refer to a multi-court part of the County Court and the Family Court in Westchester County established by the Chief Administrator of the Courts pursuant to section 145.2 of this Part.

(b) “IYC-eligible case” shall refer to both of the following when they are simultaneously pending in Westchester County: a criminal case in a local criminal court or in the County Court and a case in the Family Court in which a respondent therein is a defendant in such criminal case and he or she was under twenty-one years of age at the time of the alleged commission of an offense prosecuted in such criminal case. An IYC-eligible case also shall refer to:

(1) a civil action pending in a City Court, Town Court or Village Court in Westchester County, or in the County Court thereof, where such action arises out of substantially the same facts as underlie IYC-eligible cases then pending in the Integrated Youth Court; and

(2) a case that would have been IYC-eligible were it to have been pending simultaneously with other IYC-eligible cases that already have been disposed of in the Integrated Youth Court.

§145.2. Establishment of Integrated Youth Court in Westchester County.

Following consultation with and agreement of the Presiding Justice of the Second Judicial Department, the Chief Administrator, by administrative order, may establish an Integrated Youth Court in Westchester County and assign one or more judges to preside therein. Such Integrated Youth Court shall be devoted to the hearing and determination, in a single forum, of IYC-eligible cases in accordance with this Part.

§ 145.3. Identification of IYC-Eligible Cases.

Procedures shall be established to ensure that IYC-eligible cases are identified at the earliest possible time.

§ 145.4. Assignment and Transfer of Cases.

(a) Where an IYC-eligible case is pending in a City Court, Town Court or Village Court in Westchester County:

(1) Originals or copies of papers and other documents filed in such Court in connection with the case shall, directly following its identification as IYC-eligible, be sent by the Court to the Integrated Youth Court.

(2) Not later than five days following receipt of the original papers and documents in an IYC-eligible case in the Integrated Youth Court, the judge presiding therein shall determine whether or not the transfer of such case to the County Court would promote

the administration of justice. If the judge determines that it would, he or she may order such transfer, in which event the case shall be referred to the Integrated Youth Court, all original papers, if not already sent, shall be sent from the originating court to the Integrated Youth Court, and further proceedings shall be conducted therein. If the judge determines that such a transfer would not promote the administration of justice, he or she shall cause all papers and other documents in the case to be returned to the court from which they were received, where further proceedings in such case shall be conducted in accordance with law.

(b) Where the IYC-eligible case is a case pending in County Court or Family Court, it shall be referred to the Integrated Youth Court for further proceedings therein.

§ 145.5. Procedure in the Integrated Youth Court.

Each case transferred from another court to the County Court and referred to the Integrated Youth Court part thereof shall be subject to the same substantive and procedural law as would have applied to it had it not been transferred.

Chief Administrative Judge of the Courts

Date:

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