

The New York State Courts:

An Introductory Guide



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THE NEW YORK STATE UNIFIED COURT SYSTEM

A Message from the Chief Judge

The state courts are truly the workhorses of the American legal system. Here in New York State, we hear more than four million cases a year, involving almost every type of endeavor known to humanity. We hear family matters, personal injury claims, commercial disputes, trust and estate issues, criminal cases, landlord-tenant matters. Every one of these cases is important to the individual parties involved; many have implications for the larger community as well.



Yet for all the activity and impact of the New York courts, many citizens are unfamiliar with our work and structure. This booklet provides an overview of how our courts are organized and the kinds of work they do.

The New York state courts encourage citizen interest. We hope many of you, after reading this booklet, will stop by to watch a trial or hear a legal argument at your local courthouse or in Court of Appeals Hall in Albany.

Sincerely,

A handwritten signature in black ink that reads "Judith S. Kaye". The signature is fluid and cursive, with a large loop at the end of the last name.

JUDITH S. KAYE

Chief Judge of the
New York State Courts

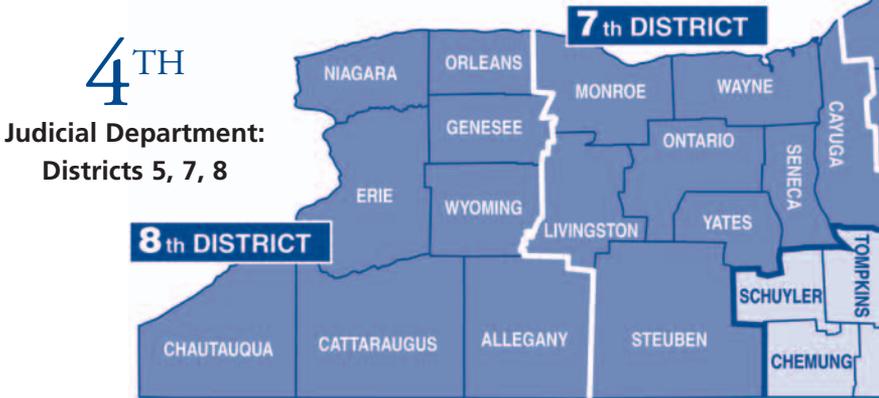
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The New York State Unified Court System

The mission of the New York State Unified Court System is to promote the rule of law and serve the public by achieving just and timely resolution of all matters before the courts.

The powers and structure of the New York state court system are outlined in Article VI of the state Constitution, which specifies the organization and authority of the courts, including their administrative supervision. The New York State Unified Court System is administered by the New York State Office of Court Administration (OCA) under the authority of the Chief Judge of the State of New York, who also serves as Chief Judge of the Court of Appeals, New York's highest court. OCA provides financial management, public safety, technological, personnel management and other services essential to day-to-day court operations.



THE NEW YORK STATE

Unified Court System

JUDICIAL DEPARTMENTS & JUDICIAL DISTRICTS:

	1 st Judicial Department Includes Judicial Districts	1 & 12
	2 nd Judicial Department Includes Judicial Districts	2, 9, 10 & 11
	3 rd Judicial Department Includes Judicial Districts	3, 4 & 6
	4 th Judicial Department Includes Judicial Districts	5, 7 & 8

For administrative purposes, the New York State Unified Court System is divided geographically into **four judicial departments** and **twelve judicial districts**, as illustrated by the map below.



Court Authority and Structure

Cases start in the trial courts. Though the vast majority of cases are decided at the trial court level, occasionally parties appeal the decision. Most appeals are initially heard in the intermediate appellate courts, which review the decisions of lower courts to make certain that the law was properly applied. In New York the court of last resort is the **Court of Appeals**.

Listed below and on pages 5 through 7 are brief descriptions of the various types of trial and appellate courts comprising the New York state court system.

THE TRIAL COURTS

TRIAL COURTS OF LIMITED JURISDICTION IN NEW YORK CITY

The Civil Court of the City of New York decides lawsuits involving claims of up to \$25,000. The Civil Court includes a small claims part for the informal resolution of cases involving amounts of up to \$5,000, and a housing part for landlord-tenant and housing violation proceedings. The court also handles other civil matters referred by the Supreme Court (*see page 5 for Supreme Court description*).

New York City Civil Court judges are elected to 10-year terms. Housing Part judges are appointed by the Chief Administrative Judge to five-year terms.

The Criminal Court of the City of New York handles misdemeanors (generally, crimes punishable by fine or imprisonment of up to one year) and lesser offenses. Criminal Court judges also conduct arraignments (initial court appearances following arrest) and preliminary hearings in felony cases (generally, more serious offenses punishable by imprisonment of more than one year).

New York City Criminal Court judges are appointed by the Mayor of New York City to 10-year terms.

TRIAL COURTS OF LIMITED JURISDICTION OUTSIDE NEW YORK CITY

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 of up to \$15,000.

District Court judges are elected to six-year terms.

City Courts arraign felonies and handle misdemeanors and lesser offenses as well as civil lawsuits involving claims of up to \$15,000. Some City Courts have small claims parts for the informal disposition of matters involving claims of 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 upon the particular city. Full-time City Court judges serve 10-year terms, while part-time City Court judges serve six-year terms.

Town and Village Courts handle misdemeanors and lesser offenses. Although the County Courts try felony cases, town and village justices first arraign defendants in Town and Village Court. Town and Village Courts also hear civil lawsuits involving claims of up to \$15,000 (including small claims cases of up to \$3,000).

Town and village justices are elected to four-year terms. The majority are not attorneys; in order to serve as a town or village justice a non-attorney must successfully complete a certification course and participate in ongoing judicial education.

TRIAL COURTS OF SUPERIOR JURISDICTION

The Supreme Court, a statewide court, generally hears 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, and criminal prosecutions of felonies.

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 misdemeanor offenses are handled by lower courts. County Courts also have limited jurisdiction over civil lawsuits, generally involving claims of up to \$25,000.

County Court judges are elected to 10-year terms. In smaller counties, the County Court judge may also function as the Family Court judge or Surrogate or both.

Family Courts, located in every county of the state, hear matters involving children and families, including adoption, guardianship, foster care approval and review, juvenile delinquency, family violence, child abuse and neglect, and child support, custody and visitation.

Family Court judges outside New York City are elected to 10-year terms, while those serving in New York City are appointed to 10-year terms by the Mayor of New York City.

Surrogate's Courts, located in every county of the state, hear 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.

The Court of Claims is a statewide court with exclusive authority over lawsuits involving monetary claims against the State of New York. The Court of Claims also has jurisdiction over lawsuits against certain 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 several 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 state Senate, to nine-year terms.

THE APPELLATE COURTS

Intermediate Appellate Courts

Appellate Terms of the Supreme Court in the **First and Second Departments** (*see map on pages 2-3 for the court system's judicial departments*) hear appeals of decisions in cases originating in the New York City Civil and Criminal Courts. In the **Second Department**, the Appellate Terms also hear appeals of decisions in cases originating in the District, City, and Town and Village Courts. The **County Courts in the Third and Fourth Departments** — although primarily trial courts — hear appeals of decisions in cases originating in the City Courts and Town and Village Courts.

Justices of the Appellate Terms are designated by the Chief Administrative Judge and selected from the Supreme Court.

There are four **Appellate Divisions of the Supreme Court**, one in each judicial department (*see map on pages 2-3 outlining the court system's judicial departments*). The Appellate Divisions hear appeals of decisions in civil and criminal cases from the trial courts as well as civil appeals from the Appellate Terms and County Courts.

Presiding and Associate Justices of each Appellate Division are designated by the Governor, selected from the Supreme Court. The Presiding Justice serves for the remaining length of his or her term of office, while Associate Justices are designated for five-year terms or the remainder of their unexpired terms of office if less than five years.

The **Court of Appeals**, New York's highest court, hears both civil and criminal cases on appeal from the state's intermediate appellate courts, and in some instances from the state's trial courts. In most cases, the court's authority is limited to the review of questions of law. Decisions of the Court of Appeals are final (cannot be appealed further), except that the United States Supreme Court may review cases involving questions of federal law or the United States Constitution.

The Court of Appeals also presides over appeals of decisions reached by the state Commission on Judicial Conduct, which is responsible for reviewing allegations of misconduct brought against judges. In addition, the Court is responsible for establishing rules governing the admission of attorneys to the New York State 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 state Senate, to 14-year terms. Five members of the court constitute a quorum, and the agreement of four members is required for a decision.

Court Resources Available to the Public

Access to the Courts for Those with Disabilities

The Office of Court Administration's (OCA) Division of Court Operations assists the courts in ensuring access to services and reasonable accommodations for court users and employees who qualify under the Americans with Disabilities Act, a federal law prohibiting discrimination against people with disabilities in employment, public accommodations and government services.

For more information, visit www.nycourts.gov/accessibility or call (212) 428-2760 or (212) 428-2749.

Alternative Dispute Resolution Programs

OCA's Office of Alternative Dispute Resolution administers community-based programs that provide a forum for the resolution of disputes that may otherwise become civil, family and criminal court cases.

To learn more about the courts' Alternative Dispute Resolution programs, visit www.nycourts.gov/ip/adr or call the Office of Alternative Dispute Resolution at (212) 428-2892 or (518) 238-2888.

Assistance for Litigants without Lawyers: CourtHelp

Created to give people without lawyers an easy way to navigate the New York state court system, **CourtHelp**, www.nycourts.gov/courthelp, is an online tool that features information on basic court procedures, court forms, and answers to commonly asked court-related questions as well as links to law libraries, law research sites, and lawyer referral and other legal services. The court system also operates court-based programs to provide the general public information about court operations and procedures.

For more information about these programs, call (646) 386-4715 or visit www.nycourts.gov/ip/justiceinitiatives/index.shtml

Attorney Directory

The court system maintains an online registry of New York State attorneys, where you can verify an attorney's work number and address as well as registration status. To consult our online attorney directory, visit the courts' web site at www.nycourts.gov, click on the **Attorneys** link (which will take you to the Attorney home page), then click on the **Attorney Directory** link.

Case Information/Tracking

Information about court cases is available online by visiting the court system's web site, www.nycourts.gov, and clicking on the **e-Courts** link on the home page. Depending on the particular court, you may obtain case calendars, decisions and/or status reports. Some courts also provide for electronic filing. CaseTrac, the court system's fee-based subscription service, offers several case notification options as well.

To learn more about CaseTrac, call 1-800-622-2522 or e-mail your inquiry to casetrac@casetrac.com

Comments, Suggestions or to File a Complaint

- **Comments, Suggestions**

To make a comment or suggestion, contact the chief clerk of the appropriate court or e-mail question@courts.state.ny.us.

- **To Make a Complaint About a Court Employee**

Contact the chief clerk of the court in which the employee works; or the **Office of the Inspector General** (to investigate claims of wrongdoing): **646-386-3500**; or the **Managing Inspector General for Bias Matters** (for allegations of bias based upon race, sex, sexual orientation, age, marital status, disability, national origin or religion): **1-877-2EndBias /1-877-236-3242** (toll-free).

- **To Make a Complaint About a Judge**

Contact the **administrative office** for the court to which the judge is assigned (*see pages 14-16 for statewide directory of administrative offices*); or the **Office of the Inspector General** (to investigate claims of wrongdoing): **646-386-3500**; or the **Managing Inspector General for Bias Matters** (for allegations of bias based upon race, sex, sexual orientation, age, marital status, disability, national origin or religion): **1-877-2EndBias/1-877-236-3242** (toll-free).

Complaints involving allegations of misconduct by a judge may also be referred to the State Commission on Judicial Conduct, with offices in New York City, Albany and Rochester.

Criminal History Search

The court system's criminal history database includes records from all 62 New York counties. For a fee, OCA's Criminal History Record Search Unit performs searches of the database to provide an individual's criminal history to public agencies, private companies and members of the public.

For more information, visit www.nycourts.gov/apps/chrs or call (212) 428-2810.

Fiduciaries

Fiduciaries are appointed by the court to a position of trust, serving individuals and the courts in a variety of ways. Fiduciaries, for example, may act as guardians, receivers or court evaluators.

For more information visit www.nycourts.gov/ip/gfs/index.shtml or call (914) 824-5770.

For complaints relating to a fiduciary appointment, contact the Managing Inspector General for Fiduciary Appointments at (646) 386-3521.

Juror Web Site and Hotline

Designed to provide jurors and those interested in the jury system with important information about jury service in New York, the court system's juror web site, www.nyjuror.gov, features an award-winning juror orientation video, answers to frequently asked jury-related questions, the latest news on jury reform and more. The site also provides links to local jury commissioners' offices, which are responsible for supplying the trial courts with prospective jurors and for the management of a variety of related functions, including the summoning and qualification of citizens for jury service, the maintenance of juror service records and the operation of jury assembly rooms.

Jurors and those seeking further information about jury service can also call the courts' toll-free hotline, 1-800-NY-JUROR (1-800-695-8767), or e-mail nyjuror@courts.state.ny.us for assistance.

Legal Research Assistance:

The Court System's Public Law Libraries

Public law libraries are located in courthouses in each county to provide legal research assistance to the general public and local attorneys. Court librarians are

also available during business hours to answer questions via the court system's toll-free number, **1-800-COURT-NY (1-800-268-7869)**.

For further information about the courts' legal research services, call (518) 238-2656 or visit www.nycourts.gov/lawlibraries/publicaccess.shtml

Court-Related Programs and Offices

Assigned Counsel Program

This program oversees the provision of necessary legal services for criminal defendants and litigants in certain Family Court proceedings who are financially unable to obtain legal counsel.

For more information, contact the Assigned Counsel Program in your local county.

Attorney Disciplinary Program

Established to protect the public from attorneys who are incompetent or unethical, this program conducts investigations of attorney misconduct. In more serious cases, charges are brought before the Appellate Divisions, which may result in suspension or disbarment of the attorney.

For further information on professional standards for attorneys, client rights and responsibilities and related matters, visit www.nycourts.gov/ip/attorneygrievance

County Clerks' Offices

In New York City, the five county clerks serve as jury commissioners and also perform a range of non-jury functions including the maintenance of Supreme Court case records, qualification of notaries public and Commissioners of Deeds, filing of corporation and business certificates, and processing of passports. Outside New York City, county clerks are elected county-paid officials who maintain County Court and Supreme Court records and also perform many record-keeping functions unrelated to the courts.

For a list of New York State's county clerks, visit www.dos.state.ny.us/lists/coclerks.html

Law Guardian Program

The Law Guardian Program administers the provision of legal counsel to minors in certain Family Court matters, including delinquency, child protective and termination of parental rights proceedings.

For further details, visit www.nycourts.gov/ip/gfs

The Mental Hygiene Legal Service

The Mental Hygiene Legal Service program provides or procures legal counsel for mentally disabled persons who are under care that restricts their freedom in judicial proceedings concerning confinement, care and treatment.

New York State Law Reporting Bureau

The Bureau, under the direction of a state reporter appointed by the Court of Appeals, edits and prepares for publication all decisions of the Court of Appeals and the Appellate Divisions as well as selected decisions of the trial courts.

For more information about the Bureau's operations or to view court decisions, visit www.nycourts.gov/reporter/index.html

Court Resources for Attorneys

Attorney Registration

All attorneys admitted to practice in New York State are required to file a biennial registration form and pay a fee. OCA's Attorney Registration Unit notifies attorneys of registration-related matters, collects fees and maintains a database of admitted and registered attorneys.

For further information or assistance, call (212) 428-2800 or visit www.nycourts.gov/attorneys/registration

Continuing Legal Education

Attorneys licensed to practice in New York State must meet continuing legal education requirements.

For more information, call (212) 428-2105 or visit www.nycourts.gov/attorneys/cle

New York State Court System: Administrative Structure

Executive Officers

The Chief Judge of the State of New York serves as the Chief Judicial Officer of the state and the Chief Judge of the Court of Appeals, the state's highest court. The Chief Judge establishes statewide standards and administrative policies after consultation with the Administrative Board of the Courts and approval by the Court of Appeals. **The Administrative Board of the Courts** consists of the Chief Judge as chair and the Presiding Justices of the four Appellate Divisions of the Supreme Court.

The Chief Administrative Judge of the Courts, on behalf of the Chief Judge, is responsible for supervising the administration and operation of the state's trial courts and for establishing and directing an administrative office for the courts, which is referred to as the **Office of Court Administration (OCA)**. OCA provides a range of vital support services to courts statewide.

The First Deputy Chief Administrative Judge is responsible for assisting the Chief Administrative Judge in supervising the administration and operation of the state's trial courts. *For more information, call (212) 428-2120.*

The Deputy Chief Administrative Judge for the New York City Courts is responsible for the overall management and administration of trial courts located in New York City. *For more information, call (646) 386-4200.*

The Deputy Chief Administrative Judge for the Courts Outside New York City is responsible for the overall management and administration of trial courts located outside New York City. *For more information, call (518) 474-3828.*

The Deputy Chief Administrative Judge for Justice Initiatives develops and coordinates statewide programs to expand access to the courts. *For more information, call (646) 386-4715 or visit www.nycourts.gov/ip/justice_initiatives/index.shtml*

The Deputy Chief Administrative Judge for Court Operations and Planning is responsible for overseeing initiatives relating to court planning, reform and innovation. *For more information, call (212) 428-2130.*

The Administrative Director of the Office of Court Administration

oversees the day-to-day management of OCA.

For more information, call (212) 428-2884.

The Chief of Operations of the Office of Court Administration supervises OCA's long-term projects and initiatives.

For more information, call (212) 428-2126.

For general information about the Office of Court Administration or to contact any of its divisions, call: (212) 428-2700 or visit: www.nycourts.gov/admin/oca.shtml

Directory of Administrative Judges' Offices

In New York City, an administrative judge supervises each major court. Administrative judges also serve in each judicial district outside New York City, supervising all courts and agencies within the district. Administrative judges manage court caseloads and are responsible for general administrative functions, including personnel and budget administration.

Following is a statewide directory of administrative offices listed by court or judicial district.

COURTS IN NEW YORK CITY

Citywide Courts (serving the 1st, 2nd, 11th and 12th Judicial Districts)

NEW YORK CITY CIVIL COURT (646) 386-5400

Bronx, Kings, Queens, New York and Richmond Counties (Civil Court)

111 Centre Street, New York, NY 10013

NEW YORK CITY CRIMINAL COURT (646) 386-4700

Bronx, Kings, Queens, New York and Richmond Counties (Criminal Court)

100 Centre Street, New York, NY 10013

NEW YORK CITY FAMILY COURT (646) 386-5190

Bronx, Kings, Queens, New York and Richmond Counties (Family Court)

60 Lafayette Street, Suite 11A, New York, NY 10013

1ST JUDICIAL DISTRICT

New York County Supreme Court – Civil Branch (646) 386-3170
 60 Centre Street, New York, NY 10007

New York County Supreme Court – Criminal Branch ... (646) 386-3888
 100 Centre Street, New York, NY 10013

2ND JUDICIAL DISTRICT

Kings County Supreme Court – Civil Branch (347) 296-1200
 360 Adams Street, Brooklyn, NY 11201

Kings County Supreme Court – Criminal Branch (347) 296-1000
 320 Jay Street, Brooklyn, NY 11201

Richmond County Supreme Court (718) 390-5201
(Civil and Criminal Branches)
 18 Richmond Terrace, Staten Island, NY 10301

11TH JUDICIAL DISTRICT

QUEENS COUNTY SUPREME COURT (718) 298-1100
(Civil and Criminal Branches)
 88-11 Sutphin Boulevard, Jamaica, NY 11435

12TH JUDICIAL DISTRICT

Bronx County Supreme Court – Civil Branch (718) 590-3942
 851 Grand Concourse, Bronx, NY 10451

Bronx County Supreme Court – Criminal Branch (718) 590-3786
 851 Grand Concourse, Bronx, NY 10451

COURTS OUTSIDE NEW YORK CITY

3RD JUDICIAL DISTRICT (518) 285-8300
Albany, Columbia, Greene, Rensselaer, Schoharie, Sullivan and Ulster Counties (all courts)
 40 Steuben Street, 6th Floor, Albany, NY 12207

4TH JUDICIAL DISTRICT (518) 587-3019
Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, St. Lawrence, Saratoga, Schenectady, Warren and Washington Counties (all courts)
 65 South Broadway, Suite 101, Saratoga Springs, NY 12866

5TH JUDICIAL DISTRICT(315) 671-2111

Herkimer, Jefferson, Lewis, Oneida, Onondaga and Oswego Counties (all courts)

Onondaga County Office Building, 600 South State Street, Syracuse, NY 13202

6TH JUDICIAL DISTRICT (607) 721-8541

Broome, Chemung, Chenango, Cortland, Delaware, Madison, Otsego, Schuyler, Tioga and Tompkins Counties (all courts)

State Office Building, 44 Hawley Street, Suite 1501, Binghamton, NY 13901

7TH JUDICIAL DISTRICT (585) 454-4242

Cayuga, Livingston, Monroe, Ontario, Seneca, Steuben, Wayne and Yates Counties (all courts)

Hall of Justice, 99 Exchange Boulevard, Room 161, Rochester, NY 14614

8TH JUDICIAL DISTRICT (716) 845-2506

Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming Counties (all courts)

92 Franklin Street, 3rd Floor, Buffalo, NY 14202

9TH JUDICIAL DISTRICT (914) 824-5100

Dutchess, Orange, Putnam, Rockland and Westchester Counties (all courts)

County Courthouse, 111 Dr. Martin Luther King, Jr. Boulevard, 11th Floor, White Plains, NY 10601

10TH JUDICIAL DISTRICT (516) 571-3542

Nassau County (all courts)

100 Supreme Court Drive, Mineola, NY 11501

10TH JUDICIAL DISTRICT (631) 853-7742

Suffolk County (all courts)

400 Carleton Avenue, P.O. Box 9080, 7th Floor, Central Islip, NY 11722

STATEWIDE

COURT OF CLAIMS (518) 432-3480

Justice Building, Empire State Plaza, P.O. Box 7344, Albany, NY 12224

VISIT THE NEW YORK STATE UNIFIED COURT SYSTEM online at www.nycourts.gov to learn more about the structure, role and history of New York's state courts and for information about court programs and services.

LISTED HERE ARE SOME OF THE HELPFUL FEATURES YOU'LL FIND ON OUR WEB SITE:

ATTORNEY REFERRAL SERVICES *(a list of referral services by county):*

www.nycourts.gov/litigants/attorneyreferral.shtml

CALENDAR OF EVENTS

(news of local court events throughout the state open to the public):

www.nycourts.gov/calendar/index.shtml

COURT APPEARANCE DATES and SUPREME COURT CALENDARS:

www.nycourts.gov/ecourts

COURT DECISIONS: www.nycourts.gov/decisions/index.shtml

COURT FORMS: www.nycourts.gov/litigants/forms.shtml

COURTS' HOLIDAY SCHEDULE: www.nycourts.gov/admin/holidayschedule.shtml

CRIMINAL HISTORY SEARCH: www.nycourts.gov/apps/chrs

GLOSSARY OF LEGAL TERMS: www.nycourts.gov/lawlibraries/glossary.shtml

HISTORICAL SOCIETY OF THE COURTS OF THE STATE OF NEW YORK:

www.nycourts.gov/history

JOB OPENINGS *(postings, application forms, exam/benefits information):*

www.nycourts.gov/careers

JUDICIAL DIRECTORY *(information about New York State Unified Court System judges):* www.nycourts.gov/judges/directory.shtml

LINKS TO LAW-RELATED SITES: www.nycourts.gov/lawlibraries/legalsites.shtml

MEDIATION and other ALTERNATIVE DISPUTE RESOLUTION SERVICES:

www.nycourts.gov/ip/adr

PUBLIC INFORMATION *(court publications, press releases, events calendar, educational tools for students, teachers and the general public):*

www.nycourts.gov/community_outreach

SUGGESTIONS, COMMENTS, COMPLAINTS about the court system:

www.nycourts.gov/howdoi/fileacomplaint.shtml

NEED HELP NAVIGATING THE COURTS?

Visit www.nycourts.gov/courthelp

for court forms, information about court procedures, answers to frequently asked questions and more.



FOR MORE INFORMATION,
please call: **1-800-COURT-NY** or **1-888-COURT-NY**

or visit us online at:
www.nycourts.gov

For additional copies of this booklet or to obtain other court publications, contact

**NEW YORK STATE OFFICE OF COURT ADMINISTRATION,
OFFICE OF PUBLIC AFFAIRS
25 BEAVER STREET, NEW YORK, NY 10004
(212) 428-2116**