

ADMINISTRATIVE ORDER OF THE
CHIEF JUDGE OF THE STATE OF NEW YORK

Pursuant to Article VI, § 28(c) of the State Constitution and section 211(1)(a) of the Judiciary Law, and upon consultation with the Administrative Board of the Courts and with the approval of the Court of Appeals of the State of New York, I hereby promulgate, effective immediately, new Part 49 of the Rules of the Chief Judge, relating to the operation of Superior Court Adolescent Diversion Parts, to read as follows:

PART 49. SUPERIOR COURT ADOLESCENT DIVERSION PARTS

§ 49 Superior Court Adolescent Diversion Parts

(a) The purpose of this rule is to promote the administration of justice for 16- and 17-year-old defendants in criminal cases by providing a criminal justice response that includes age-appropriate services, interventions, and penalties.

(b) The Chief Administrator of the Courts, following consultation with and agreement of the Presiding Justice of the appropriate Appellate Division, may establish Adolescent Diversion Parts in Supreme Court or County Court in the Counties of Bronx, Kings, New York, Queens, Richmond, Nassau, Westchester, Onondaga, and Erie. Adolescent Diversion Parts shall be devoted to the hearing and determination of actions and proceedings pending in criminal courts in the county where the defendant was 16 or 17 years of age at the time of the alleged commission of an offense being prosecuted, and where the action or proceeding is appropriate for disposition in such Parts.

(c) The Chief Administrator, upon consultation with the Administrative Board of the Courts, shall promulgate rules to regulate operation of Adolescent Diversion Parts and to authorize transfer to the Parts, for disposition, of any eligible actions or proceedings pending in another court in the same county.

Chief Judge of the Courts of the State of New York

Attest: _____
Clerk of the Court of Appeals

Dated:

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