



**NEW YORK STATE**

Unified Court System

**2014 ANNUAL REPORT**

EXCELSIOR



# THE NEW YORK STATE UNIFIED COURT SYSTEM 2014 ANNUAL REPORT

## REPORT OF THE CHIEF ADMINISTRATOR OF THE COURTS

For the Calendar Year January 1 through December 31, 2014

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*Chief Judge*

**Victoria A. Graffeo**  
**Susan Phillips Read**

**Robert S. Smith**  
**Eugene F. Pigott**

**Jenny Rivera**  
**Sheila Abdus-Salaam**

### CHIEF ADMINISTRATOR OF THE COURTS

**A. Gail Prudenti**

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*Chair*

**Henry J. Scudder**  
**Luis A. Gonzalez**

**Karen K. Peters**  
**Randall T. Eng**

### NYS UNIFIED COURT SYSTEM 2014

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*Administrative Judge*

**Michael V. Coccoma**  
*Deputy Chief*  
*Administrative Judge,*  
*Courts Outside*  
*New York City*

**Juanita**  
**Bing Newton Dean**  
*New York State*  
*Judicial Institute*

**Ronald P. Younkins**  
*Executive Director*

**Fern A. Fisher**  
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*Administrative Judge,*  
*New York City Courts*

**Sherry Klein Heitler**  
*Chief Of Policy And Planning*

**Eugene Myers**  
*Chief Of Operations*

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*Civil Matters,*  
*First Judicial District*

**Matthew J. D'Emic**  
*Criminal Matters,*  
*Second Judicial District*

**Joseph Zayas**  
*Criminal Matters,*  
*Eleventh Judicial District*

**Edwina**  
**Richardson-Mendelson**  
*NYC Family Court*

**Michael Obus**  
*Criminal Matters,*  
*First Judicial District*

**Danny Chun**  
*Deputy Administrative*  
*Judge Criminal Matters*  
*Second Judicial District*

**Douglas E. McKeon**  
*Civil Matters,*  
*Twelfth Judicial District*

**Jeanette Ruiz**  
*Deputy Administrative*  
*Judge, NYC Family Court*

**Lawrence Knipel**  
*Civil Matters,*  
*Second Judicial District*

**Jeremy Weinstein**  
*Civil Matters,*  
*Eleventh Judicial District*

**Robert Torres**  
*Criminal Matters,*  
*Twelfth Judicial District*

**Melissa C. Jackson**  
*NYC Criminal Court*

**Judith N. McMahon**  
*Thirteenth Judicial District*

**Alexander B. Jeong**  
*Deputy Administrative*  
*Judge, NYC Criminal Court*

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*Third Judicial District*

**Robert C. Mulvey**  
*Sixth Judicial District*

**Alan D. Scheinkman**  
*Ninth Judicial District*

**Richard E. Sise**  
*Court of Claims*

**Vito C. Caruso**  
*Fourth Judicial District*

**Craig J. Doran**  
*Seventh Judicial District*

**Thomas A. Adams**  
*Nassau County*

**James C. Tormey**  
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**Paula L. Feroleto**  
*Eighth Judicial District*

**C. Randall Hinrichs**  
*Suffolk County*

## MESSAGE FROM THE CHIEF ADMINISTRATIVE JUDGE



I am pleased to present the 2014 edition of Annual Report of the Chief Administrator of the Courts.

The New York courts accomplished much last year. We took action to narrow the justice gap, assist families in crisis, stop the revolving door of justice, and increase efficiencies through technology. I urge you to read more about these and other initiatives and programs in the Year in Review section of this report. In addition,

this report provides caseload activity data, legislative and rule change updates and a summary of annual expenses and revenue.

Our many accomplishments are all the more remarkable because of the severe financial constraints under which the New York Judiciary has operated for the past years. Credit for these achievements must go to the efforts, first, of our dedicated judges and non-judicial employees, and also of my predecessor, the Hon. A. Gail Prudenti. Justice Prudenti devoted 23 years to the Judiciary and led the court system through three-and-one half challenging years before retiring this summer. Thanks to all of these efforts, we have emerged stronger, more resilient and more resourceful—qualities we will continue to embrace as we go forward.

Sincerely,

Lawrence K. Marks

*This 2014 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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## YEAR IN REVIEW: A SUMMARY OF 2014 HIGHLIGHTS

**E**VERY YEAR, MILLIONS OF NEW YORKERS COME TO OUR COURTS, some seeking to redress wrongs, some asserting their rights to basic government services, some seeking relief from one burden or another, and some seeking sanctuary from an abusive situation. In short, they come to our courts in search of justice, fairness and equity. The Unified Court System never for a moment loses sight of its role in government and society, and strives day in and day out to balance the scales of justice.

In 2014, the court system continued its strenuous efforts to narrow the justice gap and ensure that the rights of each and every citizen are protected with creative initiatives, such as utilizing non-lawyer advocates, and tapping law students through the pro bono scholars program. It worked to improve juvenile justice, address the scourge of human trafficking and increase efficiency through greater use of alternatives to incarceration. The pages that follow detail our efforts, achievements and progress in areas critical to the well-being of the people of New York State.

## NARROWING NEW YORK'S JUSTICE GAP

### TASK FORCE TO EXPAND CIVIL LEGAL SERVICES

**T**HE TASK FORCE TO EXPAND ACCESS TO CIVIL LEGAL SERVICES IN NEW YORK was appointed by the Chief Judge to help identify permanent civil legal services funding streams and guide the court system's efforts to boost the availability of affordable legal representation for low-income New Yorkers.

Since 2010, the Task Force has assisted the Chief Judge in holding annual hearings and has conducted its own research and formulated recommendations to the Chief Judge to begin to close the large access-to-justice gap for low-income children and adults throughout New York State in matters affecting the essentials of life. Beginning with its first hearing, the Task Force found that the crisis of the unrepresented in our State's courts was adversely impacting everyone in our State, from the most vulnerable families to the largest corporate litigants. Acting on the Task Force's recommendations, the Chief Judge has increased funding for civil legal services through the Judiciary budget, and has implemented many non-monetary recommendations to improve access to justice for all New Yorkers.

Presently, only about 20 percent of low-income New Yorkers have a lawyer to assist them in responding to matters involving life's basic necessities. With so many New Yorkers adversely impacted by the economic decline over the past several years, the justice gap has continued to widen. Additionally, the difficult economic climate has led to a sharp reduction in revenue available from the Interest on Lawyers Account Fund of New York State (IOLA), which funds civil legal assistance for the state's needy.

The Task Force helps organize a series of annual public hearings held by the Chief Judge to assess the unmet need for civil legal assistance in all areas of the state, also issuing an annual report with proposals aimed at bridging the access to justice gap. Legal experts and others have testified that when New Yorkers appear in civil matters in court without representation, litigation and other costs are higher and the opportunity to resolve disputes out of court or to settle cases expeditiously is lost. Judges have also observed that when substantial numbers of unrepresented New Yorkers appear in court, the overall quality of justice for all litigants suffers because resources must be diverted to try to assist unrepresented parties.

Access to affordable legal services can profoundly change the lives of low-income New Yorkers, enabling families and individuals to remain in their homes, escape from domestic violence, maintain or obtain subsistence income, or secure access to health care or an education. Nationally recognized experts commissioned by the Task Force on a pro bono basis have determined that investing in civil legal services brings significant economic benefits to our state — a return of more than six dollars for every dollar of funding to support civil legal services programs. To view the Task Force's full report, go to: [www.nycourts.gov/ip/access-civil-legal-services](http://www.nycourts.gov/ip/access-civil-legal-services).

### JUDICIARY CIVIL LEGAL SERVICES

**THE JUDICIARY CIVIL LEGAL SERVICES (JCLS) PROGRAM** continues to help low income residents in New York State access legal assistance in the essentials of life categories including Housing; Family Matters; Subsistence Income; and Access to Healthcare and Education.

In fiscal year (FY) 2013-14, 69 civil legal services providers handled 384,974 cases, serving a total of 4,000,925 individuals and 1,378,900 persons benefitted. These numbers continue to increase in comparison to FY 2012-13 and 2011-12. The increase can be attributed in large part to the rise in JCLS grant funding during this span from \$12.5 million to \$55 million dollars. The increased funding enabled providers to hire additional staff, launch new initiatives, enhance training and outreach and better respond to the needs of the communities they serve.

In 2014, previously funded JCLS providers received renewals of their existing contracts totaling \$40 million. In May 2014 a Request for Proposal (RFP) was issued for an additional \$15 million. Pursuant to the RFP, the Oversight Board awarded additional funding to 56 of the existing JCLS providers and 6 new providers received awards as well. There are currently 75 civil legal services programs with JCLS funding statewide.

### ELIMINATING BARRIERS, OPENING DOORS

**THE UNIFIED COURT SYSTEM'S ACCESS TO JUSTICE PROGRAM** strives to ensure access to justice in civil and criminal matters for New Yorkers of all incomes, backgrounds and special needs, by using every resource, including self-help services, pro bono programs, and technological tools, and by securing stable and adequate non-profit and government funding for civil and criminal legal services programs. Among its initiatives, the program works to augment the delivery of free legal services to unrepresented New Yorkers, employing mostly "unbundled" legal service delivery methods, with volunteer lawyers performing only the agreed-upon tasks rather full-service representation. Litigants then perform the remaining tasks on their own, allowing the Access to Justice Program to assist many more litigants and focus its limited resources on court-based volunteer legal services that offer advice-only consultations, document preparation assistance and limited representation in court.

Such services concentrate on providing assistance to unrepresented litigants in cases involving housing, consumer debt and other pressing legal matters. Litigants of modest means who may not qualify for legal aid yet cannot afford traditional legal services can obtain assistance via these court-based volunteer attorney programs which, unlike most legal services and legal aid programs, do not screen for income. From programs that aim to promote a culture of public service among prospective and newly admitted attorneys to the Attorney Emeritus Program, which recruits retired lawyers to participate in limited or full-service pro bono legal services, these efforts rely on partnerships with nonprofit organizations, law schools, law firms, government agencies and bar associations.

The access to justice program continued to develop, refine and broaden the use of technology-based tools and other resources to help New Yorkers without legal representation navigate the justice system, including the expansion of online Do-It-Yourself (DIY) programs that guide litigants to prepare ready-to-file court forms in landlord-tenant, child support and other civil matters. Unrepresented litigants can also seek assistance at the Access to Justice Program's Court Help Centers. Located around the state and staffed by a mix of court attorneys and court clerks, these centers offer free legal and procedural information on family, housing and other matters, operating on a first-come, first-served basis.

For more information about the Access to Justice Program's volunteer attorney efforts, do-it-yourself tools for unrepresented litigants and other initiatives, view the program's 2014 annual report online at: [www.nycourts.gov/ip/ny2j/pdfs/NYA2J\\_2014report.pdf](http://www.nycourts.gov/ip/ny2j/pdfs/NYA2J_2014report.pdf).

### **UTILIZING NON-LAWYER ADVOCATES AND LAW STUDENTS**

**IN 2014, CHIEF JUDGE LIPPMAN ADVOCATED** the use of non-lawyers to provide legal services in simpler civil matters. In support of that vision, the Access to Justice Program successfully implemented a court-based non-lawyer program, where volunteer "Court Navigators" assist unrepresented litigants with New York City consumer debt and housing cases. In addition, Chief Judge Lippman's 50-hour pro bono service requirement for law students to be admitted to practice bolstered law student participation in the Access to Justice Program's initiatives and court-based programs.

### **PRO BONO SCHOLARS PROGRAM**

**DOVETAILING THE 50 HOUR PRO-BONO REQUIREMENT**, the Pro Bono Scholars Program, unveiled by Chief Judge Lippman in his 2014 State of the Judiciary address, enables law students to spend their final semester of law school performing pro bono service for the poor. Participating students spent 12 weeks in a pro bono placement, earn at least 12 academic credits and are allowed to take the New York State Bar Exam in February rather than July. The program affords students the opportunity to learn vital practice skills and accelerate their admission to the bar while helping those who are unable to afford legal representation. In 2014, approximately 100 New York law students participated, donating more than 48,000 hours to underprivileged individuals in need of, but unable to afford, legal counsel.

### **SELF-HELP TOOLS AND RESOURCES AID UNREPRESENTED LITIGANTS**

**OVER THE PAST FIVE AND A HALF YEARS, THE ACCESS TO JUSTICE PROGRAM** has had considerable success with its multi-faceted approach to the delivery of legal services, assistance and information to the unrepresented public. In 2014, it forged and strengthened new and old pathways to justice with a special concentration on non-lawyer legal assistance. CourtHelp, the court system's website for unrepresented litigants, was given a complete makeover and now functions as an important resource for New Yorkers going to court without an attorney. Similarly, the new DIY Form program for Uncontested Divorces simplifies a complicated process so that litigants can complete the court paperwork on their own.

### **Task Force Works to Increase Availability of Affordable Legal Representation for New York's Needy**

### **COURT INTERPRETING SERVICES HELP REMOVE BARRIERS TO JUSTICE**

**PART 217 OF THE UNIFORM RULES FOR NEW YORK STATE TRIAL COURTS**, which mandates the appointment of a court interpreter at no cost to the user in both criminal and civil cases, has served as a model for the American Bar Association and U.S. Department of Justice in drafting language-access

guidelines. The New York State Unified Court System remained at the forefront in this area, offering interpreting services to criminal defendants, witnesses, crime victims and parties in civil cases who have a language or hearing barrier.

Language access is fundamental to the administration of justice, and in a state as diverse as New York, ensuring this access can be a challenge. During 2014, the UCS provided court interpreting services in more than 80,000 cases, in 111 different languages. To meet these language needs, the courts employ 270 staff court interpreters, and also utilize the services of more than 500 freelance or per-diem court interpreters; the annual budget for court interpreting services exceeds \$30 million.

New York provides court interpreters in both criminal and civil proceedings, and the court rule (NYCRR Part 217) was one of the first in the country to formalize this right to an interpreter, at no cost to the user. New York was also one of the first state court systems to implement Remote Interpreting. Court interpreters are needed throughout the state, and for many courts in rural or less-populated regions of the state, there is often a shortage of interpreters; in 2014, the UCS provided interpreters by video or teleconference for more than 430 cases. The option to have a qualified interpreter appear for the court by video or telephone has allowed the courts to proceed without unnecessary delay, while ensuring access to justice for the court user.

The need for interpreters is seen at every level of the judicial process, and throughout the courthouse. To that end, UCS is expanding the provision of language services (often by telephone) to non-courtroom areas such as public counters, Help Centers, and in collaborative efforts like mediation. In addition, vital documents and information are being translated into the most-frequently-used languages, and a bilingual Order of Protection is being introduced via a pilot program in the Family Courts. Providing the Order in bilingual format will give all of the affected parties a better understanding of the requirements of the Order and should result in greater compliance.

## **IMPROVING CASE OUTCOMES FOR FAMILIES IN CRISIS**

### **CHILD WELFARE IMPROVEMENT PROJECT SUPPORTS FAMILY COURT'S MANDATE**

**T**HE CHILD WELFARE IMPROVEMENT PROJECT (CWCIP) is a federally funded program that strives to uphold the Family Court's mandate to promote the safety, permanency and well-being of abused and neglected children. In 2014, The Child Welfare Court Improvement Project (CWCIP) continued its collaborative work in support of the Family Court's mandate to promote the safety, permanence and well-being of abused and neglected children by providing resources and technical assistance at the intersection of the legal/judicial and child welfare systems. The project is engaged in several large initiatives designed to improve outcomes at the individual case and systems level.

October 1, 2014, UCS was awarded funding from the Office of Juvenile Justice and Delinquency Prevention to engage in statewide system reform of family treatment courts. CWCIP is the lead coordinating entity in partnership with the Office of Policy and Planning, NYS Office of Children & Family Services (OCFS) and NYS Office of Alcoholism and Substance Abuse Services. This two year planning award focuses on maximizing current resources and developing a new model designed to serve more families who are at the intersection of the child welfare, court and chemical dependency systems.

CWCIP continues to focus on the quality of permanency hearings as a vehicle for attaining timelier, appropriate and lasting permanency for children. Through a partnership with the National Council of Juvenile and Family Court Judges, counties are participating in court observations and file reviews developed to identify strengths as well as areas in need of improvement. Consistent with our efforts to engage in continuous quality improvement, the results are presented to a multi-disciplinary team and the teams are supported in developing a plan for integrating strategies to improve outcomes for children and families through permanency hearings.

Systems change at the macro level rather than the project level has been a new focus of the project. In 2014, the topic of child safety and risk decision-making was presented at a statewide multi-disciplinary conference co-sponsored by CWCIP, OCFS and Casey Family Programs (CFP). The goal was to have professionals understand the various roles and mandates within those roles that are behind child safety and risk decision-making. Keeping with the macro level focus on topics that will have broad impact on safety permanency and well-being, the topic of trauma will be presented in 2015. Additional training events included two counties receiving the day-long training, "Whose responsibility is it Anyway? A look at the Roles and Responsibilities of each Professional in a Child Welfare Proceeding." A New York City forum on Disproportionate Representation (DMR) was attended by over 200 New York City Judges and other system professionals. Reducing DMR remains a central tenet of our work. CWCIP also supported many county based lunch-time trainings and information dissemination meetings.

The handling of Special Immigrant Juvenile Status (SIJS) applications has been an issue for many New York State Judges. CWCIP in cooperation with the Family Court Advisory and Rules Committee and the National Center for State Courts created a judicial survey to more clearly define the judicial concerns so that those concerns may inform future court rules or proposed legislation. Additionally, CWCIP, with the support of Casey Family Programs and the Family Court Judges Curriculum Committee has been working to bring a representative from USCIS to the spring 2015 convening of family court judges to discuss the federal mandates and the judges' concerns.

The continuous quality improvement (CQI) focus in the 20 counties grounded in data which we are now updating on a quarterly basis continues as a hallmark of the project. In June, the co-heads of the 20 collaborative counties were invited to a day-long meeting wherein they were encouraged to continue the work of CQI and to "dive deeper" into the data. Participants were provided tools for executing qualitative reviews to enhance the quantitative data they are provided. The meeting was co-sponsored by CWCIP, OCFS and CFP. CWCIP Liaisons continue to support the consumption of data by the county multi-disciplinary collaboratives. The Child Welfare Court Data Metrics include new measures developed in 2014. The new measures allow counties to examine: the percentage of termination of parental rights petitions that were withdrawn or dismissed due to the filing of an judicial surrender; the time from entry into out-of-home care that it takes for a child to be freed for adoption; and the time it takes for a child to achieve permanency by adoption when the child became freed as the result of a termination of parental rights petition versus a judicial surrender. For more information about the CWCIP, go to [www.nycourts.gov/ip/cwqip](http://www.nycourts.gov/ip/cwqip).

#### **ON-SITE CENTERS PROVIDE CARE TO YOUNGSTERS WHILE PARENTS ARE IN COURT**

**THE COURT SYSTEM'S CHILDREN'S CENTERS PROGRAM** oversees a statewide network of drop-in child care centers with a two-pronged mission: providing quality child care to youngsters while their parents are in court; and connecting children and families to vital services designed to improve their life chances. During their stay at the centers, youngsters engage in activities designed to encourage a life-long love of reading.

In 2014, the Children's Centers continued to offer a welcoming, safe and interactive environment for children while their caregivers attended to court business. Over 35,000 children visited the Children's Centers in 2014, which is consistent with utilization in previous years of part-time operations.

In addition to providing a safe haven, the Children's Centers provide a vehicle for connecting children and families with vital services (e.g., early childhood health, educational and nutritional benefits, including food stamps) to which they and their families are entitled. Families visiting the Children's Centers continued to demonstrate greater difficulty meeting some of the most basic needs. From 1991 until 2012 the top three referrals made by Children's Centers staff were: child care; Child Health Plus; early intervention.

Since 2012, referrals to food pantries and food assistance programs have outpaced referrals to child care almost 2:1. In 2014, the top three referrals made by Children's Centers staff were: food pantries and food assistance programs; support programs (e.g. counseling/support groups); child care.

Children's Center staff and operating agencies continued to be creative in their work to meet other needs demonstrated by families through various donation drives and resource development events throughout the year.

As support to Children's Center staff and operating agencies, Statewide Children's Centers Program Office staff provided onsite technical assistance and held three separate, one-day regional training meetings. These meetings were held in the fall and were hosted by operating agencies in different regions of the State. The regional meetings were held at the YWCA of Genesee County in Batavia, the Albany Community Action Partnership in Albany, and Safe Horizon in Brooklyn.

Each of the meetings focused on two primary topics of solving day-to-day challenges in the Children's Centers and enhancing effectiveness of each Center's Advisory Committee. For more information, go to [www.nycourts.gov/childrenscenter/index.shtml](http://www.nycourts.gov/childrenscenter/index.shtml).

#### **COMMISSION SEEKS TO IMPROVE LIVES OF COURT-INVOLVED YOUNGSTERS**

**THE PERMANENT JUDICIAL COMMISSION ON JUSTICE FOR CHILDREN** was established in 1988 to improve the lives of children involved with the New York State courts. At first targeting primarily infants and younger children, the commission has devoted much of its recent efforts to adolescents in the foster care and juvenile justice systems. The Commission is chaired by former Chief Judge Judith Kaye, and its members include judges, lawyers, advocates, physicians, legislators, and state and local officials.

The Commission utilizes a systemic methodology composed of convening stakeholders, conducting research, developing pilot projects, creating written materials and tools, presenting trainings and initiating efforts to change policy and practice. Additionally, all of its efforts are premised on the court system's authority under state and federal law and consistent with the legal standards for services to children. To learn more about the commission, visit: [www.nycourts.gov/justiceforchildren](http://www.nycourts.gov/justiceforchildren).

#### **COURT SYSTEM OFFERS TRAINING TO VOLUNTEER ADVOCATE PROGRAMS AROUND THE STATE**

**THE COURT SYSTEM** continued to support Court Appointed Special Advocates (CASA) services in 32 counties throughout 2014. The programs, administered by 19 local agencies, recruit, train and supervise volunteers who are appointed by Family Court in child abuse and neglect cases. Local programs served approximately 3,000 children throughout the year. On average, each CASA volunteer donates more than 100 hours per year to their assigned cases.

During 2014-15, OCA entered into negotiations with CASA: Advocates for Children of NYS, the state CASA association, with the goal of establishing a single contract with the Association. This change, which will be completed in the coming months, will result in cost savings by shifting fiscal management and technical assistance responsibilities to the Association and will enhance the Association's ability to develop efficiencies by centralizing training and support services to the CASA network.

#### **OFFICE OVERSEES AGENCIES SERVING LEGAL NEEDS OF CHILDREN IN COURT**

**THE OFFICE OF THE ATTORNEY FOR THE CHILD CONTRACTS (AFC)** oversees 11 agencies that serve the legal needs of children in certain court proceedings in accordance with New York State law, giving youngsters a voice in child protective, juvenile delinquency, child custody and other matters. AFC provides training, fiscal oversight and other forms of administrative support to these agencies. [www.nycourts.gov/attorneys/childcontracts](http://www.nycourts.gov/attorneys/childcontracts).

## PUTTING A STOP TO “REVOLVING JUSTICE”

#### **PROBLEM-SOLVING COURTS STRIVE TO IMPROVE OUTCOMES FOR VICTIMS, COMMUNITIES AND DEFENDANTS**

**O**VER THE PAST TWO DECADES, the court system has implemented a variety of problem-solving court models in an effort to improve outcomes for victims, communities and defendants. Problem-solving courts address substance abuse and other underlying problems that often bring people into the criminal justice system. Key components of these courts are specially trained judges and staff, intensive judicial monitoring of offenders, and coordination with outside services and agencies. Problem-solving courts take different forms depending on the issues they are designed to address. Drug and mental health courts focus on treatment and rehabilitation. Community courts combine treatment, community responsibility, accountability and support to both litigants and victims. Sex offense, domestic violence and integrated domestic violence courts combine judicial monitoring with mandated programs and probation to ensure compliance, facilitate access to services and improve case management.

#### **HUMAN TRAFFICKING INTERVENTION COURTS: COMBATING MODERN DAY SLAVERY**

**HUMAN TRAFFICKING INTERVENTION COURTS** were established in areas where ninety-four percent of New York's prostitution and prostitution-related arrests occur: In 2014, these courts were operating in all five boroughs of New York City, Buffalo, Long Island, Rochester, Syracuse and Yonkers. The judges who preside over these courts receive specialized training on the root causes of human trafficking, the psychological damage experienced by its victims and the most effective ways to ensure that the defendants who come before the court do not return to the commercial sex industry. The court staff is specially trained to recognize the dynamics of human trafficking and the challenges trafficking victims must overcome to reintegrate into mainstream society. Intense focus is placed on providing services to trafficking victims who end up as defendants: these services range from shelter and healthcare to immigration assistance and drug treatment, with programs and services structured to deal with this unique population. Since these parts were established, over 6,000 defendants charged with prostitution or prostitution-related crimes have participated in this specialized court process, and many obtained dismissal or reduction of charges in exchange for completing court-ordered treatment or programs.

#### **DRUG TREATMENT COURTS**

**IN 2014, THE OFFICE OF POLICY AND PLANNING** launched a major initiative to create a statewide strategic plan for New York's 90 adult drug treatment courts. A statewide advisory committee was formed, comprised of judicial and court staff from the 13 Judicial Districts. The committee is formulating recommendations for long range planning that includes allocation of resources; a blueprint for ensuring fidelity to the treatment court model and evidence-based practices; a sustainable training strategy; an enhanced data collection and management system; and support for individual drug courts to improve operations.

#### **FAMILY TREATMENT COURTS**

**IN THE AREA OF FAMILY COURT,** New York was awarded federal funds in 2014 to re-examine the family treatment court model and attempt to apply recognized, effective Family Treatment Court practices to reach more families affected by substance use and neglect. UCS is working closely with the Child Welfare Court Improvement Project to implement change throughout the child welfare, treatment, and court systems that will improve outcomes for families.

#### **VETERANS TREATMENT COURTS**

**VETERANS TREATMENT COURTS** continued to grow with the addition of four new veterans courts, bringing the total to 24 with several more in the planning phase. These courts are designed to respond to the unique needs of returning service personnel struggling with the psychological and physical effects of their military tenure, such as chronic pain, traumatic brain injury, post-traumatic stress disorder, addiction, anger, depression and homelessness. Veterans Treatment Courts collaborate with the federal government and local veterans' organizations to link service members to appropriate benefits and services. The matching of veteran mentors with defendants continues to be a key component of these cases, providing a supportive network to ensure that no veteran is left behind.

#### **AGE OF CRIMINAL RESPONSIBILITY**

**NEW YORK IS ONE OF TWO STATES THAT PROSECUTE** 16 and 17 year olds as adults. Studies show that this approach does not improve public safety. Moreover, scientific evidence indicates that the brain of an adolescent differs from the brain of an adult in ways that bear directly on decision-making capacity and the ability to resist coercive influence. In response to this reality, in 2011, Chief Judge Jonathan Lippman proposed legislation to increase New York's age of criminal responsibility to 18 and to establish a youth division to adjudicate nonviolent misdemeanor and felony cases of 16 and 17 year olds.

Pending enactment of legislation raising the age of criminal responsibility, the court system in 2012 launched problem-solving courts aimed at dealing with nonviolent 16 and 17 year old defendants. The Adolescent Diversion Parts were created by order of the Chief Judge as a way to improve the judicial response to these defendants. Adolescent Diversion Parts are staffed by criminal court judges who are specially trained to understand the legal and psycho-social issues experienced by adolescents and are able to implement age-appropriate interventions for the young people who come before the court. They operate in all five boroughs of New York City and in Erie, Onondaga, Westchester and Nassau counties. In these courts, every effort is made to resolve cases without criminal convictions or jail time so that the defendants can go on to lead productive lives after the cases are resolved. According to a study conducted by the Center for Court Innovation, the overwhelming majority of cases adjudicated in these parts were resolved without the imposition of criminal records or jail time; adolescents whose

cases were heard in the Adolescent Diversion Parts were significantly less likely than comparison defendants to be re-arrested for felonies; and among those adolescents at highest risk for being re-arrested, participation in an Adolescent Diversion Part substantially reduced re-arrest rates.

As of December 2014, there were 308 problem-solving courts statewide, most of which operate within the framework of existing courts, sharing staff and other resources. For more information about New York's problem-solving courts, visit [www.nycourts.gov/problem\\_solving](http://www.nycourts.gov/problem_solving).

## IMPROVING NEW YORK'S TOWN AND VILLAGE COURTS

**N**EW YORK'S 1,200-PLUS JUSTICE COURTS are an integral part of the Judicial Branch of New York State government. Each Justice Court is responsible for administering justice consistent with the Constitution and its separation of powers, as well as applicable statutes and court rules, and subject to the general oversight of the Chief Judge and Chief Administrative Judge. It is critically important that the level of justice provided in these "local" courts be consistent with that dispensed within the state's higher courts. The Office of Justice Court Support (OJCS) works to ensure this imperative.

OJCS is responsible for providing technical, legal and administrative support to the town and village courts. In this regard, the office creates and presents the annual education and training programs required of the justices, as well as assisting in the creation and presentation of training programs for court clerks. OJCS administers the Judicial Court Assistance Program (JCAP), digital recorder distributions, credit card machine program, and many more City, Town and Village related programs. These courts continue to have access to law libraries and online legal research databases such as Lexis and Westlaw at no expense to the participating localities.

Two-thousand-fourteen was again an active year for the OJCS and the town and village courts. OJCS began the process of implementing a new system under which credit cards are processed within the courts. Implementation of this program required OJCS, in conjunction with numerous state and private entities and ongoing communication and support with the courts, to facilitate the replacement of all existing credit card terminals within the courts with 1,500 new terminals capable of assessing cardholder fees at the point of payment. This is a massive and ongoing undertaking. The successful nature of this transition to a service-fee based credit card program, wherein the required fees are now directly transmitted to the credit card company, will accomplish a direct cost-savings to the Office of Court Administration in the millions of dollars over the current and coming fiscal years. It is expected that in the coming fiscal year this program will be expanded to the remaining town and village courts currently without credit-card terminals.

The creation and facilitation of education and training of the town and village courts is one of OJCS' major priorities. Relevant and pertinent training programs are created and presented each year to keep judges abreast of ever changing laws, rules, regulations and procedures. While live programs continue to be conducted by the office, OJCS' e-learning portal makes these training programs, and assessments associated thereto, available to the town and village judges online. Close to 1,000 justices logged onto the e-learning portal in 2014 alone, with close to 400 justices completing all of their 2014 education and training exclusively online. Since the portal's inception in 2013, there has been a 37% increase in the

number of courses completed accomplished by judges. The utilization of this e-learning site continues to assist OJCS in assuring consistent and standardized training for all, and is a cost-effective method to assist town and village judges in obtaining their required training.

OJCS is constantly working to better serve the courts in terms of access to legal resources. In 2014, OJCS identified a legal resource on landlord-tenant law which was determined to be of great value to the courts. With the permission of the Chief Administrative Judge, the acquisition of same was successfully negotiated, purchased and distributed by OJCS to 1,200 courts throughout the state.

In addition to assisting the nearly 2,200 town and village justices, OJCS works closely with the numerous court clerks throughout the state creating and presenting many of their training programs presented at statewide venues, as well as at local sites throughout the year. The "Operational Manual for Court Clerks" envisioned by the Office, was finalized in 2014 and made available online to all town and village courts statewide. This manual provides court clerks, as well as those judges who do not have their own clerk, with information relating to the daily administrative and reporting responsibilities and tasks associated with the court. The "Supporting the Bench" program, which was recorded live in the fall of 2013, continues to be made available to judges and clerks on OJCS' website for those unable to attend live training sessions.

OJCS continues to work closely with the Supervising Judges and special counsel for the town and village courts that have been appointed to each of the Judicial Districts throughout the state involving matters that arise within these Districts and assisting them in the day-to-day operations of these courts. In 2014, OJCS worked closely with these Districts on several initiatives relating to outstanding education and training. OJCS continues its administration of the \$2.5 million JCAP program, and OJCS attorneys continue to be available to these courts seven days a week in order to assist the courts with matters which may arise at a moment's notice.

## HELPING PARTIES RESOLVE DISPUTES OUT OF COURT

### OFFICE PROVIDES TRAINING AND OVERSIGHT OF ADR PRACTITIONERS

**T**HE COURT SYSTEM'S OFFICE OF ALTERNATIVE DISPUTE AND RESOLUTION (ADR) promotes the use of mediation and other forms of ADR, developing guidelines for the approval of training programs and establishing statewide qualification and training requirements for mediators and neutral evaluators serving on court rosters (in accordance with Part 146 of the Rules of the Chief Administrative Judge). A complete listing of ADR programs is maintained on the UCS website at [www.nycourts.gov/adr](http://www.nycourts.gov/adr).

The UCS ADR Office also provides funding to the statewide network of non-for-profit community dispute resolution centers (CDRCs) that offer a wide range of dispute resolution services on matters referred by courts, municipal agencies, probation departments, police departments, social service providers and other entities. Parties may also contact CDRCs directly.

Mediation represents the majority of matters handled through CDRCs, which offer services in small claims, housing, family, divorce, child custody and minor criminal matters. Some 1,000 professionally trained mediators volunteer their services to the CDRCs. Matters referred for arbitration include consumer-merchant disputes, matrimonial property division issues and automobile Lemon Law cases.

During 2014, CDCRs served 69,336 people in 27,924 total cases, resolving 73% of the 16,017 cases in which dispute resolution services were provided. Family matters, including child custody, visitation and support accounted for 26.4 per cent of these cases.

The UCS ADR office also supports an ongoing effort to promote quality assurance among ADR professionals serving the courts and communities. One way in which the ADR office promotes quality assurance is through the approval of mediation courses pursuant to Part 146 of the Chief Administrative Judge which establishes “Guidelines For Qualifications And Training Of ADR Neutrals Serving On Court Rosters.” In 2014, the ADR Office approved one new course, re-approved three courses that reached the end of their three year approval period, and approved additional trainers in connection with an existing course.

The Mediator Ethics Advisory Committee (MEAC), staffed by the UCS ADR office, is another example of the Unified Court System’s commitment to quality assurance in ADR. The MEAC receives inquiries from mediators primarily serving the Community Dispute Resolution Centers Program and publishes its opinions at [www.nycourts.gov/adr](http://www.nycourts.gov/adr).

ADR staff also organized the annual Mediation Settlement Day kick-off event which brings together members of the legal, educational, and ADR community to help raise awareness of the benefits of ADR.

#### **PROGRAM FACILITATES RESOLUTION OF ATTORNEY-CLIENT FEE DISPUTES**

**THE UNIFIED COURT SYSTEM’S FEE DISPUTE RESOLUTION PROGRAM** was established to resolve attorney-client disputes over legal fees. Disputes may be arbitrated or mediated. Oversight is guided by the Board of Governors Chaired by the Hon. Guy James Mangano (ret.).

Since its inception in January 1, 2002, the Fee Dispute Resolution Program has closed more than 9,858 cases. During 2014, local programs closed 994 cases, which is a slight decrease from the 1,120 cases closed in 2013. Statewide, the average amount in dispute was \$13,013.92, which is a nominal decrease in the average amount in dispute among 2013 cases (\$13,673.89).

Of the 994 cases closed in 2014, 503 were arbitrated and arbitrators issued awards in 363 cases. Two hundred ninety cases were either dismissed for lack of jurisdiction or withdrawn by the filing party. One hundred ninety cases were resolved outside of arbitration. Cases resolved outside of arbitration include 159 cases settled prior to arbitration or mediation and 31 mediated cases.

The Board of Governors is examining the time to disposition in programs statewide focusing on the impact that the panel requirement has on scheduling of cases. Over the years the number of panel arbitrations had steadily increased; reaching parity with the number of solo arbitrations in 2008. Since then, the number of panel arbitrations continued to increase, exceeding the number of solo arbitrations by an average of 39 cases each year. After conducting a survey of parties and arbitrators on the importance of the panel requirement between 2012 and 2013, the Board of Governors with the approval of the Administrative Board, raised the threshold for assembling panel arbitrations from \$6,000 to \$10,000 in January 2014. As a result, in 2014, single arbitrators arbitrated 324 cases, while panels of three arbitrators arbitrated 179 cases and it took an average of 30 weeks from intake to disposition. With the exception of 2012, 2014 marked the first year since 2007 where solo arbitrations exceeded panel arbitrations.

#### **NYC CENTER HELPS REDUCE EXPENSE AND PAIN OF DIVORCE ON FAMILIES**

**THE COURT SYSTEM’S COLLABORATIVE FAMILY LAW CENTER** provides qualifying divorcing couples in NYC with free alternative dispute resolution services to help reduce the pain, trauma, and expense of divorce on families. The Center promotes individually tailored, child-centered and needs-based processes such as collaborative law and mediation, before couples proceed down an adversarial path. Disputes get resolved quickly, fairly and privately, without judicial intervention. The Center staff also accepts referrals of contested matrimonial cases directly from the Supreme Court. The Center provided assistance to more than 3,000 families in 2014. The services provided included information about divorce mediation, collaborative family law and general assistance with how to file for divorce. The Center provided divorce assistance and information to an average of 85 families per week in 2014. Cases mediated through the Collaborative Family Law Center have a 92 percent success rate in reaching settlement.

Center staff also provided technical assistance and support to local not for profits starting divorce mediation programs. Staff offered technical assistance and support to several area law schools interested in starting divorce mediation and other alternative dispute resolution clinics. For more information about the Collaborative Family Law Center visit [www.nycourts.gov/ip/collablaw/index.shtml](http://www.nycourts.gov/ip/collablaw/index.shtml).

## **INCREASING EFFICIENCY, REDUCING COSTS THROUGH TECHNOLOGY**

**T**he Office of Court Administration’s Division of Technology provides hardware, software, programming, Internet connectivity, database, help desk, technical education, phone, networking and other computer services for the Unified Court System.

The UCMS Local Civil application was enhanced in 2014 to prepare for implementation in the New York City Housing Court in 2015. One of the main new features introduced for the Housing Court is the ability to quickly enter an Order to Show Cause using an automated workflow. Using this workflow, a court clerk can quickly interview a litigant, produce a relief-based affidavit, prepare and schedule an Order to Show Cause for judicial review, and record all judicial actions.

Other features added during the year include:

- Supported legislative changes regarding consumer credit – credit card debt cases
- Supported the streamlined entry of unknown parties
- Enhanced calendar sorting options
- Enhanced Form creation and generation options
- Enhanced Auditing functionality
- New Housing Court specialty searches
- Enhanced office activity reporting and calendar control reporting
- Provided for the collection of DIY form statistics for NYC Housing Court related DIY programs. Also, the automated quarterly report provided to the Access to Justice group was enhanced to include these NYC Housing Court statistics.

## **UNIVERSAL BUDGET SYSTEM (UBS)**

**IN 2014, TWO NEW BUDGET VIEWS** were created for use in the preparation of the annual UCS budget: the New Jury Management System (JMS2) and UCMS-Supreme and County Civil Development

The JMS2 development team worked closely with the Commissioners of Jurors to identify system requirements and begin programming. The new JMS2 application is expected to be implemented statewide in the fall of 2015. The development of UCMS-Supreme and County Civil focused on calendaring, court activity, and data conversion. In addition, technical strategies were developed for forms and report generation. The first courts are expected to be implemented in late 2015.

## **CRIMINAL COURT APPLICATIONS**

**AN AUTOMATED PROCEDURE TO PROCESS "DECLINE TO PROSECUTE" (DTP)** notifications from NYC District Attorneys was implemented. This new process, which applies to historical and current records, permits timely updating of the UCS criminal case management system and reporting of criminal dispositions to the Division of Criminal Justice Services (DCJS). The objective is to "clean up" arrest information on defendants' "rap" sheets, which, if not updated, create employment, housing and other issues. Additionally, the automated process eliminates the need for manual data entry by DCJS, thus saving significant staff resources.

A change was made to the criminal case management system to allow cases with an outstanding fine or fee to send a final disposition to DCJS prior to the fines and fees being resolved. Prior to this change, cases remained open on defendant rap sheets without a disposition for months or even years, impacting rap sheet accuracy and the proper sealing of criminal records. This change resulted in the transmission to DCJS of hundreds of thousands of final dispositions for posting on defendant rap sheets.

Electronic feeds of motor vehicle tickets and non-fingerprintable arrest data into the courts case management systems further reduced the need for manual data entry.

Further, the criminal records scanning process was expanded to additional courts. Scanning permits courts to quickly and easily retrieve court records while reducing the space and costs of physical storage.

## **RECORDS MANAGEMENT**

**THE OFFICE OF RECORDS MANAGEMENT** continues to provide records management guidance and support to all NYS Courts and Offices.

In an effort to reduce space requirements for paper records and costs for private storage, the Office of Records Management encourages the disposal of records that have reached their retention requirement digitization of records while preserving their integrity. The Office of Records Management processed 4,082 Records Disposition Request Forms resulting in the disposal of 31,050 cubic feet of paper records. In 2014, the Records Management Office worked closely with the Division of Technology to revise and streamline the Electronic Records Certification for records maintained by the NYS UCS Division of Technology. This past year, Local Criminal Courts and Superior Criminal Courts entering their records into CRIMS, and Family Courts entering their records into UCMS FAMILY are no longer required to submit Records Disposition Request Forms once their Electronic Records Certifications have been approved. This new practice allows the courts and the Office of Records Management to be more efficient while ensuring that records are protected.

In addition to providing guidance and technical assistance, this office also operates the Brooklyn Army Terminal Records Center. The Brooklyn Army Terminal Records Center maintains records for the New York City Criminal Courts and New York City Civil Courts. The Brooklyn Army Terminal Records Center pulled and processed 33,500 Records Requests with an equal number of re-files. In addition, they received and processed 16,000 records storage boxes from the courts.

## **CRIMINAL DISPOSITION REPORTING UNIT**

**THE CRIMINAL DISPOSITION REPORTING UNIT (CDR)** continues to assist all criminal courts in the criminal disposition reporting process. The office fielded approximately 6,800 calls in 2014.

The unit works closely with the Division of Criminal Justice Services (DCJS), the Department of Motor Vehicles (DMV), the New York State Police (NYSP) for electronic traffic tickets and OCA's Division of Technology (DoT) to resolve issues and improve the technology for reporting and receiving data. The unit continues to work with the DoT to maintain and update the OCA CDR website. The website contains many reports that are utilized by the criminal courts.

The unit also works closely with the Office of Justice Court Support, the NYS Magistrates Association and the NYS Court Clerks Magistrates Association to provide training for the town and village justices and court personnel. This includes participation in three major training conferences each year in addition to local training within Districts or Counties.

The unit was awarded a grant from the federal government through DCJS (NYS National Criminal History Improvement Program – NCHIP) to train and support town and village courts in the 6th, 7th and 8th Districts on improving the reporting of Orders of Protection to the NYS Registry. Two staff were hired and provided hands-on training as well as group and phone training. As a result of these efforts, courts that were either not sending orders to the Registry or faxing them are now aware of the importance of getting the data to the Registry and some have transitioned from faxing to WebDVS to submit their Orders of Protection.

## **OFFICE OF LEGAL INFORMATION**

**THE OFFICE OF LEGAL INFORMATION** administers legal reference programs to a diverse community of individuals seeking current legal information and research materials: the judiciary, town and village justices, non-judicial UCS employees, and those who frequent our court law libraries either in person or virtually. Legal Information staff are responsible for a statewide centralized purchase program for legal reference materials, maintain and develop databases for court appellate level record and briefs, work directly with court librarians to address the challenges facing library service to integrate and transition both staff and library researchers from traditional sources of information to a constantly increasing forum of electronic and online venues. OLI staff serve as system administrators for, and maintain, the statewide library automation system and provide training and assistance to library personnel on an as needed basis.

This year, court personnel and the public who frequent our library facilities gained access to a new digital collection of e-books. The e-book collections complement our online Lexis and Westlaw databases as well as remaining print collections. As we shift to more and more online and electronic materials, access to supplied materials becomes more equitable as it is no longer location-dependent but available to all locations simultaneously.

## OFFICE OF GUARDIAN AND FIDUCIARY SERVICES

THE OFFICE OF GUARDIAN AND FIDUCIARY SERVICES (GFS) is responsible for providing training and resources to judges, court personnel, attorneys, other professionals and lay persons in the area of guardianship under Article 81 of the Mental Hygiene Law and court fiduciary appointments under Part 36 of the Rules of the Chief Judge. In 2011, GFS expanded its efforts to provide training to non-professionals appointed as guardians for incapacitated friends and family members. The Guardian Assistance Network (“GAN”), which has since 2006 provided live training in the metropolitan New York area to over 1000 non-professionals appointed as guardians of friends and family members, also offers free online video training. The online program, which is available statewide through the GAN website, offers practical advice to assist lay guardians in carrying out their guardianship responsibilities, and is certified to meet statutory training requirements. Over 2000 lay guardians have completed online training since the program’s debut in April 2011.

## WORKING TO RESOLVE RESIDENTIAL FORECLOSURE CASES

CHIEF JUDGE LIPPMAN’S EFFORTS TO EXPAND CIVIL LEGAL SERVICES for low income New Yorkers has resulted in an increase for the fourth year in a row in the number of residential homeowners represented by counsel in the foreclosure settlement process. In 2014, 58% of homeowners were represented at foreclosure settlement conferences. This is another significant increase from the 54% reported in 2013 and the 51% reported in 2012, and a dramatic increase from the 33% of homeowners represented by counsel in 2011.

The residential foreclosure caseload represents nearly a third of the civil inventory. Among other steps, the courts continue to innovate to streamline the foreclosure settlement process and, in partnership with local governments, have expanded programs expediting proceedings for vacant and abandoned properties.

## PROTECTING CONSUMERS AGAINST UNFAIR DEBT COLLECTION PRACTICES

At the 2014 Law Day ceremony, Chief Judge Lippman announced a series of reforms to ensure fair legal process in the more than 100,000 credit collection lawsuits brought in state courts annually against ordinary consumers—the majority of whom are low-income or working people, and including many elderly and disadvantaged New Yorkers. The package of reforms represents the most comprehensive effort by a court system nationally to ensure a fair legal process for all debtors in consumer credit cases.

Consumer credit cases are frequently brought by third parties who routinely purchase large portfolios of delinquent credit card debt, often for pennies on the dollar, commencing lawsuits based on little more than boilerplate language and a few fields of data from a spreadsheet. Then, they go into court with a “robosigned” affidavit containing hearsay allegations and few if any facts and request a default judgment.

Building on the collective efforts of the Attorney General’s Office, the state Department of Financial Services and the State Legislature, the court system implemented a broad series of reforms to ensure that the substantive and evidentiary standards for default judgment already required under New York law are met. For instance, creditors were required to submit complete affidavits in support of their motions

for a default judgment—no more robosigning, no more affidavits riddled with hearsay allegations. New rules and policies were adopted to stop the practice of suing on a debt after the statute of limitations had expired. And efforts were made, and will continue to be made, to ensure that unrepresented litigants have access to pro bono legal counseling through bar associations and law schools.

## BUILDING ON THE SUCCESS OF NEW YORK’S COMMERCIAL DIVISION

IN 2012, CHIEF JUDGE JONATHAN LIPPMAN ANNOUNCED the creation of the Task Force on Commercial Litigation in the 21st Century, co-chaired by former Chief Judge Judith S. Kaye and distinguished commercial practitioner Martin Lipton. In an effort to build upon and ensure the Division’s continued success as a desirable forum for business litigants, the Task Force was charged with setting a “new vision for how we in the New York State court system might better serve the needs of the business community and our state’s economy.”

The Task Force’s 2012 Report offered numerous recommendations to improve the Division. In response, Chief Judge Lippman named a permanent Commercial Division Advisory Council in 2013 to advise him on all matters pertaining to the Commercial Division. Chaired by Robert L. Haig, Esq., the Advisory Council consists of sitting Commercial Division justices, corporate in-house counsel and distinguished commercial practitioners from around the state. Thanks to the Task Force’s long-range vision and the Advisory Council’s practical guidance, the Commercial Division has undergone unprecedented reform to streamline litigation, improve efficiency, enhance judicial expertise and limit litigation expense. Highlights include: earlier assignment of cases’ limitations on depositions; limitations on interrogatories; limitations on privilege logs; accelerated adjudication procedure; e-discovery involving nonparties; more timely and robust expert disclosure; staggered court appearances; resolving disclosure disputes through letters and conferences rather than motion practice; settlement related disclosure; and increased monetary thresholds for Commercial Division cases.

By 2014, the Commercial Division had grown from its initial six courts to 29 parts, with nine of them in Manhattan, four in Queens, three each in Kings, Nassau and Suffolk counties, two each in Westchester and Onondaga counties and one each in Albany, Monroe and Erie counties. However, to a certain extent the Commercial Division is a victim of its own success. Since 2008, case dispositions in the Commercial Division have increased by 11% Statewide, but the number of judges has remained the same. In other words, the same number of Justices are disposing of considerably more cases. At the same time, the number of cases pending in the Division has risen 13% Statewide, including 9% in New York County. The main reason for the rising number of pending cases is the dramatic increase in motion practice. Over the last six years, the number of motions filed in the Division increased by 85% across the State and by 84% in New York County. Thus, even though the Justices have risen to the challenge and substantially increased their productivity, they still face an uphill battle in keeping up with increasing caseloads. For more information go to: [www.nycourts.gov/comdiv](http://www.nycourts.gov/comdiv).

## FACILITATING ACCESS TO EXTERNAL FUNDING SOURCES

**T**HE COURT SYSTEM'S GRANTS AND CONTRACTS OFFICE facilitates access to external funding resources that support court operations and manages the fiscal aspects of approximately 160 contracts with organizations that provide services to the courts. Grant functions include reviewing external funding opportunities for court system eligibility, assessing solicitations for consistency with the goals and priorities of the court system, and providing technical assistance to Judicial Districts and OCA units in the development of grant proposals and the implementation of grant-funded projects. Contract functions include procurement, contracting, annual budgeting, expense reconciliation, budget amendment and accounts payable operations for an array of professional and human service contracts with external organizations. Major accomplishments in 2014 included the implementation of a procurement process for the expansion of Civil Legal Services, assimilation of functions related to criminal indigent defense and attorney for the child contracts, and expanded support to judicial districts and the New York City courts in the management of grant-funded service contracts.

## FOSTERING DIVERSITY AND GENDER FAIRNESS IN NEW YORK'S LEGAL COMMUNITY

**T**HE 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 Franklin H. Williams Judicial Commission is composed of judges, attorneys and court administrators appointed by the Chief Judge of the State of New York to develop strategies to make the court system more responsive to the issues of court employees of color, as well as litigants and the larger legal community, and to implement recommendations to address those issues. We intend to achieve a court system that reflects the population of New York State and to ensure a judicial system that is fair and respectful to all ethnicities and races. The Commission implemented a statewide initiative to increase diversity on the bench in districts outside of New York City by co-sponsoring seminars on the path to becoming a judge. The seminar entitled "Everything You Need to Know About Becoming a Judge" were presented in Rochester, Buffalo, and Albany, New York with a fourth seminar being planned for Syracuse, New York. The Commission co-sponsored the seminars with local bar associations, area law schools and leaders on the bench in each district.

The seminars included panel discussions on election law and ethics, securing the nomination in State Supreme Court, making the ballot in city, county and family court, and the appointive process to the New York State Court of Claims, and federal bench. The panelists included local Commissioners from the Board of Elections, the leaders of local political parties, bar leaders, and local state and federal jurists. The seminars were well attended and closed with a reception for further networking for potential judicial candidates.

The National Center for State Courts received a grant which enabled the Franklin H. Williams Judicial Commission to provide implicit bias training for administrative and supervisory judges throughout the state. Professor Rachel Godsil from Seton Hall University School of Law provided the training. The Commission also continued its annual class for new judges at the New York State Judicial Institute on implicit bias and cultural sensitivity in the courtroom. It also continued to make available judicial mentors for attorneys who have completed their judicial application. For more information about the Commission, visit [www.nycourts.gov/ip/ethnic-fairness](http://www.nycourts.gov/ip/ethnic-fairness).

The New York State Judicial Committee on Women in the Courts is committed to achieving gender fairness in the court system and greater community.

Among its efforts this year, the committee: participated on Chief Judge Lippman's planning committee to develop the nation's first national summit of chief judges to look at the state courts' response to human trafficking; assisted the OCA Office of the Chief of Policy and Planning and the Practicing Law Institute in planning a national legal education webcast on the elements of a felony sex-trafficking case; four Committee members including the chair, Hon. Betty Weinberg Ellerin and members Hon. Judy Harris Kluger, Hon. Toko Serita, and Executive Director Charlotte A. Watson were inducted into New York's New Abolitionists to raise awareness about human trafficking; the Pro-Bono Matrimonial Subcommittee continued to expand pro-bono matrimonial services in Kings county through collaboration with the court, the New York State Women's Bar Association, and Brooklyn Law School and began exploration in Queens county; collaborated with the Lawyers Committee against Domestic Violence and Fordham University School of Law to present the annual continuing legal education program on relevant domestic violence laws and policies; reviewed the NYPD collaborative policing initiative, the Women's Prison Association alternatives to incarceration program, JusticeHome, supervised visitation programs including the YWCA of White Plains and New York City-based CASA, policies related to sexual assault on college campuses; worked with OCA on enhancing language access; conducted a session at New Judges School on gender fairness and gender bias; provided assistance to the courts' statewide network of gender fairness committees on Domestic Violence Awareness Month and Women's History Month events and presented "How Language Helps Shape Our Response to Violence against Women" by Claudia Bayliff, National Judicial Education Program of Legal Momentum; continued to chart the progress of women in New York's Judiciary; published an updated version of the brochure Fair Speech, Gender Neutral Language in the Courts; reprinted the Lawyers Manual on Human Trafficking and distributed it to every Town and Village Court; began updating the Lawyers Manual on Domestic Violence. Visit the committee online at [www.nycourts.gov/ip/womeninthecourts/index.shtml](http://www.nycourts.gov/ip/womeninthecourts/index.shtml).

## ENHANCING PUBLIC UNDERSTANDING OF THE COURTS

### INITIATIVES TO FOSTER PUBLIC UNDERSTANDING OF THE WORK OF THE JUDICIARY

**A**S PART OF THE COURTS' EDUCATIONAL OUTREACH, THE PUBLIC AFFAIRS OFFICE worked with Commissioner of Jurors Audrey Pheffer to address the non-response and failure-to-appear rate for prospective jurors in Queens County. Working relationships were developed between the Commissioner and institutions with a large community outreach including colleges, law schools, high schools, and public libraries to assist in increasing awareness about the value of jury service and the importance of completing the juror questionnaire. To support the Commissioner in her community outreach, an informational poster was produced highlighting steps to complete and return via mail a juror questionnaire.

The Office coordinates statewide efforts to raise awareness about mediation. For the fifth consecutive year, the offices of the New York State Governor and New York City Mayor proclaimed the third Thursday in October as Mediation Settlement Day (MSD). Landmarks across the state were illuminated in blue at dawn in support of MSD including: the Electric Tower of Buffalo, 7 World Trade Center, Albany Law School, Mid-Hudson Bridge, Niagara Falls and Peace Bridge, while the Staten Island Ferry Terminals in Manhattan and Whitehall greeted commuters with the message – "Involved In A Conflict? Try Mediation."

For the first time, the Office launched Mediation Week, the first week of November (except for Election Day), in cooperation with the law-related education programs of the New York City Department of Education. Three hundred high school students throughout New York City participated in mediation and conflict resolution skills training workshops conducted by professional mediators from the court system's network of Community Dispute Resolution Centers.

The Office led the digital communications campaign to raise awareness about the Judicial Voter Guide engaging community organizations, educational institutions the bar and elections-related websites and social media sites. In addition, a re-designed promotional poster was distributed statewide. The Guide received 26,000 visits, an 8% increase compared to 2013.

As recommended by the Office, the Historical Society of the New York Courts re-branded the Garfinkel Essay Contest as a scholarship. The Office secured its inclusion among CUNY's 'Prestigious Scholarships for Community College Students.' The topic for 2014 was "Who Watches the Watchers? Free Speech and Free Press in the Electronic Age." Three students from CUNY and SUNY received a combined prize of \$3,500. Communicating about the Garfinkel Essay Scholarship among all CUNY and SUNY community colleges improved the office's ability to raise awareness about the role and function of the New York State Courts, and increased awareness about court resources available to the public.

The Office of Public Affairs continued to coordinate the statewide internship, Student Ambassador Program, and also recruited students for the Chief Judge's Pro-Bono Scholars Program. The Office also coordinated the visits and provided court information sessions for judicial delegations from around the world, including Thailand, Turkey, Romania, Israel, Russia, England, Norway, Sweden and Denmark.

For more information, including a link to the court system's public events calendar, visit [www.nycourts.gov/admin/publicaffairs](http://www.nycourts.gov/admin/publicaffairs).

### STRATEGIC COMMUNICATIONS

**IN 2014, THE COURT SYSTEM PROGRESSED TOWARD ESTABLISHING** a solid social media footprint for the Third Branch of government. The strategy includes utilizing a variety of social media tools, such as Twitter, YouTube and podcasting, to enhance transparency, promote the court system and communicate with the public. Substantial progress was made towards: enhancing the court system emergency notification Twitter account and establishing new accounts for the Unified Court System and the appellate courts; the establishment of a podcast library of interview with the Chief Judge and other individuals and on topics of interest; and the creation of an "app" for the Court of Appeals. The Court of Appeals "app" will greatly enhance access to the court website via mobile devices.

## PROMOTING INFORMED VOTER PARTICIPATION IN JUDICIAL ELECTIONS

**T**HE 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 2014, there were 176 candidates for state-paid elective judicial office vying for 108 seats in the general election, in addition to numerous town and village court elections. The center fielded approximately 244 ethics-related inquiries from judicial candidates, and well over 200 candidates completed the campaign ethics training program. Upgrades were made to the center's annual online Judicial Candidate Voter Guide, allowing users to sort and filter the list of candidates in each county. More than 17,000 visitors accessed the voter guide in the period leading up to the general election. For more information, visit [www.nycourts.gov/ip/jcec](http://www.nycourts.gov/ip/jcec).

## FOSTERING EXCELLENCE IN JUDICIAL EDUCATION

**T**HE 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 ensure judicial excellence.

During 2014, the Judicial Institute continued to provide judicial, quasi-judicial and court attorney training in both live and web-based formats, expanding its distance-learning programming by adding 75 new courses to its already extensive course catalog. Again this year, the Institute offered specialized live programming, including seminars for newly elected and appointed judges as well as for judges handling matrimonial cases and Mental Hygiene Law proceedings. Also this year, the Institute co-sponsored several educational programs, including: "The Coming Changes to Legal Education: Ensuring Professional Values," with the New York State Institute on Professionalism and the Law and Pace Law School; and "Domestic Violence: Policies, Practices and Visions" with the Family Violence Task Force. The Institute also provided programming and technical assistance for numerous court-related education programs, including the MHLs court attorney educational seminar.

## UPDATING FACILITIES TO MEET THE COURT SYSTEM'S EVOLVING NEEDS

**C**OURT FACILITIES THROUGHOUT NEW YORK STATE are provided and paid for by the cities and counties they serve. Since the adoption of the Court Facilities Act in 1987, the Unified Court System has been providing financial assistance and guidance to local governments to help them meet their court facility responsibilities.

As provided by the Act, the State works closely with local municipalities to ensure that they meet their obligations to provide appropriate court facilities. The State provides assistance to the municipalities in estimating court workloads, design requirements and financing options. The State also provides the localities with various levels of financial aid to help defray the cost of construction, renovations, maintenance and cleaning of the court facilities.

As a result of the Act and the financial aid programs mentioned above, several municipalities were involved in major facility construction and renovation projects this year.

In New York City, construction of the new Staten Island Courthouse neared completion while the multi-phase renovations in the historic Bronx County Supreme Courthouse neared completion and are expected to conclude during the late spring of 2015. Also in the Bronx, renovations to the facility housing the family and criminal courts advanced, with completion expected sometime in 2016.

Outside New York City, in Nassau County, the first phase of a project to renovate and convert a building into a new Family Court and Matrimonial Center began in June. This is a two-phase project (exterior followed by interior) which is projected for completion in early 2018. In Westchester County, the plans for a new Family Court satellite facility within the city of Yonkers were completed and await local government approval, with construction expected to commence in mid-2015. In Orange County, the planning and designs for the rehabilitation and restoration of the County Court facilities in Goshen — which have been closed since the damaging storms of 2011— have begun.

Nearby, in Columbia County a new large addition to the historic county courthouse provided the court with much needed additional courtrooms, deliberation rooms, attorney/client conference rooms and secure prisoner transport. The entire facility is now ADA (Americans with Disabilities Act) compliant and properly air conditioned. In Ulster County, the Family Court was renovated to add a courtroom and office space for a newly created Family Court Judge and support staff, while in Warren County preliminary planning was initiated for the addition of a Family Court facility, which will be adjacent and connected to the existing county court facilities.

The city of Saratoga Springs began a space study to in an effort to make room for a newly created full-time judgeship. Following the study, design of the additional court space is expected to begin in early 2015, with construction to follow immediately thereafter.

Finally, the city of Hudson continues to work on its plans for a new court facility in a newly purchased building, which will be converted into a new city court and police headquarters.

## COURT STRUCTURE AND CASELOAD ACTIVITY

**A**RTICLE 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, Surrogate's 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 2014 caseload activity.

## APPELLATE COURTS

**T**HE 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.

### JUDICIAL DEPARTMENTS BY COUNTY

There are four Appellate Divisions of the Supreme Court, one in each judicial department. For administrative purposes, the New York State Appellate Division is divided into four judicial departments, as follows:

#### First Department

Bronx New York (Manhattan)

#### Second Department

Dutchess Nassau Putnam Richmond Suffolk  
Kings Orange Queens Rockland Westchester

#### Third Department

Albany Cortland Hamilton Saratoga Tompkins  
Broome Delaware Madison Schenectady Ulster  
Chemung Essex Montgomery Schoharie Warren  
Chenango Franklin Otsego Schuyler Washington  
Clinton Fulton Rensselaer Sullivan  
Columbia Greene St. Lawrence Tioga

#### Fourth Department

Allegany Genesee Monroe Oswego Yates  
Cattaraugus Herkimer Niagara Seneca  
Cayuga Jefferson Oneida Steuben  
Chautauqua Lewis Onondaga Wayne  
Erie Livingston Ontario Wyoming

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

<b>TABLE 1: CASELOAD ACTIVITY IN COURT OF APPEALS - 2014</b>							<i>as of: 8/27/2015</i>
Applications Decided [CPL 460.20(3)(b)]							2,090
Records on Appeal Filed							233
Oral Arguments (Includes Submissions)							192
Appeals Decided							235
Motions Decided							1,368
Judicial Conduct Determinations Reviewed							1
<b>DISPOSITIONS OF APPEALS DECIDED IN THE COURT OF APPEALS BY BASIS OF JURISDICTION</b>							
BASIS OF JURISDICTION	AFFIRMED	REVERSED	MODIFIED	DISMISSED	OTHER*	TOTAL	
<b>All Cases</b>							
Dissents in Appellate Division	5	9	0	0	0	14	
Permission of Court of Appeals or Judge thereof	64	50	12	3	0	130	
Permission of Appellate Division or Justice thereof	27	21	8	3	0	58	
Constitutional Question	4	3	0	0	0	7	
Stipulation for Judgment Absolute	1	0	0	0	0	1	
Other	2	0	0	0	23	25	
<b>Total</b>	<b>103</b>	<b>83</b>	<b>21</b>	<b>5</b>	<b>23</b>	<b>235</b>	
<b>Civil Cases</b>							
Dissents in Appellate Division	5	9	0	0	0	14	
Permission of Court of Appeals	22	24	8	1	0	55	
Permission of Appellate Division	19	18	5	0	0	42	
Constitutional Question	4	3	0	0	0	7	
Stipulation for Judgment Absolute	1	0	0	0	0	1	
Other	2	0	0	0	23	25	
<b>Total</b>	<b>53</b>	<b>54</b>	<b>13</b>	<b>1</b>	<b>23</b>	<b>144</b>	
<b>Criminal Cases</b>							
Permission of Court of Appeals Judge	42	26	5	2	0	75	
Permission of Appellate Division Justice	8	3	3	2	0	16	
Other	0	0	0	0	0	0	
<b>Total</b>	<b>50</b>	<b>29</b>	<b>8</b>	<b>4</b>	<b>0</b>	<b>91</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)

**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 Administrative Judge upon approval of the Presiding Justice of the appropriate Appellate Division. The Appellate Terms' caseload activity is listed in TABLE 3.

<b>TABLE 2: CASELOAD ACTIVITY IN THE APPELLATE DIVISION - 2014</b>										<i>as of: 8/27/2015</i>
	FIRST DEPT		SECOND DEPT		THIRD DEPT		FOURTH DEPT		TOTAL	
	Civil	Criminal	Civil	Criminal	Civil	Criminal	Civil	Criminal		
<b>Records on Appeal Filed</b>	<b>1,813</b>	<b>905</b>	<b>3,088</b>	<b>725</b>	<b>1,483</b>	<b>435</b>	<b>702</b>	<b>502</b>	<b>9,653</b>	
Disposed of before argument or submission (e.g., dismissed, withdrawn, settled)	159	117	5,880	443	0	0	0	0	6,599	
Disposed of after argument or submission:										
Affirmed	943	661	1,623	668	806	293	323	416	5,733	
Reversed	341	53	690	73	120	31	91	45	1,444	
Modified	245	47	284	81	132	28	93	36	946	
Dismissed	211	7	368	9	88	6	173	13	875	
Other	89	20	140	120	0	0	7	22	398	
<b>Total Dispositions</b>	<b>1,988</b>	<b>905</b>	<b>8,985</b>	<b>1,394</b>	<b>1,146</b>	<b>358</b>	<b>687</b>	<b>532</b>	<b>15,995</b>	
	FIRST DEPT		SECOND DEPT		THIRD DEPT		FOURTH DEPT		TOTAL	
Oral Arguments*	1,336		2,052		608		883		4,879	
Motions Decided*	5,375		10,603		6,122		883		26,409	
Admissions to the Bar	3,329		2,930		4,172		355		10,786	
Atty. Disciplinary Proceedings Decided 606	286		199		45		76		606	

\*Not broken down by civil or criminal

<b>TABLE 3: CASELOAD ACTIVITY IN THE APPELLATE TERMS - 2014</b>								<i>as of: 8/27/2015</i>
	FIRST DEPT			SECOND DEPT			TOTAL	
	Civil	Criminal	Total	Civil	Criminal	Total		
<b>Records on Appeal Filed</b>	<b>218</b>	<b>210</b>	<b>428</b>	<b>1,911</b>	<b>697</b>	<b>2,608</b>	<b>3,036</b>	
Disposed of before argument or submission (e.g., dismissed, withdrawn, settled)	16	8	24	1,301	446	1,747	1,771	
Disposed of after argument or submission:								
Affirmed	99	59	158	301	100	401	559	
Reversed	61	40	101	180	48	228	329	
Modified	21	1	22	67	8	75	97	
Dismissed	16	-	16	22	6	28	44	
Other	2	-	2	21	2	23	25	
<b>Total Dispositions</b>	<b>215</b>	<b>108</b>	<b>323</b>	<b>1,892</b>	<b>610</b>	<b>2,502</b>	<b>2,825</b>	
Oral Arguments*	209			237			446	
Motions Decided*	1,629			6,863			8,492	

\*Not broken down by civil or criminal

## TRIAL COURTS

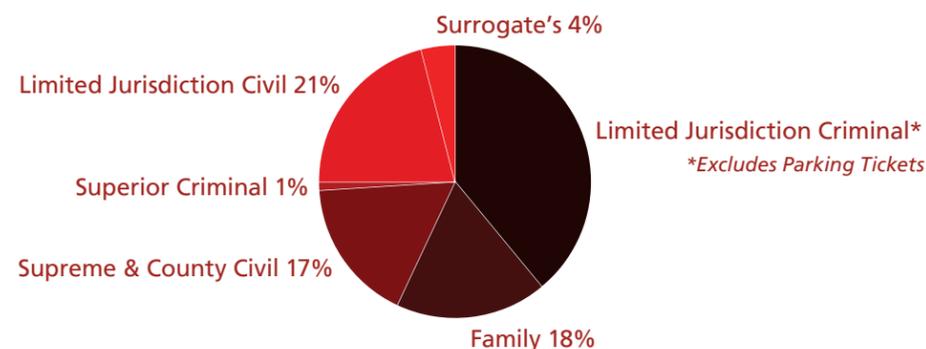
**I**N 2014, 3,729,062 CASES WERE FILED STATEWIDE in the trial courts. Excluding parking tickets, filings totaled 3,613,215 — 40 percent of which were criminal filings, 38 percent civil filings, 18 percent Family Court filings and 4 percent Surrogate’s Court filings. TABLE 4 shows total filings in the trial courts over a five-year period. 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.

	2010	2011	2012	2013	2014
<b>Criminal</b>					
Supreme and County Courts Criminal	85,661 <sup>a</sup>	77,842 <sup>a</sup>	69,552 <sup>a</sup>	51,857 <sup>a</sup>	47,805 <sup>a</sup>
Criminal Court of the City of NY <sup>b</sup>	913,365	861,378	851,369	809,868	764,487
City & District Courts Outside NYC <sup>b</sup>	756,767	723,008	707,019	685,488	648,340
Parking Tickets	150,804	166,181	125,778	115,529	115,847
<b>Criminal Total</b>	<b>1,906,597</b>	<b>1,828,409</b>	<b>1,753,718</b>	<b>1,662,742</b>	<b>1,576,479</b>
<b>Civil</b>					
Supreme Court Civil <sup>c</sup>	474,440	440,026	453,846	504,910	491,203
Civil Court of the City of NY <sup>d</sup>	820,355	717,632	616,197	574,347	552,858
City & District Courts Outside NYC <sup>d</sup>	336,141	293,973	253,269	228,379	212,804
County Courts Civil <sup>e</sup>	37,453	48,349	49,573	83,292	54,353
Court of Claims	1,561	1,505	1,526	1,622	1,817
Small Claims Assessment Review Program <sup>e</sup>	96,720	33,729	96,049	66,462	54,041
<b>Civil Total</b>	<b>1,766,670</b>	<b>1,535,214</b>	<b>1,470,460</b>	<b>1,459,012</b>	<b>1,367,076</b>
<b>Family</b>	720,850	717,818	698,372	694,975	646,954
<b>Surrogate’s</b>	138,396	139,805	136,341	137,249	138,553
<b>Total</b>	<b>4,532,513</b>	<b>4,221,246</b>	<b>4,058,891</b>	<b>3,953,978</b>	<b>3,729,062</b>

<sup>a</sup> Includes felonies and misdemeanors, of which 3,756 were misdemeanor filings in 2014.  
<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 - 2014**

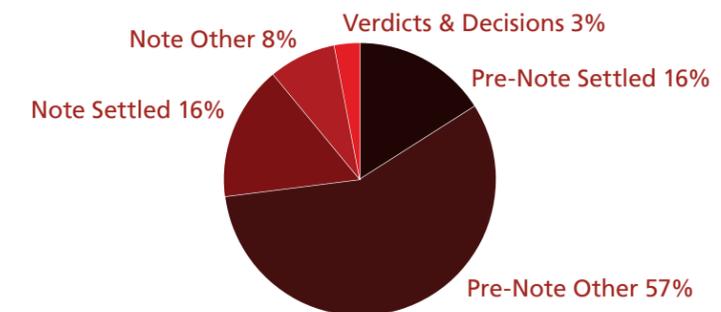


## CIVIL CASES

**D**URING 2014, THERE WERE 491,203 CIVIL FILINGS IN SUPREME COURT, including 195,914 new cases, 248,316 ex parte applications and 46,973 uncontested matrimonial cases. A total of 493,409 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; and in tax certiorari cases, 48-15-63 months.

FIGURE B shows the breakdown of cases by manner of disposition.

**FIGURE B: SUPREME CIVIL DISPOSITIONS BY TYPE OF DISPOSITION - 2014**



**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 Courts and town and village Justice Courts. County Court Judges are elected to 10-year terms. The statistical data for the County Courts’ felony caseload are reported in combination with the felony caseload data for Supreme Court in TABLE 5.

**TABLE 5: SUPREME CRIMINAL & COUNTY COURT - FELONY CASES 2014** as of: 8/27/2015

Location	FILINGS			DISPOSITIONS						
	Total	Indictments	SCI's*	Total	Guilty Pleas	Convictions	Acquittals	Nonjury Verdicts	Dismissals	Other
<b>Total State</b>	<b>44,049</b>	<b>28,228</b>	<b>15,821</b>	<b>46,331</b>	<b>40,219</b>	<b>1,109</b>	<b>386</b>	<b>348</b>	<b>3,185</b>	<b>1,084</b>
NYC	19,453	15,924	3,529	20,673	16,912	595	243	138	2,113	672
New York	6,639	5,797	842	7,111	5,730	229	76	45	714	317
Bronx	4,932	4,477	455	4,663	3,639	66	72	10	752	124
Kings	4,132	3,580	552	4,615	3,990	152	49	23	292	109
Queens	3,138	1,747	1,391	3,567	2,921	140	43	60	296	107
Richmond	612	323	289	717	632	8	3	0	59	15
ONYS**	24,596	12,304	12,292	25,658	23,307	514	143	210	1,072	412

\*Superior Court Information \*\*Outside New York City

**TABLE 5: SUPREME CRIMINAL & COUNTY COURT - FELONY CASES 2014** as of: 8/27/2015

Location	FILINGS			DISPOSITIONS						
	Total	Indictments	SCI's*	Total	Guilty Pleas	Convictions	Acquittals	Nonjury Verdicts	Dismissals	Other
<b>Total State</b>	<b>44,049</b>	<b>28,228</b>	<b>15,821</b>	<b>46,331</b>	<b>40,219</b>	<b>1,109</b>	<b>386</b>	<b>348</b>	<b>3,185</b>	<b>1,084</b>
Albany	1,061	529	532	1,121	1,008	50	5	1	33	24
Allegany	92	33	59	94	90	0	0	0	2	2
Broome	791	337	454	777	714	14	3	1	40	5
Cattaraugus	348	244	104	323	307	2	1	1	10	2
Cayuga	249	135	114	274	255	6	1	1	10	1
Chautauqua	502	204	298	465	435	3	0	1	25	1
Chemung	296	281	15	320	268	17	0	12	20	3
Chenango	140	119	21	125	117	2	0	0	4	2
Clinton	271	76	195	332	323	7	1	1	0	0
Columbia	68	36	32	119	105	2	1	0	8	3
Cortland	153	57	96	132	126	0	0	0	2	4
Delaware	99	51	48	92	86	0	1	0	4	1
Dutchess	478	193	285	467	420	10	0	1	27	9
Erie	1,435	395	1,040	1,494	1,361	31	6	69	19	8
Essex	112	53	59	115	109	2	0	0	1	3
Franklin	155	109	46	120	109	4	0	0	2	5
Fulton	147	46	101	177	169	3	0	0	2	3
Genesee	190	69	121	222	194	13	3	2	5	5
Greene	114	62	52	103	90	2	1	0	1	9
Hamilton	10	1	9	12	11	0	0	0	1	0
Herkimer	158	41	117	145	142	0	0	1	2	0
Jefferson	521	141	380	495	486	5	0	0	4	0
Lewis	120	43	77	122	114	1	0	0	2	5
Livingston	252	142	110	234	214	5	2	3	4	6
Madison	152	33	119	164	150	5	1	0	6	2
Monroe	1,978	1,445	533	2,076	1,761	85	31	47	117	35
Montgomery	146	53	93	146	133	6	3	0	3	1
Nassau	1,821	904	917	1,999	1,756	31	8	20	147	37
Niagara	428	264	164	459	412	5	2	1	25	14
Oneida	768	558	210	878	737	10	2	0	120	9
Onondaga	1,335	789	546	1,315	1,185	37	15	2	64	12
Ontario	488	192	296	521	489	12	6	9	3	2
Orange	816	574	242	914	839	10	1	11	31	22
Orleans	108	84	24	112	95	1	4	0	5	7
Oswego	301	145	156	313	302	1	0	2	3	5
Otsego	88	58	30	74	70	4	0	0	0	0
Putnam	124	51	73	127	120	1	2	0	0	4
Rensselaer	290	124	166	308	283	5	4	0	11	5
Rockland	455	275	180	496	476	4	3	4	6	3
St. Lawrence	368	97	271	371	358	7	0	0	6	0
Saratoga	394	223	171	399	367	9	3	1	11	8
Schenectady	42	19	23	35	33	0	0	0	1	1
Schoharie	51	14	37	76	73	0	0	1	0	2
Schuyler	128	47	81	143	131	5	1	0	5	1
Seneca	164	58	106	271	238	2	0	2	19	10
Steuben	322	190	132	330	285	8	1	5	24	7
Suffolk	3,198	1,598	1,600	3,199	2,895	25	15	5	165	94

\*Superior Court Information \*\*Outside New York City

**TABLE 5: SUPREME CRIMINAL & COUNTY COURT - FELONY CASES 2014** as of: 8/27/2015

Location	FILINGS			DISPOSITIONS						
	Total	Indictments	SCI's*	Total	Guilty Pleas	Convictions	Acquittals	Nonjury Verdicts	Dismissals	Other
<b>Total State</b>	<b>44,049</b>	<b>28,228</b>	<b>15,821</b>	<b>46,331</b>	<b>40,219</b>	<b>1,109</b>	<b>386</b>	<b>348</b>	<b>3,185</b>	<b>1,084</b>
Sullivan	241	81	160	248	240	3	3	0	2	0
Tioga	87	56	31	114	100	3	1	0	8	2
Tompkins	174	74	100	190	171	6	2	2	8	1
Ulster	360	201	159	361	346	9	3	1	2	0
Warren	254	118	136	273	264	1	0	0	5	3
Washington	146	72	74	166	148	3	1	0	12	2
Wayne	189	128	61	196	177	2	0	0	8	9
Westchester	1,168	246	922	1,259	1,191	32	5	2	21	8
Wyoming	211	127	84	193	180	2	1	1	4	5
Yates	39	9	30	52	49	1	0	0	2	0

\*Superior Court Information \*\*Outside New York City

**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, 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 2014, 1,817 claims were filed and 1,538 cases decided.

**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 2014 filings and dispositions by case type.

**TABLE 6: SURROGATE'S COURT FILINGS & DISPOSITIONS: PROCEEDINGS BY CASE TYPE - 2014**

Case Type	TOTAL STATE		NYC		OUTSIDE NYC	
	Filings	Dispositions*	Filings	Dispositions*	Filings	Dispositions*
<b>Total</b>	<b>138,553</b>	<b>108,914</b>	<b>37,574</b>	<b>34,289</b>	<b>100,979</b>	<b>74,625</b>
Probate	41,243	43,019	11,688	11,922	29,555	31,097
Administration	15,126	15,676	6,674	6,154	8,452	9,522
Voluntary Admin.	24,425	24,425	7,530	7,530	16,895	16,895
Accounting	28,092	4,864	3,787	1,830	24,305	3,034
Inter Vivos Trust	1,327	1,347	148	216	1,179	1,131
Miscellaneous	8,489	8,322	2,701	3,482	5,788	4,840
Guardianship	18,387	9,082	4,762	2,791	13,625	6,291
Adoption	1,275	1,986	284	364	991	1,622
Estate Tax	189	193	0	0	189	193

\*Includes orders and decrees signed.

**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 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 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.

**TABLE 7: FAMILY & SUPREME COURT (IDV)<sup>A</sup> FILINGS & DISPOSITIONS<sup>B</sup> BY TYPE OF PETITION - 2014**

Type of Petition	TOTAL STATE		NYC		OUTSIDE NYC	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
<b>Total</b>	<b>646,954</b>	<b>655,813</b>	<b>227,258</b>	<b>238,232</b>	<b>419,696</b>	<b>417,581</b>
Termination of Parental Rights	3,333	3,482	1,112	1,335	2,221	2,147
Surrender of Child	2,374	2,312	582	622	1,792	1,690
Child Protective (Neglect & Abuse)	41,837	39,129	11,456	10,159	30,381	28,970
Juvenile Delinquency	11,332	11,310	4,229	4,580	7,103	6,730
Designated Felony	321	220	176	104	145	116
Persons in Need of Supervision	4,916	4,998	898	926	4,018	4,072
Adoption	3,037	3,023	1,318	1,342	1,719	1,681
Adoption Certification	273	242	71	63	202	179
Guardianship	7,751	6,180	3,532	3,201	4,219	2,979
Custody/Visitation	192,070	190,659	52,828	52,863	139,242	137,796
Foster Care Review	7	6	0	0	7	6
Foster Care Placement	741	712	383	373	358	339
Family Offense	59,333	58,551	23,555	23,395	35,778	35,156
Paternity	33,089	37,416	17,740	21,921	15,349	15,495
Support	235,625	246,291	79,613	87,284	156,012	159,007
Uniform Interstate Family Support Act	9,234	9,619	4,637	4,942	4,597	4,677
Consent to Marry	3	2	1	1	2	1
Other	446	429	98	92	348	337
Permanency Planning Hearings Held	41,232	41,232	25,029	25,029	16,203	16,203

<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.

## 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 Administrative Judge to five-year terms. TABLE 8 shows the breakdown of filings and dispositions by case type and county.

**TABLE 8: NEW YORK CITY CIVIL COURT: FILINGS & DISPOSITIONS BY CASE TYPE AND COUNTY - 2014**

as of: 8/27/2015

	CIVIL ACTIONS		HOUSING		SMALL CLAIMS		COMMERCIAL CLAIMS	
	Filing <sup>a</sup>	Dispositions <sup>b</sup>	Filing <sup>a</sup>	Dispositions <sup>b</sup>	Filing	Dispositions	Filing	Dispositions
<b>New York City</b>	<b>257,033</b>	<b>151,182</b>	<b>264,358</b>	<b>233,044</b>	<b>20,656</b>	<b>22,490</b>	<b>5,582</b>	<b>6,511</b>
New York	41,716	27,224	50,996	41,154	5,468	5,097	1,205	1,723
Bronx	42,038	30,512	91,746	85,703	3,179	3,359	785	766
Kings	98,807	45,101	74,991	65,760	5,375	6,692	1,295	1,502
Queens	57,307	35,060	41,121	35,568	5,365	5,898	1,468	1,586
Richmond	17,165	13,285	5,504	4,859	1,269	1,444	829	934

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.

**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 proceedings. They are appointed by the Mayor to 10-year terms. During 2014, 72 percent of the arrests were misdemeanors, with 48 percent of all cases reaching disposition by plea. Another 40 percent were dismissed; 4 percent were sent to the grand jury; 6 percent were disposed of by other means; and 1 percent plead 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).

**NEW YORK CITY CRIMINAL COURT: FILINGS & DISPOSITIONS BY CASE TYPE AND COUNTY - 2014**

as of: 8/27/2015

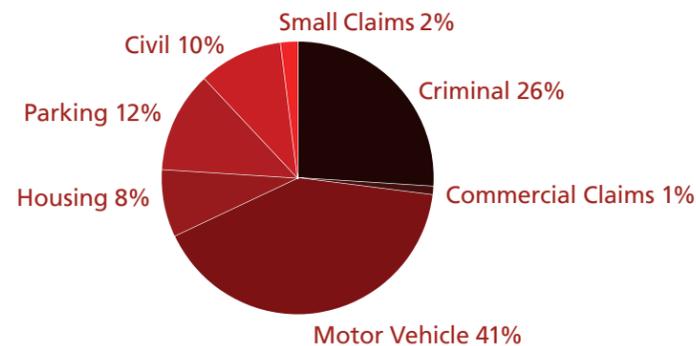
	ARREST CASES		SUMMONS CASES	
	Filings	Dispositions	Filings*	Dispositions
<b>New York City</b>	<b>355,235</b>	<b>356,291</b>	<b>373,576</b>	<b>368,803</b>
New York	103,060	105,437	99,045	99,940
Bronx	67,092	67,907	78,573	82,635
Kings	99,081	98,829	104,657	102,998
Queens	74,230	73,064	77,152	71,185
Richmond	11,772	11,054	14,149	12,045

\*Includes both answered and unanswered cases.

## 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 2014, there were a total of 976,991 filings and 948,413 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 – 2014**



CITY AND DISTRICT COURTS: FILINGS BY CASE TYPE - 2014								Total Filings: 976,991
Location	Criminal	MV	Parking	Civil	Small Claims	L&T	Commercial	
<b>Total</b>	<b>252,305</b>	<b>396,035</b>	<b>115,847</b>	<b>100,662</b>	<b>20,957</b>	<b>82,950</b>	<b>8,235</b>	
Albany	6,789	20,380	0	2,332	535	4,814	108	
Amsterdam	729	2,269	0	582	104	212	21	
Auburn	1,699	3,267	522	551	185	671	47	
Batavia	951	1,745	70	186	94	205	43	
Beacon	686	5,721	0	244	70	169	64	
Binghamton	4,129	6,349	144	1,460	416	1,853	132	
Buffalo	20,915	8,807	0	7,148	1,900	9,345	623	
Canandaigua	990	3,513	19	320	96	105	36	
Cohoes	1,100	2,767	44	283	57	466	5	
Corning	605	1,438	74	796	71	92	9	
Cortland	2,267	2,424	912	400	114	289	33	
Dunkirk	927	995	199	369	105	76	38	
Elmira	2,254	2,169	4,278	870	182	726	63	
Fulton	1,101	1,982	37	309	87	196	16	
Geneva	767	2,659	0	175	48	170	17	
Glen Cove	914	4,587	3,415	13	45	273	20	
Glens Falls	1,000	2,534	211	528	112	177	40	
Gloversville	1,381	1,357	32	448	154	405	36	
Hornell	704	1,061	0	117	38	125	3	

CITY AND DISTRICT COURTS: FILINGS BY CASE TYPE - 2014								Total Filings: 976,991
Location	Criminal	MV	Parking	Civil	Small Claims	L&T	Commercial	
<b>Total</b>	<b>252,305</b>	<b>396,035</b>	<b>115,847</b>	<b>100,662</b>	<b>20,957</b>	<b>82,950</b>	<b>8,235</b>	
Hudson	866	1,683	0	185	82	134	99	
Ithaca	2,445	4,055	2,436	270	172	2,745	39	
Jamestown	2,935	2,611	707	675	209	351	141	
Johnstown	444	568	3	254	58	66	3	
Kingston	1,960	5,926	164	939	200	1,080	105	
Lackawanna	1,370	3,920	55	247	171	1,834	61	
Little Falls	185	483	0	232	132	37	20	
Lockport	1,114	3,308	119	964	238	275	56	
Long Beach	3,214	5,598	13,474	16	88	211	5	
Mechanicville	307	1,282	0	148	46	65	65	
Middletown	3,426	6,988	344	831	175	624	76	
Mount Vernon	4,836	7,399	0	548	249	2,958	102	
New Rochelle	2,868	10,501	74,098	1,770	313	1,464	120	
Newburgh	2,094	5,119	0	678	210	1,038	55	
Niagara Falls	4,156	9,564	2,042	1,197	265	1,242	51	
North Tonawanda	1,166	4,845	1	458	122	187	49	
Norwich	594	556	40	340	71	71	53	
Ogdensburg	887	808	0	407	117	69	111	
Olean	874	2,293	103	186	64	163	40	
Oneida	853	2,069	139	1,061	51	128	38	
Oneonta	828	972	389	270	151	48	49	
Oswego	1,713	2,707	1	484	133	100	33	
Peekskill	1,757	5,074	0	163	177	399	62	
Plattsburgh	1,189	2,764	0	327	155	166	68	
Port Jervis	1,254	3,440	23	137	60	197	9	
Poughkeepsie	2,256	5,605	1,697	867	339	1,512	86	
Rensselaer	471	1,942	149	459	48	128	31	
Rochester	13,024	7,511	0	4,334	1,664	8,089	373	
Rome	2,402	10,333	0	982	185	270	3	
Rye	260	3,181	0	47	48	18	105	
Salamanca	600	1,227	0	101	65	53	14	
Saratoga Springs	1,951	5,166	530	377	214	148	109	
Schenectady	5,517	10,062	3	1,226	374	2,715	98	
Sherrill	68	189	0	95	19	3	5	
Syracuse	13,186	29,418	0	5,236	791	5,639	179	
Tonawanda	894	6,232	116	306	140	101	78	
Troy	2,385	6,662	21	1,003	201	3,105	42	
Utica	4,534	9,652	0	986	226	907	102	
Watertown	1,917	5,701	0	750	220	441	125	
Watervliet	263	1,098	0	83	25	191	12	
White Plains	3,213	18,563	7,254	441	252	866	132	
Yonkers	10,613	21,333	0	821	491	6,731	154	
Nassau District	31,402	34,455	0	20,710	3,637	6,955	1,824	
Suffolk District	64,106	47,148	1,982	31,920	3,896	9,057	1,899	

**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). 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 Judges are elected to four-year terms. Most are not attorneys; non-attorney justices must complete a certification course and participate in ongoing judicial education.

## ADMINISTRATIVE STRUCTURE

**T**HE 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.

OCA comprises the following divisions: the DIVISION OF ADMINISTRATIVE SERVICES purchases goods and services, procures contracts, processes revenues and manages accounts; the DIVISION OF FINANCIAL MANAGEMENT prepares the judiciary budget and formulates and implements fiscal policies; the DIVISION OF HUMAN RESOURCES is responsible for personnel and benefits administration and providing education and training programs to the nonjudicial and uniformed workforce. The Division also administers equal employment opportunity policies and programs and negotiates with the court system's labor unions. The Division works directly with judges, employees, court administrators and union representatives regarding all components of employment cycle including entitlements and resources associated with retirement; the DIVISION OF PROFESSIONAL AND COURT SERVICES provides support and guidance to trial court operations including alternative dispute resolution and court improvement programs, court interpreting services, legal information, records management, and operational issues related to the American Disabilities Act; 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 Unified Court System 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 re-search 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 SUPPORT provides oversight to town and village Justice Courts; the COMMUNICATIONS OFFICE serves as the courts' liaison to the media, responding to press inquiries and issuing news advisories and releases; the OFFICE OF PUBLIC AFFAIRS coordinates communications and public education programs with governmental entities, the public and the bar.

## FISCAL OVERVIEW

### UNIFIED COURT SYSTEM 2014-2015 BUDGET

**T**HE UNIFIED COURT SYSTEM IS BASED UPON A FISCAL YEAR that runs from April 1 through March 31. The budget is presented by the 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 \$2.7 billion were approved by the Legislature for the State Judiciary for the 2014-2015 fiscal year.

### REVENUES COLLECTED FOR THE YEAR 2014

**I**N 2014, THE UNIFIED COURT SYSTEM COLLECTED FINES AND FEES TOTALING \$522,928,023, a figure which includes all state, county and city remedies, but does not include bail or other trusts. A portion of this revenue included fees for services provided by the court system's Criminal History Search Unit, which since 2003 has sold statewide criminal history public records that include felony and misdemeanor convictions from all 62 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 2014, the Criminal History Search Unit received \$109,333,185 for criminal history search records.

Under Section 486-a of the Judiciary Law and the Rules of the Chief Administrative Judge (22NYCRR 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 2014, the court system collected \$50,101,125 in attorney registration fees.

## LEGISLATIVE UPDATE

**T**HE OFFICE OF COUNSEL IS THE PRINCIPAL REPRESENTATIVE of the Unified Court System in the legislative process. In this role, it is 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. It also serves a liaison function with bar association committees, judicial associations and other groups, public and private, with respect to changes in court-related statutory law.

Counsel's Office staffs the Chief Administrative Judge's advisory committees on civil practice, criminal law and procedure, family law, estates and trusts, matrimonial practice 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.

Each advisory committee also analyzes other legislative proposals during the legislative session. Recommendations are submitted to the Chief Administrative Judge, who, through her Counsel, relays them to the Legislature and the Executive sometimes by informal means and sometimes more formally by legislative memoranda or letters to Governor's Counsel.

Counsel's Office also is 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 and measures to implement collective bargaining agreements negotiated with court employee unions pursuant to the Taylor Law. In addition, Counsel's Office analyzes other legislative measures that have potential impact on the administrative operation of the courts and makes recommendations thereon to the Legislature and the Executive.

In discharge of its legislation-related duties, Counsel's Office consults frequently with legislators, professional staff of legislative committees and the Governor's Counsel for the purposes of generating support for the Judiciary's legislative program and of providing technical assistance in the development of court-related proposals initiated by the executive and legislative branches.

During the 2014 legislative session, Counsel's Office, with the assistance of the Chief Administrative Judge's advisory committees, prepared and submitted 43 measures for legislative consideration. Ultimately, 11 measures written or inspired by us were enacted into law. Also during the 2014 session, Counsel's Office furnished Counsel to the Governor with analyses and recommendations on 32 measures awaiting executive action.

## MEASURES ENACTED INTO LAW IN 2013

**Chapter 29 (Senate 7119/Assembly 9354).** Extends expiration date of provisions of the Civil Practice Law and Rules requiring settlement conferences in residential foreclosure actions. Eff. 6/19/14.

**Chapter 44 (Senate 7883/Assembly 10139).** Amends the Family Court Act to add 20 new Family Court judgeships, effective January 1, 2015, and another five new judgeships, effective January 1, 2016. The 20 include nine for New York City and one each for the following counties: Albany, Broome, Chautauqua, Franklin, Nassau, Oneida, Oswego, Schenectady, Suffolk, Ulster and Westchester. The five include one each for the following counties: Delaware, Dutchess, Erie, Monroe and Warren. The new judgeships outside New York City are first to be filled at the November election preceding their effective date. The legislation also establishes a special petitioning period for electoral campaigns for the judgeships that become effective January 1, 2015, and reduces the number of signatures required. Eff. 6/2/14, with provision that 20 of the judges hereby created will first take office on January 1, 2015, while the remaining five judges created will first take office on January 1, 2016.

**Chapter 51 (Senate 6351-A/Assembly 8551-A).** Enacts the 2014-15 Judiciary Budget. Eff. 4/1/14.

**Chapter 109 (Senate 7075/Assembly 8972).** Amends the Civil Practice Law and Rules in relation to furnishing motion papers to the court. Eff. 7/22/14.

**Chapter 130 (Senate 7244/Assembly 9757).** Amends the Estates, Powers and Trusts Law to make a technical correction in relation to the exercise of a power of appointment and an authorized trustee's authority to invade trust principal. Eff. 7/22/14 (and deemed to have been in full force and effect on and after November 13, 2013).

**Chapter 279 (Senate 6813/Assembly 9732).** Amends the Social Services Law in relation to the Statewide Central Register of Child Abuse and Maltreatment. Eff. 8/11/14.

**Chapter 314 (Senate 7143/Assembly 9314).** Amends the Civil Practice Law and Rules in relation to business records of non-parties. Eff. 8/11/14.

**Chapter 315 (Senate 7144/Assembly 9355-A).** Amends the Estates, Powers and Trusts Law in relation to renunciation of property interests. Eff. 8/11/14.

**Chapter 373 (Senate 7535/Assembly 9464).** Amends the Family Court Act in relation to applications to modify orders of child support in the Family Court. Eff. 9/23/14.

**Chapter 391 (Senate 7077-A/Assembly 9759).** Amends the Estates, Powers and Trusts Law in relation to powers of attorney in relation to decedents' estates required to be in writing and recorded. Eff. 9/23/14.

**Chapter 400 (Senate 7845/Assembly 10098).** Relates to terms and conditions of employment of certain nonjudicial officers and employees of the Unified Court System. Eff. 4/1/11.

**Chapter 450 (Senate 7182/Assembly 9315).** Amends the Domestic Relations Law in relation to the solemnization of marriage by certain officials on an Indian Reservation. Eff. 11/21/14.

**Chapter 466 (Senate 6784-A/Assembly 9764).** Amends the Social Services Law in relation to the income amounts to be utilized in issuing orders of child support in Supreme and Family Court. Eff. 2/19/15.

## MEASURES NEWLY INTRODUCED IN THE 2014 LEGISLATION AND NOT ENACTED INTO LAW

**Assembly 9910.** This measure would amend the Judiciary Law to allow, in specified instances, the deposit of certain certified amounts into the New York City County Clerks' Operations Offset Fund.

**Senate 7427.** This measure would amend the Criminal Procedure Law to allow for the removal of an action from one local criminal court to another local criminal court which has been designated a problem-solving court by the Chief Administrator of the Courts.

**Senate 7141/Assembly 9356.** This measure would amend the Civil Practice Law and Rules in relation to payment or delivery of property of a judgment debtor.

**Senate 7142.** This measure would amend the Domestic Relations Law in relation to proof of acknowledgment of the agreement of parties in an action or proceeding.

**Senate 7245.** This measure would amend the Civil Practice Law and Rules to provide that expert opinion that is otherwise admissible in evidence shall not be rendered inadmissible by virtue of the expert's reliance on a report or other data not itself in evidence.

**Assembly 9282.** This measure would amend the Criminal Procedure Law to provide that a pre-sentence report or memorandum shall be made available by the court for examination and copying by the defendant, the defendant's attorney and the prosecutor.

**Senate 6814-A/Assembly 9916-A.** This measure would amend the Family Court Act in relation to the sealing and expungement of records in persons in need of supervision cases in Family Court.

**Assembly 9465.** This measure would amend the Family Court Act in relation to orders for temporary spousal support in conjunction with temporary and final orders of protection in Family Court.

**Senate 6815.** This measure would amend the Family Court Act in relation to the reentry of former foster care children into foster care.

**Senate 6707.** This measure would amend the Family Court Act in relation to sanctions for willful failure to comply with court orders for child support.

**Senate 7429.** This measure would amend the Criminal Procedure Law to enact provisions relating to service of a subpoena duces tecum.

**Assembly 9281.** This measure would amend the Criminal Procedure Law to provide that a city, town or village court may not order recognizance or bail when it appears the defendant has two previous felony convictions pursuant to certain provisions of law.

**Senate 7428.** This measure would amend the Penal Law to provide for the continuation of use of an ignition interlock device where a person upon whom such use was imposed as a condition of probation remains delinquent.

**Senate 7426/Assembly 9284.** This measure would amend the Criminal Procedure Law to make technical corrections to provisions of law relating to statements and requests required for a search warrant.

**Assembly 9283-A.** This measure would amend the Criminal Procedure Law to amend provisions of law relating to the methods of fixing bail.

**Assembly 9763.** This measure would amend the Civil Practice Law and Rules to provide time frames within which service by mailing must be made both within and without the State.

**Senate 7926/Assembly 9607.** This measure would amend the Correction Law, the Criminal Procedure Law and the Executive Law to provide for the sealing of certain criminal records upon application and qualification, and makes provisions for unsealing and for the availability of such records to various agencies.

**Senate 7078/Assembly 9576.** This measure would amend the Civil Practice Law and Rules, the Business Corporation Law, the General Associations Law, the Limited Liability Company Law, the Not-for-Profit Corporation Law and the Partnership Law in relation to consent to general jurisdiction by foreign organizations authorized to do business in New York.

**Assembly 9761.** This measure would amend the Estates, Powers and Trusts Law in relation to a trustee's authority to recant the invasion of a trust, and provides that within certain time frames a trustee may revoke the exercise of the power to invade a new trust.

## RULES UPDATE: AMENDMENTS TO THE RULES OF THE CHIEF JUDGE AND THE CHIEF ADMINISTRATIVE JUDGE, 2014

THE FOLLOWING AMENDMENTS TO THE RULES OF THE CHIEF JUDGE (22 NYCRR PARTS 1-82) WERE MADE DURING 2014:

**22 NYCRR 40.1(p)**, broadening public inspection of financial disclosure statements filed with the Ethics Commission for the Unified Court System to include categories of value or amount reported.

THE FOLLOWING AMENDMENTS TO THE RULES OF THE CHIEF ADMINISTRATIVE JUDGE (22 NYCRR PARTS 100-151) WERE MADE DURING 2014:

**22 NYCRR 100.3(C)(3)**, amending the categories of persons who may serve as clerk of a town or village court.

**22 NYCRR 122.3**, clarifying the duration of initial terms of Judicial Hearing Officers.

**22 NYCRR Part 137**, amending '5 of Standards and Guidelines of the Attorney Client Fee Dispute Resolution Program, oversight of programs for retention of fee dispute arbitration records.

**22 NYCRR Part 137**, amending ' 8(B) of the Standards and Guidelines of the Attorney Client Fee Dispute Resolution Program to raise the monetary threshold for three member arbitration panels to \$10,000.

**22 NYCRR 150.2(5) and (6)**, clarifying the availability of indemnification for members of Independent Judicial Election Qualification Commissions).

THE FOLLOWING AMENDMENTS TO THE UNIFORM RULES FOR THE NEW YORK STATE TRIAL COURTS (22 NYCRR PARTS 200-221) WERE MADE DURING 2014:

**22 NYCRR 202.5(e)**, requiring the redaction of certain personal confidential information in court filings.

**22 NYCRR 202.6(b)**, relating to the Request for Judicial Intervention in consumer credit actions.

**22 NYCRR 202.9 a**, providing for special proceedings authorized by UCC ' 9-518(d) for expungement or redaction of falsely filed financing statements.

**22 NYCRR 202.12 a(c)(2)** of the Uniform Civil Rules for the Supreme Court, clarifying the scope and subjects of discussion in settlement conferences in residential mortgage foreclosure actions.

**22 NYCRR 202.27-a, 202.27-b, 208.6(h), 208.14-a, 210.14-a, 210.14-b, 212.14-1, 212.14-b, and 202.6**, establishing procedures relating to proof of default in consumer credit matters.

**22 NYCRR 202.70(a)**, increasing the monetary threshold for assignment of cases to the Commercial Division in various jurisdictions.

**22 NYCRR 202.70(d) and (e)**, clarifying the timing of assignment and transfer of cases to the Commercial Division.

**22 NYCRR 202.70(g)** (Commercial Division Rule 8(a)), providing for early consultation on settlement related disclosure.

**22 NYCRR 202.70(g)** (adopting Commercial Division Rule 34), directing staggered court appearances for oral argument of motions.

**22 NYCRR 202.70(g)** (adopting Commercial Division rule 11-a), limiting the number and scope of interrogatories in the Commercial Division.

**22 NYCRR 202.70(g)** (adopting Commercial Division Rule 11-b), establishing procedures for privilege log practice in the Commercial Division.

**22 NYCRR 202.70(g)** (adopting Commercial Division Rule 11-c), establishing guidelines for discovery of electronically stored information from non parties in the Commercial Division.

**22 NYCRR 202.70(g)** (Commercial Division Rule 9), creating an accelerated adjudication procedure in the Commercial Division.

**22 NYCRR 202.70(g)** (adopting Commercial Division Rule 11-d, amending rules 8(b) and 11(c)), establishing limitations on the number and duration of depositions in the Commercial Division.

**22 NYCRR 207.64**, clarifying the secure status of certain filings in Surrogate's Court.

