NEW YORK STATE UNIFIED COURT SYSTEM

2017 ANNUAL REPORT

Erie County Courthouse, Buffalo, New York

Fulton County Courthouse, Johnstown NY. Photo by John E. Deacon, www.courthouses.co.

New York State Unified Court System

2017 ANNUAL REPORT

Report of the Chief Administrator of the Courts

for the Calendar Year January 1 through December 31, 2017

Court of Appeals

Janet DiFiore
Chief Judge

Jenny Rivera
Senior Associate Judge

Sheila Abdus-Salaam
Associate Judge
(deceased April 12, 2017)

Leslie E. Stein
Associate Judge

Eugene M. Fahey
Associate Judge

Michael J. Garcia
Associate Judge

Rowan D. Wilson
Associate Judge
(confirmed February 6, 2017)

Paul G. Feinman
Associate Judge
(confirmed June 21, 2017)

Chief Administrative Judge of the Courts

Lawrence K. Marks

Administrative Board of the Courts

Janet DiFiore
Chair, Chief Judge

Rolando T. Acosta
Presiding Justice, Appellate Division, First Department

Randall T. Eng
Presiding Justice, Appellate Division, Second Department

Karen K. Peters
Presiding Justice, Appellate Division, Third Department

Gerald J. Whalen
Presiding Justice, Appellate Division, Fourth Department

New York State Unified Court System

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

Fern A. Fisher
Deputy Chief Administrative Judge, New York City Courts
(retired June 2017)

George J. Silver
Deputy Chief Administrative Judge for the New York City Courts
(appointed July 2017)

Edwina G. Mendelson
Deputy Chief Administrative Judge for Justice Initiatives

Ronald P. Younkins
Executive Director
Office of Court Administration

Administrative Judges New York City

George J. Silver
Interim Administrative Judge
Civil Term, First Judicial District

Ellen N. Biben
Criminal Term
First Judicial District

Lawrence Knipel
Civil Term
Second Judicial District

Matthew J. D'Emic
Criminal Term
Second Judicial District

Jeremy Weinstein
Civil Term
Eleventh Judicial District

Joseph Zayas
Criminal Term
Eleventh Judicial District

Douglas E. McKeon
Civil Term
Twelfth Judicial District

Robert Torres
Criminal Term
Twelfth Judicial District

Deborah A. Kaplan
Interim Administrative Judge
Thirteenth Judicial District

Jeanette Ruiz
NYC Family Court

Melissa C. Jackson
NYC Criminal Court

Administrative Judges Outside New York City

Thomas A. Breslin
Third Judicial District

Vito C. Caruso
Fourth Judicial District

James C. Tormey III
Fifth Judicial District

Molly Reynolds Fitzgerald
Sixth Judicial District

Craig J. Doran
Seventh Judicial District

Paula L. Feroleto
Eighth Judicial District

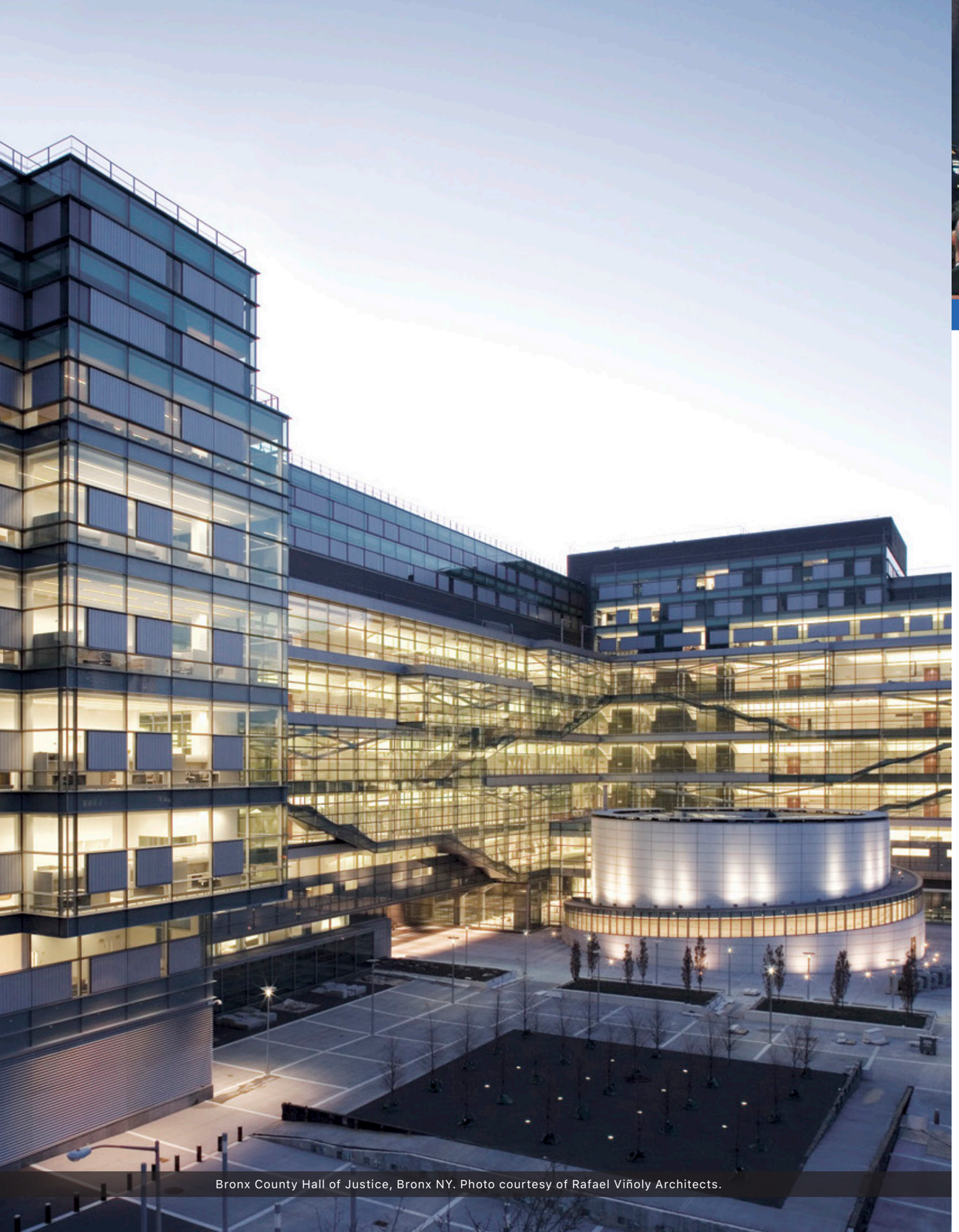
Alan D. Scheinkman
Ninth Judicial District

Thomas A. Adams
Nassau County

C. Randall Hinrichs
Suffolk County

Richard E. Sise
Court of Claims

State of Our Judiciary, Bronx Hall of Justice, Bronx, New York, February 2017



Bronx County Hall of Justice, Bronx NY. Photo courtesy of Rafael Viñoly Architects.

Table of Contents

Changing the Culture: A Message from the Chief Administrative Judge 1

Pursuing Excellence 3
- Reducing Backlogs and Delays 3
- Harnessing the Power of Technology 4
- Training for Excellence 6
- Seeking Excellence Through Constitutional Reform 9

Bridging the Justice Gap 11
- Providing Access to Counsel: The Judiciary Civil Legal Services Program 11
- Charting the Path Forward: The Permanent Commission on Access to Justice 12
- Implementing the Plan: The Office of Justice Initiatives 13

Improving the Criminal Justice System 15
- Protecting the Right to Counsel at Arraignment 15
- Preparing to Implement Raise the Age of Criminal Responsibility Legislation 15
- Proposing Reform: The New York State Justice Task Force 16
- Removing Barriers to Re-entry: Sealing of Court Records 17

Making Courts Accessible 19
- Speaking the Language 19
- Ensuring Access for Persons with Disabilities 21

Meeting the Needs of Society 23
- Addressing the Underlying Issues: Problem-Solving Courts 23
- Meeting the Needs of Families & Children 25
- Addressing the Foreclosure Crisis 28
- Partnering with Town and Village Courts 28
- Partnering with Indian Nation Courts 29

Facilitating Dispute Resolution Through ADR 31

Achieving Excellence in Commercial Litigation 33

Pursuing Excellence Through Inclusion and Fairness 35
- The Franklin H. Williams Judicial Commission 35
- The New York State Judicial Committee on Women in the Courts 36
- The Richard C. Failla LGBTQ Commission 37

Enhancing Access to Information 39
- 1-800-COURT-NY 39
- Social Media 39
- Important Historical Records Transferred to State Archives 41

Court Structure and Caseload Activity 43
- Appellate Courts 43
- Trial Courts 45

Office of Court Administration 54

Fiscal Overview 57

Measures Enacted into Law in 2017 59

Onondaga County Courthouse, Syracuse NY. Photo by John E. Deacon, www.courthouses.co.

Changing the Culture: A Message from the Chief Administrative Judge

In her 2017 State of Our Judiciary Address, Chief Judge Janet DiFiore reminded us that our judicial system belongs to the people of the State of New York:

> *Our judicial system belongs to the litigants who appear in our courts, to the defendants who stand accused of crimes, to victims who are called to testify and to every person who serves on a grand jury or as a trial juror. It belongs to every one of our partners in government who provide us with the support and resources we need to administer justice, and it belongs to every person, business and entity that relies on our courts to uphold the rule of law. Those of us who are privileged to serve as judges and non-judicial employees are but stewards of something that is far larger than any collection of individuals, and which ultimately belongs to all New Yorkers.*

That philosophy and everything it entails—accountability, transparency, discipline, relentless pursuit of justice—underscores all that we do and all that we are. We must never forget that we work for the people, and the people have a right to demand and expect the highest level of service, from the timely resolution of cases to ensuring that all who enter our doors are accorded the respect to which they are entitled from their government.

We are under a mandate from the Chief Judge to "achieve and maintain excellence throughout the court system." With that mandate, if we simply did as well in 2017 as we had in 2016, we would have failed. So, we had to do better, and with the hard work and diligence of our judges and staff, we moved forward in the pursuit of excellence.

This report offers a glimpse of what we achieved in 2017. In a newly-revised format, the report is more streamlined, focused, and user-friendly. I hope you find it informative and interesting. If you have a suggestion for how we can do better, we want to know. Please send us a note through the Excellence Initiative website at www.nycourts.gov/excellence-initiative.

Sincerely,

Lawrence K. Marks

This 2017 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.

Orleans County Courthouse, Albion NY. Photos by John E. Deacon, www.courthouses.co.

Pursuing Excellence

Since her investiture in 2016, Chief Judge Janet DiFiore's top priority has been the Excellence Initiative, a comprehensive and critical evaluation of court operations and administration at every level, toward the goal of operational and decisional excellence in everything that we do. That means eliminating backlogs and delays, functioning at the highest levels of productivity, and accounting for every dollar of taxpayer money expended.

"We have no illusions about the challenges we face or the difficulty of achieving excellence throughout our system. But we do know that persistent, creative leadership, at every level, will effect positive change and give the hardworking men and women in our system a clear direction and set of goals to assist and support them in moving in the right direction."

Chief Judge DiFiore

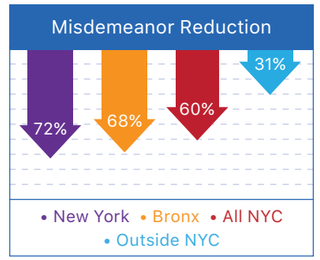
Reducing Backlogs and Delays

The initial focus of the Excellence Initiative has been the elimination of delays, which in themselves far too often constitute a denial of justice.

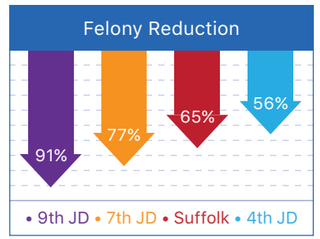
The Excellence Initiative begins with the premise that what gets measured gets addressed. In measuring progress, the courts use a number of performance indicators, including "standards and goals," the benchmark for the timely resolution of different categories of cases: in criminal cases, 90 days for misdemeanors and 180 days (from filing of an indictment) for felonies; in civil cases in Supreme Court, 23 months for expedited cases, 27 months for standard cases, 30 months for complex cases, and 12 months for contested matrimonial cases. Cases that have not been resolved within these established benchmarks are considered "over standards and goals." It is the aim of the Excellence Initiative to have as few cases over standards and goals as possible.

Under the Excellence Initiative, the New York Courts have dramatically improved their performance:

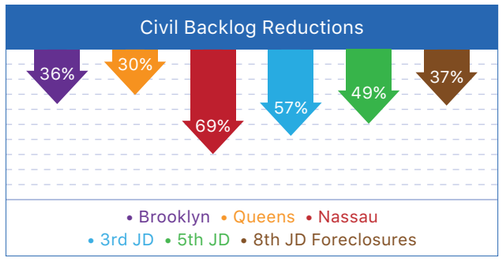
- **Misdemeanors** — Since the Excellence Initiative began, there has been a 72% reduction in the oldest pending misdemeanor cases in New York County, a 68% reduction in Bronx County, and a 60% reduction across the entire city. Progress has also been achieved outside New York City, with a 31% reduction in the number of misdemeanors over standards and goals in city and district courts across the State.



- **Felonies** — We have made significant, and sometimes dramatic, progress in reducing backlogs in our felony cases. The oldest pending felony cases are down 91% in the Ninth Judicial District, 77% in the Seventh Judicial District, 65% in Suffolk County and 56% in the Fourth Judicial District.



- **Civil Cases** — Noteworthy reductions in civil backlogs include: a 36% reduction in Brooklyn, a 30% reduction in Queens, a 69% reduction in Nassau County, a 57% reduction in the Third Judicial District, a 49% reduction in the Fifth Judicial District and a 37% reduction for foreclosures alone in the Eighth Judicial District.



- **Family Court** — Backlogs have also been reduced in the Family Court. For example, since the beginning of the Excellence Initiative, there has been a 54% reduction in the number of support-related cases more than 180 days old in the New York City Family Court.

54% Reduction in support-related cases

- **Small Claims Court** — In New York City, delays between the filing of a claim and the first court appearance have been substantially reduced, by as much as 60%.

60% Reduction in time between filing and first appearance

These results are encouraging. But there is more to be done, and the focus on prompt adjudication continues.

For a full analysis of the first two years of the Excellence Initiative, see http://www.nycourts.gov/Admin/stateofjudiciary/B18_SOJ-Report.pdf.

Harnessing the Power of Technology

In this day and age, excellence cannot be achieved in any field without cutting-edge technology. That is certainly true of a court system that sees millions of new cases filed every year, resulting in countless court appearances, and requiring the rapid and accurate transmission of vast amounts of data. For that reason, the Unified Court System (UCS) is always seeking new and innovative ways to harness the power of technology. In 2017, progress was made in a broad range of technology initiatives, including the following:

Major Automation System Upgrade

In 2017, the court system continued its ambitious schedule of modernizing the automated systems that support court operations:

- A web-based jury management system replaced the aging mainframe system. This system includes many new efficiencies, such as centralized summons printing that will result in thousands of hours of savings to jury operations statewide
- Implementation of a new case management system for misdemeanor criminal courts neared statewide completion
- A new case management system for civil cases was deployed in Westchester and Erie counties and is now ready for statewide implementation

In addition, automation enhancements were added to help the courts streamline operations, including:

- Electronic signatures - over 800,000 court orders have been e-signed
- An automated process for reviewing facial sufficiency of summonses in the Criminal Court
- An online re-registration process for fiduciaries
- Enhancements that will greatly improve the quality of criminal dispositions reported to the State Division of Criminal Justice Services

New York City Family Court Goes Fully Digital

In 2017, the New York City Family Court transitioned from paper to digital files, making it the largest court in the State—with more than 260,000 new cases filed each year—to convert entirely to digital case files. This conversion, which was completed six months ahead of schedule, is a major step toward making every court in the State fully digital.

"The transition from paper to digital files is a giant leap forward as the New York City Family Court endeavors to maximize efficiency and attain excellence in all aspects of its operations."

Hon. Jeanette Ruiz
Administrative Judge, NYC Family Court

High-Tech Courtrooms Enhance the Delivery of Justice

The UCS has undertaken a multi-year project to replace outdated courtroom technology with integrated state-of-the-art equipment that supports such functions as evidence presentation systems, video appearances, real-time court reporting and wireless internet access for all participants. In 2017, Integrated Courtroom Technology (ICT) parts were unveiled in several New York City Supreme and Family Courts—Bronx, Brooklyn, Manhattan and Queens.

State of the Art Courtroom Unveiled, New York City Family Court, Brooklyn, in December 2017

E-Filing Transforms Litigation

The UCS electronic filing program continues to expand, offering significant cost savings and productivity enhancements to both the courts and litigants.

View the 2018 E-File Report at www.nycourts.gov/publications/pdfs/18_E-File_Report.pdf

1,600,000+ E-Filed cases

100,000+ Registered E-File users

A significant milestone was achieved in 2016—the e-filing of one million cases since e-filing was first authorized in New York, a number that has since grown to more than 1.6 million cases. The year 2017 saw another important milestone—more than 100,000 registered users of e-filing, a number that will continue to grow as attorneys and others become familiar with the ease of e-filing and its many advantages. Yet another major milestone will soon be reached—after years of experience in the trial courts, e-filing will shortly debut in the appellate courts, with pilot programs in each of the four Departments of the Appellate Division beginning in the first quarter of 2018.

"Electronic filing has saved time and expense for both clerk staff and our clients, and has dramatically increased accessibility to records by the public."

Hon. Adam J. Bello
County Clerk, Monroe County

"Attorneys, as well as litigants, continue to express their appreciation for the ease and efficiency of filing documents electronically from their home, office or any remote location with appropriate computer access."

Hon. Nancy T. Sunshine
County Clerk, Kings County

"In the past, vast amounts of wood and energy were consumed to produce paper that was filed in court by the parties to actions across the whole of the New York State court system… E-filing allows us to reduce these environmental impacts flowing from the use of paper in the courts."

Committee on Environmental Law
New York City Bar Association

"E-filing also fosters an equal playing field and full transparency for litigants and the public."

New York County Lawyers Association
Supreme Court Committee

Text Reminders Improve Appearance Rate in Summons Parts

The failure of a party to appear creates a host of logistical problems, and also imposes a cost on state and local governments. For instance, if a defendant in a criminal case fails to appear, often a bench warrant is issued, and precious time and scarce resources are expended to find and bring the person to court.

"Remember, you have court on Mon Jun 03 at 346 Broadway Manhattan. Tickets could be dismissed or end in a fine. Missing can lead to your arrest."

The UCS is testing the potential of technology to help solve this problem. Through a partnership with the New York City Mayor's Office of Criminal Justice and the New York Police Department, the UCS has piloted a text-reminder program for people who receive summonses. When issuing a summons for a court appearance, police request the individual's cell phone number. Text messages are then sent, reminding the defendant when and where to report. The initial results are encouraging, with a decrease in "failures to appear" by up to 27 percent in cases in which a text reminder was sent.

Training for Excellence

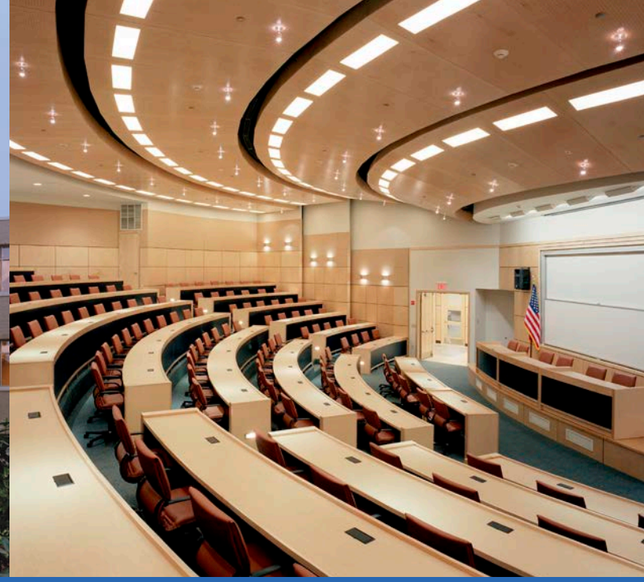
Excellence cannot be achieved in any field of endeavor without rigorous and continuous education. This is especially true of a highly complex organization such as the court system, which is subject to ever-changing laws and rules. For that reason, a renewed emphasis on training, for both judges and court staff, has been a centerpiece of the Excellence Initiative.

The primary goal of our judicial education program is to promote both decisional and operational excellence. Therefore, our programs for judges feature both substantive topics—such as updates on changes in legislative and decisional law—and skills-based training—on such topics as effective jury management, working with court interpreters, and case management techniques. Ethics training is also critically important to ensure that judges are fully aware not only of the obvious ethics issues, but those less apparent land mines.

The New York State Judicial Institute in White Plains provides statewide education and training for the judges and justices of the New York State Unified Court System. Created through a unique partnership between the court system and Pace University Law School, the Judicial Institute provides a forum for judicial scholarship that includes continuing education seminars and conferences, as well as cooperative education programs with other state and federal judicial systems and related endeavors.

The year 2017 began with the annual New Judges School, where approximately 70 newly elected or appointed judges were offered an intensive course to get them started on their new career. The year continued with a variety of other initiatives:

- More than 100 new courses for judges and court attorneys presented in both live and web-based formats



NYS Judicial Institute. In support of the Excellence Initiative, intensive summer seminars for judges were reinstated.

- The New York Legal Education Opportunity Program (LEO), which enables minority, low income and economically disadvantaged future law students to get a jump start on the rigors of law school

- A three-part managerial educational program for administrative judges, supervising judges, and top level non-judicial court managers in conjunction with the National Center for State Courts

- Several regional educational conferences to make it easier for judges in various parts of the state to take advantage of Judicial Institute programs

A highlight of the year was the Judicial Summer Seminars, an intensive training program for the State's judges that, due to budgetary constraints, had not been offered for a number of years. This judicial education, in support of the Excellence Initiative, was held in two one-week sessions during the summer with approximately 1,000 judges in attendance.

The UCS also provides training and other resources relating to the special, and often difficult, issues that attend judicial elections. The Judicial Campaign Ethics Center was created as a central resource on campaign ethics for judicial candidates, and also provides the public with information about the judicial election process.

In the two weeks prior to the election, more than 15,000 visitors checked out the Judicial Candidate Vote Guide.

In 2017, the Center provided campaign ethics training to 194 judicial candidates, including candidates running for town or village justice, and resolved nearly 300 campaign ethics inquiries. It published its annual Judicial Candidate Voter Guide two weeks prior to the election, informing the public of the 147 candidates vying for 97 judicial vacancies. The Voter Guide, published in English and Spanish and, for certain parts of New York City, in Bengali, Korean and Mandarin, received nearly 30,000 visits from more than 15,000 visitors during the two-week period leading up to the general election. For more information, visit www.nycourts.gov/ip/jcec.

Our training commitment, of course, is not limited to judges.

In 2017, we expanded our training curriculum and online resources to support the personal and professional development of non-judicial employees across the board—from back office employees to the courtroom team—to attorneys and managerial employees. In addition to skill-based training tailored to particular titles, we delivered programs focused on our responsibility to ensure an inclusive, bias-free environment for all court users and court employees, such as training on implicit bias, sexual orientation, transgender and disability issues. We also offer a wide range of programs on use of technology such as software for MSWord and Excel as well as those related to managing and maintaining records in the digital age—continuously updating this training to keep pace with changes in technology.

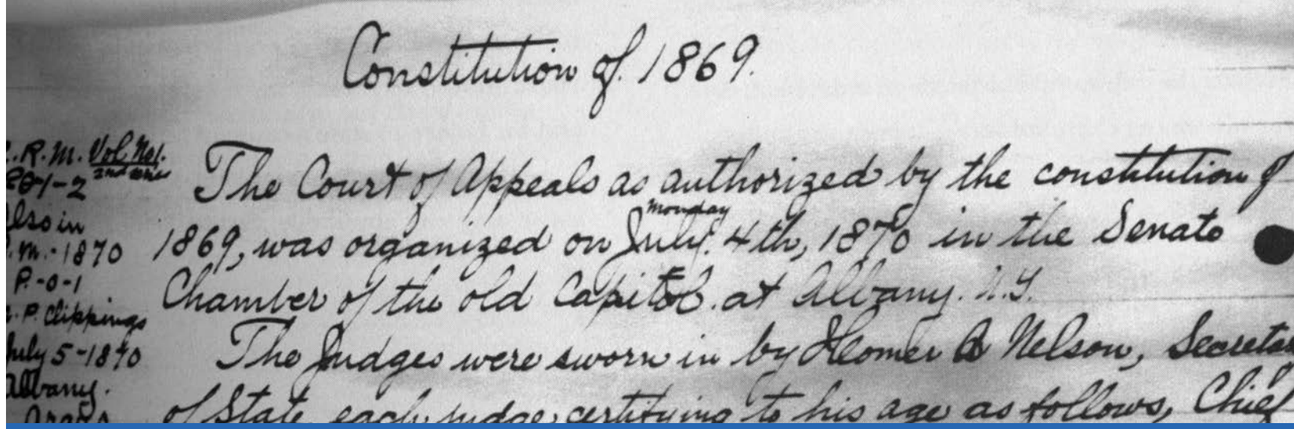
The UCS has a dedicated Training and Professional Development Office that coordinates the delivery of training for non-judicial staff and works with court managers and subject-matter experts to provide focused programs on changes in the law and procedure, which are particularly important to support the work of a courtroom team titles. For the 3,000 uniformed court officers deployed across the State, programs are coordinated by the New York State Court Officers Academy, which provides training in a broad range of subjects. These include the penal law and other substantive legal topics, court structure and processes, arrest procedures, domestic violence awareness, emergency management and firearms. The Training and Professional Development Office also partners with the UCS' unions and non-judicial associations to support their annual training programs by providing administrative support as well as training modules. For example, in 2017, we worked with our largest union in New York City to offer a successful program designed to educate employees on career opportunities in the UCS and assist them with preparing for civil service examinations. In addition, we worked with the unions that represent our legal titles on CLE programs specifically related to the court where they are assigned.

We also continue our efforts to make training as accessible and convenient as possible, through shorter training modules, increased time slots for training offerings, use of webinars, and an expanded online, on-demand library of training guides, reference materials and videos.

"New York Legal Education Opportunity Program prepares aspiring minority law students and economically disadvantaged law students to succeed by giving them a realistic preview of the law school experience. It balances academics with exposure to practicing lawyers and judges, and provides mentors to guide each LEO Fellow through the law school journey. I am delighted that LEO is helping ensure a diverse legal community by promoting academic success for individuals historically underrepresented in the legal profession."

Hon. Juanita Bing Newton
Dean, NYS Judicial Institute

Active Shooter Training, August 2017, Brooklyn, New York. The New York State Court Officers Academy Active Shooter Course is a comprehensive two-day program that provides uniformed personnel with the hands-on tactical skills necessary to respond to an active shooter incident.



New York State Constitution of 1869

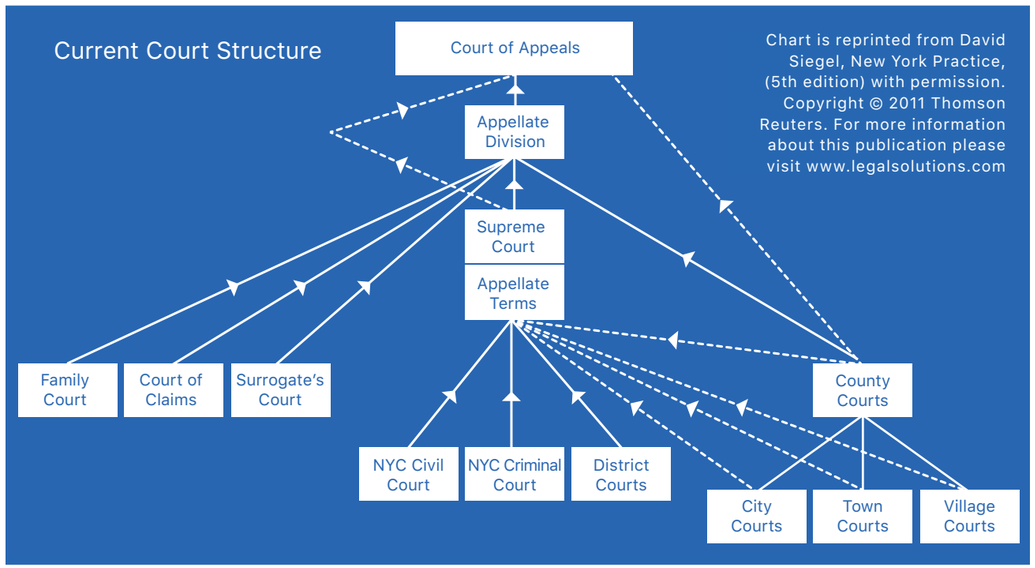
Seeking Excellence Through Constitutional Reform

"Constitutional reforms should be considered where necessary to remove roadblocks to improving the work of the courts and to make court operations more efficient and less costly to taxpayers and litigants."

Chief Judge DiFiore

New York State's Constitution guarantees rights and protections far beyond those promised by the United States Constitution. But it also enshrines a court structure that may have made sense a few generations ago, yet makes little sense today. Indeed, the court structure mandated by the New York State Constitution is the most complex—and likely the most confusing and inefficient—in the nation. These antiquated constitutional provisions actually obstruct excellence, forcing the court system to adhere to outdated, inefficient, and costly practices and structures.

In 2017, New York voters declined to convene a constitutional convention, at which the entire constitution could be reviewed and possibly revised. Undeterred, Chief Judge DiFiore immediately directed the Judicial Task Force on the NYS Constitution, a distinguished panel of judges, attorneys and academics, to recommend legislative and constitutional reforms to make the courts more efficient.



Kings County Supreme Criminal and Family Courthouse, Brooklyn NY. Photo copyright Chuck Choi. Courtesy of Perkins Eastman Architects.

In fiscal year 2016-17, civil legal services providers handled 469,875 cases, serving a total of 1,848,336 individuals and benefiting more than 2.5 million New Yorkers, including victims of domestic violence in need of an order of protection, veterans in securing benefits, and low-income homeowners and tenants in preventing foreclosure and eviction.

Bridging the Justice Gap

The mission of the Unified Court System is to provide meaningful access to justice for all of those passing through the doors of every New York State Civil, Criminal and Family Court—regardless of income, background, language or special need.

Providing Access to Counsel: The Judiciary Civil Legal Services Program

The inability of many New Yorkers to afford counsel is perhaps the most pervasive barrier to access to justice. Competent legal advice can mean the difference between homelessness and shelter, between hunger and adequate nutrition.

$100,000,000
Civil legal services funding in 2017

In 2012, the UCS established the Judiciary Civil Legal Services (JCLS) program to address the crisis in representation in civil legal matters, and particularly the fact that more than 90 percent of low-income New Yorkers appeared without counsel in civil matters involving such issues as housing, healthcare, subsistence income and other essentials of life. Many of the non-represented litigants face traumatic consequences, including eviction from their homes. A goal was set to obtain $100 million in dedicated state funding for civil legal services in the Judiciary budget. That goal has been met.

In January 2017, the UCS awarded $85 million to civil legal service providers across the state. That annual funding, which was allocated based on the percentage of the local population living at or below 200% of the federal poverty level, is enabling 78 providers to hire additional staff, launch new initiatives, partner with outside communities and other civil legal services programs, enhance training and outreach, and better respond to the needs of the communities they serve. Each year, the UCS also provides $15 million in civil legal services to the NYS IOLA program, which in turn provides funding for civil legal services, thus achieving the goal of $100 million in annual funding in the Judiciary budget.

JCLS is the centerpiece of the New York court system's access to justice commitment, but is only one of many efforts to bridge the justice gap. The full range of the New York court system's numerous access to justice programs, including programs that harness the resources of both active and retired attorneys, as well as specially-trained non-attorneys, may be found at www.nycourts.gov/ip/OJI/index.shtml.

Chief Judge Janet DiFiore chaired a statewide hearing on Civil Legal Services in New York in Court of Appeals Hall, Monday September 18, 2017 in Albany, NY. Photo by Skip Dickstein/Times Union.

NYS Senator Jamaal Baily, 36th Senate District, representing parts of the Bronx and Westchester, presented a Proclamation of Appreciation to the Hon. Edwina G. Mendelson, Deputy Chief Administrative Judge for Justice Initiatives.

Charting the Path Forward: The Permanent Commission on Access to Justice

"We know that the progress we have made is far from complete and that we still face some very daunting challenges."

Chief Judge DiFiore

While 2017 saw the Judiciary achieve the goal of $100 million in civil legal services funding, the work is not done.

A hearing on civil legal services convened by Chief Judge DiFiore on Sept. 18, 2017, confirmed—through testimony from government officials, the business and health communities, the Judiciary, the bar, the faith community, and clients of state-funded civil legal services providers—that there continues to be an unmet need for civil legal services.

In 2017, the Chief Judge's Permanent Commission on Access to Justice, supported by a grant from the National Center for State Courts, developed and issued a plan that sets forth a comprehensive strategy to meet this critical need. Key elements of the plan include the following recommendations:

- Expansion of court-based Help Centers statewide
- Establishment of a pilot program to bridge the justice gap in Suffolk County through such means as community-based walk-in legal advice centers
- Establishment of a committee for the development of plain language court forms and related materials
- Encouragement of the use of limited-scope representation

The strategic plan may be found at www.nycourts.gov/accesstojusticecommission/PDF/JFA-Report-122217.pdf.

Implementing the Plan: The Office of Justice Initiatives

> *In 2017, the "CourtHelp" website attracted more than one million visitors—26 percent more than the prior year.*

The Office of Justice Initiatives (OJI) was established in July 2017 to provide leadership and oversight for access to justice and other justice-based initiatives. This new office, under the direction of Deputy Chief Administrative Judge Edwina G. Mendelson, is utilizing existing programs such as:

- Community outreach efforts
- *CourtHelp,* a website designed specifically to help litigants obtain easy-to-understand legal and procedural information as well as instructions for managing their court cases
- Court Navigators, specially-trained non-attorneys, assist unrepresented litigants in housing and consumer debt cases
- Do-It-Yourself forms, programs and technology initiatives
- Help Centers located in courts throughout the state where litigants receive information and assistance to navigate the court system without a lawyer
- Volunteer Attorney and other volunteer programs to provide legal information, advice, and representation for those disadvantaged by income, age or disability

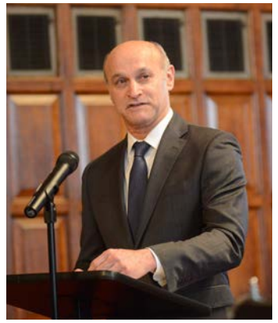
New OJI initiatives include:

- Child welfare, juvenile and adolescent justice initiatives, including implementation of recent legislation raising the age of criminal responsibility in New York State
- Developing and coordinating region-specific community outreach initiatives designed to broaden access to and improve public understanding of the legal system
- Gaining legislative and public support for the New York State Judiciary's proposals relating to access-to-justice matters

"I know that society's resources are not unlimited… We have to make wise choices about deploying resources effectively, and we need to invest in preventative efforts to benefit us all."

Hon. Edwina G. Mendelson
Deputy Chief Administrative Judge

Wayne County Courthouse, Lyons NY. Photo by John E. Deacon, www.courthouses.co.



Improving the Criminal Justice System

Any criminal justice system is a perpetual work-in-progress, always seeking to better achieve the goals of fairness and justice in every case. The Unified Court System is constantly implementing reforms and new initiatives to help bring the New York State criminal justice process as close to those ideals as possible.

"The centralized off-hours arraignment pilot parts will play an integral role in the Judiciary's quest to fulfill the promise of equal justice for all New Yorkers."

Chief Administrative Judge Marks

Protecting the Right to Counsel at Arraignment

The right to counsel at the critical point of arraignment is vitally important, but ensuring representation is a daunting task in a state such as New York, where thousands of arraignments occur at odd hours and in rural and often remote locations where attorneys are scarce.

In 2016, the State Legislature authorized the Chief Administrative Judge to establish arraignment parts in centralized locations to promote efficiency and ensure the availability of counsel for indigent defendants.

In 2017, the first "centralized arraignment parts," or CAPS, were established in Broome, Oneida, Onondaga and Washington counties. By optimizing countywide resources and eliminating logistical barriers, the new CAPS ensure that judges, defense attorneys and security staff are readily available at arraignment proceedings during designated evening and weekend hours. Over the next year, the CAPS will be established in additional counties across the state. The legislation authorizing the CAPS was enacted at the request of the UCS, and was also in response to the landmark *Hurrell-Harring* class action, in which plaintiffs from five counties sued the state alleging that services and resources provided to indigent criminal defendants were constitutionally deficient.

Preparing to Implement Raise the Age of Criminal Responsibility Legislation

"We are pleased and excited that New York is finally putting the focus where it should be: Helping young people stay on track for productive lives."

Chief Judge DiFiore

Every year, as many as 50,000 youths aged 16 and 17 are arrested in New York and prosecuted in our criminal courts, overwhelmingly for minor crimes. That approach is contrary to what science and experience tells us: The adolescent brain is insufficiently equipped to make risk/ consequence judgments in a mature fashion. What's more, numerous studies show that

adolescents prosecuted in the criminal courts are more likely to re-offend and commit more serious crimes than those who go through the family court system.

In 2017, after many years of discussion and debate—and years of advocacy by the New York State court system—New York State raised the age of criminal responsibility to 18 years of age, ensuring that young people in New York receive the intervention and evidence-based treatment they need.

When fully implemented, the new law will affect approximately 20,000 cases a year, with almost all misdemeanor cases against 16-and 17-year-old youth commencing in family court. Felony offenses will initially be adjudicated in a newly created "Youth Part" of superior court, staffed by judges trained in specialized areas of juvenile justice, including adolescent development, custody and care of youths, and effective treatment methods for reducing unlawful conduct by youths.

The Youth Part will conduct an expedited review of all non-violent felonies to determine whether the case is more appropriately handled in family court. Unless the prosecution can establish "exceptional circumstances" warranting adjudicating the youth as an adult, the case will be removed to family court. Certain violent and serious felonies have limited removal to family court and will be adjudicated in the Youth Part.

To ensure the court system is prepared for the new law, which becomes effective on October 1, 2018 for 16-year-olds and on October 1, 2019, for 17-year-olds, Chief Administrative Judge Marks established an OCA Planning Committee to consider the operational and substantive needs of the courts. The Planning Committee, co-chaired by Deputy Chief Administrative Judge Michael V. Coccoma and Deputy Chief Administrative Judge for Justice Initiatives Edwina G. Mendelson, has been meeting with judges, state and city agencies, prosecutors and defense providers to identify all issues that need to be addressed. The Committee has developed general principles and parameters and is working with administrative judges across the State to develop local implementation plans.

Proposing Reform: The New York State Justice Task Force

> *There is no greater failure of the criminal justice system than to wrongfully convict an innocent person, depriving that individual of the value most cherished in a civilized society: liberty.*

In the wake of DNA evidence showing that numerous individuals in New York State and around the country were victims of a wrongful conviction, then-Chief Judge Jonathan Lippman formed the New York State Justice Task Force to examine ways to avert these horrific injustices. Since its formation in 2009, the Task Force has been on the cutting edge in effecting reform, and its work has led to major statutory changes that reduce the risks of wrongful conviction.

In 2017, the State Legislature enacted two reforms proposed by the Task Force: one regarding the video recording of custodial interrogations and the other addressing the admissibility of photo identifications. Also in 2017, Chief Judge DiFiore—an original member and co-chair of the Justice Task Force when she was the Westchester County District Attorney—announced an expansion in the Task Force's mission to include the study of issues relating to bail and speedy trial, as well as the broader issues of efficiency and accessibility that have been the focus of the Excellence Initiative.

Based on a recommendation of the Justice Task Force, Chief Administrative Judge Marks in 2017 issued an order requiring judges in criminal actions to advise both the prosecution and defense of their legal and ethical obligations.

Under the new rule, trial court judges, in applicable cases, will issue an order to the prosecutor to timely disclose all evidence that could be materially favorable to the defense, as required by the federal and state constitutions, as well as statutory and ethical rules. Additionally, defense counsel will be issued a directive focusing on counsel's obligations to provide constitutionally effective representation.

Queens Family Court. Photo courtesy of Pei Cobb Freed Architects, www.pcf-p.com.

Although the new order does not change existing law regarding counsel's obligations, it serves to educate inexperienced (and remind experienced) prosecutors and defense attorneys about their constitutional and ethical duties.

"This…measure will go a long way to help prevent and remedy system errors that contribute to wrongful convictions…"

Chief Judge DiFiore

Removing Barriers to Re-entry: Sealing of Court Records

> *A new law allowing the sealing of certain criminal convictions will likely result in tens of thousands of new applications to the court.*

Old criminal records often act as a barrier to future success and prevent a rehabilitated individual from becoming a fully productive member of our society.

In 2017, the New York courts spent considerable time and resources addressing this issue by preparing to implement recently enacted legislation that allows people who have been convicted of up to two crimes, one of which can be a felony, to apply to the court to have those convictions sealed. More than ten years must have passed since the person's last conviction, excluding any time the defendant was incarcerated, and the defendant must not have any criminal charges pending.

Certain crimes, including sex offenses, violent felonies and specific felonies are not eligible.

For the court to seal a qualifying conviction, the defendant must obtain certificates of dispositions for each of the convictions, file a written application with the court and provide the district attorney with 45 days to respond. The court must then secure an updated fingerprint-based criminal history report from the Division of Criminal Justice Services, and, where appropriate, hold a hearing to determine whether sealing a conviction is in the interest of justice.

It is anticipated that over the next several years, the sealing law will result in tens of thousands of new applications to the court. In anticipation of this surge in applications, the courts have created streamlined procedures, including model forms, easy access to certificates of dispositions and comprehensive instructions prominently displayed on the court's website. As the new law becomes more widely utilized, courts will be ready to handle the applications, including any associated hearings, in a timely and efficient manner.

Tompkins County Courthouse, Ithaca NY. Photo by John E. Deacon, www.courthouses.co.

Making Courts Accessible

For the courts to be fully responsive to the needs of the people, they need to be accessible. Accessibility, however, transcends the physical structure of a court facility and includes such issues as language differences and disabling conditions.

"The New York State Judiciary is committed, above all else, to the dual goals of unfettered access to the courts and equal justice under the law. In a state as diverse as New York, that commitment is continuously tested by the hurdles presented by language differences and hearing loss."

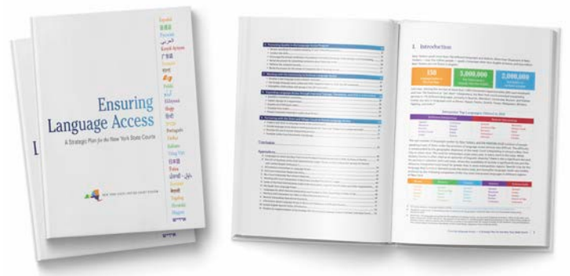
Chief Administrative Judge Marks

Speaking the Language

New Yorkers speak more than 150 different languages and dialects, and over 30 percent of New Yorkers—*five million people*—speak a language other than English at home. Last year, the New York courts provided interpreting services more than 87,000 times, in 124 different languages, including Spanish, Mandarin, Cantonese, Russian, and Haitian Creole, but also in languages as diverse as Khmer, Nepali, Pashto, Swahili, Toisan, Malayalam, Mixteco, Tagalog and Urdu.

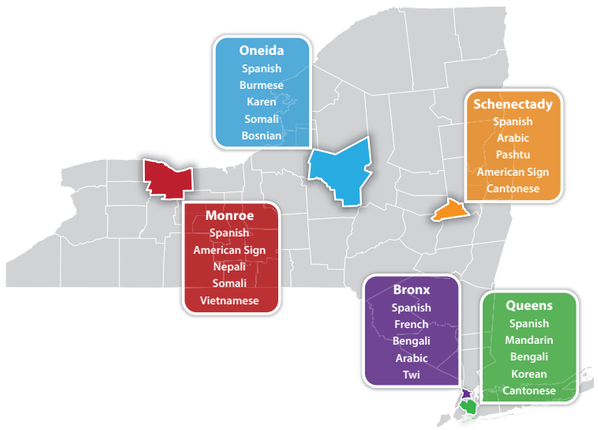
150	5,000,000	2,000,000
Languages spoken in New York State	New Yorkers speak a language other than English	New Yorkers are not fluent in English

The Unified Court System provides court interpreters in both criminal and civil proceedings, and the relevant court rule (NYCRR Part 217) was one of the first in the nation to formalize the right to an interpreter, at no cost to the user. Language access is fundamental to the administration of justice, and in a state as large as New York, ensuring this access can be a challenge. To meet these needs, the courts employ staff court interpreters (approximately 300) and also utilize the services of freelance or per-diem court interpreters, on an as-needed basis.



In March 2017, the UCS issued *Ensuring Language Access, A Strategic Plan for the New York State Courts* (http://www.nycourts.gov/publications/language-access-report2017.pdf), which expands on the courts' commitment to provide unfettered access to justice for persons with limited English proficiency.

Emerging languages



Five most commonly translated languages in different regions of New York State

Remote Interpreting has dramatically increased

The plan builds upon much of the progress already made, and serves as a guide to help the courts move forward, specifically in the following areas:

- Improving the recruitment, assessment and training of court interpreters
- Strengthening the management of the language access program
- Training judges, court staff, and the bar to work effectively with court interpreters and the Limited English Proficiency community
- Ensuring language access for the deaf and hard-of-hearing community
- Promoting quality in the language access program
- Working with the community to enhance language access
- Expanding language access through improved signage, translation and online information
- Partnering with the town and village courts to ensure language access in the justice courts

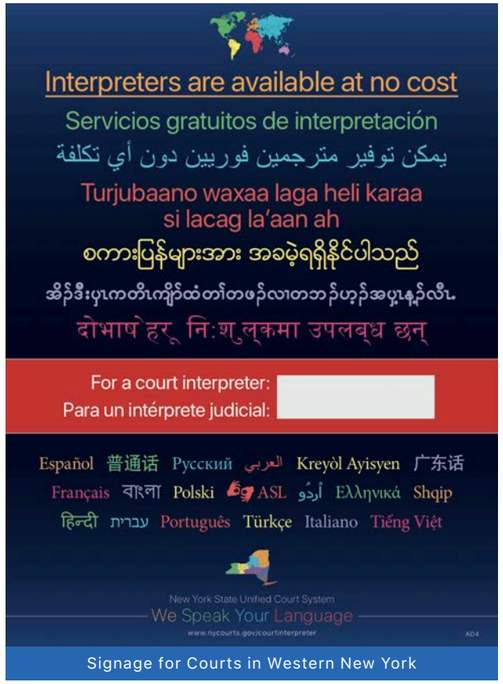
These initiatives will help ensure that New York's courts fulfill the promise of equal justice for all, and that courts meet these obligations in the most effective and efficient manner possible.

In 2017, as part of the Strategic Plan implementation, the Office of Language Access created an internship program in court interpreting, working with students from several New York-area colleges, with the goal of increasing awareness of and interest in court interpreting as a career path.

In addition, UCS is continuing to expand the use and availability of bilingual orders of protection, which were introduced in 2015 in the family courts. Since that time, more than 25,000 bilingual orders have been issued in various courts and case types, with translations in Spanish, Chinese, Russian, and Arabic. Legislation passed in 2017 requires UCS to provide translations of all orders of protection in the ten most used languages in the State, and to translate signage and other vital court documents into the most-requested languages.

Language Access Signage Tailored to Local Needs

Signage for Courts in Manhattan and Bronx



Signage for Courts in Western New York

Ensuring Access for Persons with Disabilities

The New York Judiciary is committed to ensuring that the courts are fully accessible to persons with disabilities. Each courthouse in the State has a designated liaison with responsibility for assisting litigants, jurors, attorneys, and other court users in obtaining the accommodations needed to ensure that they can meaningfully participate in the justice system.

OCA has also appointed a Statewide ADA Coordinator to provide training and policy guidance in this important area. In addition, the courts work closely with local governments, which are by state law responsible for providing and maintaining facilities for the courts, to eliminate physical barriers to access to the justice system.

As part of the Excellence Initiative, Chief Judge DiFiore and Chief Administrative Judge Marks formed the Advisory Committee on Access for People with Disabilities. Chaired by Hon. Rosalyn Richter, Associate Justice of the Appellate Division, First Department, the panel is examining procedures for requesting accommodations, the availability of sign language interpreters, the quality of remote video interpreting services for the deaf and hard of hearing, and navigability for those with visual and other disabilities. The panel is also reviewing barriers faced by jurors with disabilities and training needed to ensure best practices in providing access for court users with special needs. The Committee will submit its recommendations to the Chief Judge.

Chemung County Courthouse, Elmira NY. Photo by John E. Deacon, www.courthouses.co.

Hon. Sherry Klein Heitler, Chief of Policy and Planning, speaks at Drug Treatment Court Training

No longer simply a forum for the resolution of disputes, state courts have become the emergency room for a wide variety of societal ills—homelessness, substance abuse, domestic violence, mental illness, human trafficking.

Meeting the Needs of Society

No longer simply a forum for the resolution of disputes, state courts have become the emergency room for a wide variety of societal ills—homelessness, substance abuse, domestic violence, mental illness, human trafficking, etc.

More than two decades ago, the Unified Court System began to re-think its role, and began taking a more *proactive* approach. The New York Judiciary is now a national leader in utilizing innovative solutions to address underlying issues through "problem-solving" courts.

Addressing the Underlying Issues: Problem-Solving Courts

Through intensive judicial monitoring, coordination with outside services, appropriate treatment, the removal of barriers between courts, and increased communication with stakeholders, these courts are able to change the way our system manages cases and responds to individuals, families and communities.

141
Drug Treatment Courts

100,000
Litigants Served

Drug Treatment Courts

Among the earliest of the problem-solving courts were the drug treatment courts, which use the authority of the court to help defendants in non-violent criminal cases address the addiction that led to the criminal conduct.

Our 141 drug treatment courts have served over 100,000 litigants who suffer from the disease of addiction. Nearly 50,000 have graduated from rigorous treatment programs and another 9,000 are current, active participants.

A specialized sub-set of the drug courts—the Family Treatment Courts—target child neglect cases in which parental substance abuse is a factor. These courts are designed to provide parents with court-supervised treatment and an opportunity to keep their families intact.

Opioid Crisis

The New York courts have also been doing their part to address the opioid crisis that is ravaging the State. Two drug courts have launched particularly innovative responses to the opioid crisis.

In the spring of 2017, the Buffalo City Court initiated a program that identifies at arraignment those at risk of overdose, and immediately links them to medical and substance abuse treatment, followed by daily, intensive supervision by a dedicated judge. The Buffalo Opioid Treatment Intervention Court, the first of its kind in the nation, will serve as a model for a statewide initiative in 2018.

In the Bronx, the court system and Bronx County District Attorney Darcel Clark have partnered to divert low-level misdemeanor arrestees who are at high risk of opioid overdose to specialized parts where they will be linked with treatment and monitored for compliance. If successful, their charges will be dropped and their records sealed.

Further, in June, Chief Administrative Judge Marks announced the roll-out of a statewide initiative to train New York State Court Officers and other court personnel in the administration of Naloxone (Narcan)—which can instantly reverse the effects of opiate overdose. This life-saving drug will soon be available in every courthouse.

"When a medical-related emergency arises in the courthouse, every second matters."

Chief of Public Safety Michael Magliano

Mental Health Courts

New York State's Mental Health Courts handle criminal cases involving defendants with mental illness. Mental Health Courts are dedicated to improving public safety, court operations and the well-being of people with mental illness. The courts feature a dedicated judge, specially-trained staff, coordination of resources, and collaboration with technical assistance.

Plans are underway to open a new Mental Health Court in Syracuse, and two more in the Third Judicial District.

Veterans' Treatment Courts

Hon. Robert Russell, founder of Veterans' Treatment Courts

Many veterans suffer from service-related issues such as post-traumatic stress disorder, traumatic brain injury, mental health or substance abuse issues. Veterans' Courts are presided over by judges with specialized training in the issues that face our veterans, enabling them to make appropriate referrals to treatment and community services. An important component of Veterans' Courts is the Veteran Mentor Program, where participants are paired with veteran mentors—former service members who provide support and guidance.

Three new Veterans' Treatment Courts opened in 2017, giving criminal justice-involved veterans in the lower Hudson Valley region much needed access to specialized services.

Human Trafficking Intervention Courts

> *Over 17,000 trafficking victims are brought into the United States every year from foreign countries, while thousands more are trafficked within the U.S.*

According to the U.S. Department of State, over 17,000 trafficking victims are brought into the United States every year from foreign countries, while thousands more are trafficked within the U.S. Victims are primarily women and children, particularly girls under the age of 18. Recognizing that what may first appear to be a "garden-variety" prostitution arrest may well be a sign of modern day slavery, the court system established a network of human trafficking courts statewide with five in NYC, and one each in Buffalo, Nassau, Suffolk, Syracuse, and Rochester. These courts leverage the experience of other problem-solving courts—specially-trained judges, judicial monitoring and linkages to services.

The Office of Policy and Planning is working with the 4th Judicial District and community stakeholders to plan new human trafficking courts in that area, which would be the first in the North Country.

Domestic Violence Courts

> *More than 319,000 orders of protection were issued by New York courts in 2017.*

One in four women will experience domestic violence in her lifetime, and 15.5 million children in the U.S. live in families where domestic violence was perpetrated in the past year. Sixteen hundred women are murdered annually by an abusive partner.

The UCS responded to those jarring statistics by creating the first felony domestic violence court in the country in Brooklyn in 1996, and the first "integrated domestic violence court," or "IDV," in 2001. There are now 41 IDV courts throughout the state, all premised on a "one family-one judge" model where one judge hears criminal, family, and matrimonial disputes in which domestic violence is an underlying issue.

In 2017, the Office of Court Administration took additional action to protect this vulnerable population by implementing the Remote Access to Temporary Order of Protection Program and initiating a paperless electronic process to facilitate access to the court. Under that program, individuals with transportation, mobility, health or other issues may apply for a temporary order of protection from a shelter or other safe location. The program has been implemented in a mix of urban, suburban and rural locations across the state, and at the end of 2017 every judicial district had at least one Family Court accepting remote petitions.

DWI Courts

The problem of driving under the influence is another concern that the Judiciary helps address. The court system partners with the Governor's Traffic Safety Committee and, for the fifth consecutive year, has been awarded a grant to provide ongoing training to judges and court personnel to ensure timely judicial intervention, consistency of sentencing, and enhanced case processing in DWI cases throughout the State—all toward the goal of enhancing public safety on the roads and highways of New York.

Elder Justice

The elderly often face difficult problems and challenges including, in some cases, financial and physical abuse by "caretakers." With the graying of America, these issues are increasingly at the forefront in court cases. To ensure that judges are prepared to identify and address these issues, the UCS has taken a variety of proactive steps. For example, a full day Judicial Symposium on the Financial Exploitation of Older Adults was held at the Judicial Institute in May 2017. Each Judicial District was asked to identify a team of judges and non-judicial staff to attend the symposium and designate a team leader.

3rd Judicial District Gender Fairness Committee Holds Elder Law CLE

Meeting the Needs of Families & Children

Families and children in crisis present a special and often dire responsibility to state government, and particularly the Judicial Branch. The Unified Court System attempts to address that need through the following interrelated initiatives:

Child Welfare Court Improvement Project

The Child Welfare Court Improvement Project promotes the safety, permanency 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.

In 2017, the program collaborated with the New York State Office of Children and Family Services on several projects including: "Better for Families—Statewide System Reform Program'" and "Lean." Better for Families focuses on maximizing current resources and implementing new tools and a new model designed to serve more families who are at the intersection of the child welfare, court and chemical dependency systems. Lean is a process that borrows from Japanese manufacturing techniques to remove unproductive and unnecessary steps in order to become more efficient.

NY Quality Permanency Hearings
Statewide Finding Report.
www.nycourts.gov/ip/cwcip/index.shtml

Attorney for the Child Program

Under New York Law, children are entitled to representation in certain family, supreme, surrogate and appellate court matters. The court system's Attorney for the Child Program meets that need by funding legal representation to ensure that these children have a voice in child protective, juvenile delinquency, child custody and other matters.

In certain parts of the State, the UCS meets these needs through contracts with legal services agencies. In other areas, the UCS utilizes private attorneys who have been specially trained to serve as an attorney for the child.

Partnership for Youth Justice

The Partnership for Youth Justice is an interbranch collaborative focused on improving outcomes for youth in the justice system. The Partnership promotes continuous quality improvement in the youth justice system to protect public safety while ensuring that youth charged with offenses have their cases resolved expeditiously, with respect for due process rights, a focus on effective rehabilitation. The Partnership's approach is guided by Eight Core Strategies developed under the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative:

- Collaboration among the local and state governmental entities and community organizations that comprise the youth justice system
- Use of accurate data, both to diagnose the system's problems and to assess the impact of various reforms
- Use of objective criteria such as empirically-validated risk assessment instruments to support detention and placement decision making
- Development of enhanced alternatives to detention to increase the availability of community-based options available for arrested youth
- Case processing reforms to expedite the flow of cases through the system
- Reducing the number of probation violations and warrants that result in detention admissions
- Reducing racial disparities by implementing strategies aimed at eliminating bias at all decision points
- Improving conditions of confinement by ensuring facilities are routinely inspected by knowledgeable individuals applying rigorous protocols and ambitious standards

Children's Centers

Every day, hundreds of young children accompany caregivers to scheduled court appearances. In court, the children may be exposed to disturbing proceedings, and their presence can be a distraction from judicial business.

In response, the New York State Unified Court system developed the nation's first statewide system of cheerful, welcoming children's centers in the courts. The centers provide a safe, literacy-rich environment and an opportunity for positive interventions in the lives of vulnerable children. Over 34,000 children visited the children's centers in 2017.

34,000
Children Visited Children Centers in 2017

10,000
Referrals to Health and Other Services in 2017

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. Children's center staff made nearly 10,000 referrals to services in 2017.

Court Appointed Special Advocates Program

> *CASA volunteers each donate, on average, more than 100 hours annually.*

The Court Appointed Special Advocates (CASA) volunteers are appointed by Family Courts to provide unbiased, independent information to the court in child abuse and neglect cases. CASA volunteers may meet with the child, family members, foster parents and service providers, and review reports to compile timely and thorough information about children's health, safety, well-being and permanency plans, as well as monitor the implementation of court-ordered service and visiting plans. The volunteers work collaboratively with legal, social service and treatment providers toward securing or maintaining safe, stable, permanent homes for children in the child welfare system.

The UCS established the CASA Assistance Program to provide programmatic guidelines, fiscal support, technical assistance and training to local CASA programs and to support Family Court's use and development of CASA programs. Local programs serve approximately 3,000 children each year. On average, each CASA volunteer donates more than 100 hours per year to their assigned cases.

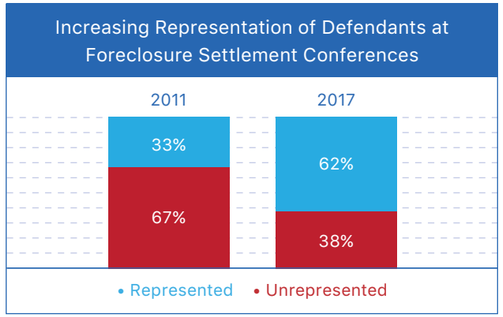
Permanent Judicial Commission on Justice for Children

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, chaired by former Chief Administrative Judge A. Gail Prudenti, Dean of the Maurice A. Deane School of Law at Hofstra University and Executive Director of the Law School's Center for Children, Families and the Law, includes 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. To learn more about the Commission, visit: www.nycourts.gov/justiceforchildren.

Addressing the Foreclosure Crisis

The courts continue to prioritize foreclosure case management by streamlining case processing and improving access for litigants.



The Unified Court System responded to the foreclosure crisis with several innovative yet budget-neutral measures, with positive results: the pending foreclosure inventory has decreased 26% from 2016. For the fourth year in a row, foreclosure filings continue to trend downward with a 21% reduction from cases filed in 2016. Further, homeowners have been represented by counsel in 62% of foreclosure settlement conference appearances—a vast improvement over years past.

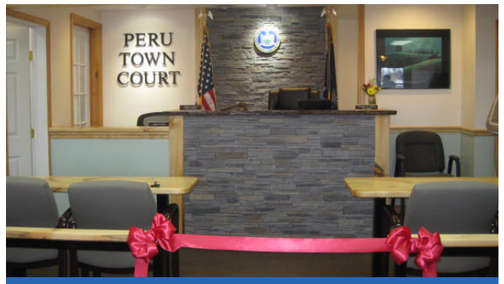
Partnering with Town and Village Courts: The Courts Closest to the People

New York State's justice courts, consisting of more than 2,200 town and village justices, are rightly referred to as the "courts closest to the people." Often, the only interaction that many members of the public will have with the court system is within one of the over 1,200 town or village courts. It is critical, therefore, that the level of justice provided in these "local" courts be consistent with that dispensed within the state's higher courts.

$3,000,000
Grants Awarded to Justice Courts in 2017

The Office of Justice Court Support (OJCS) provides legal, administrative, and operational support to these courts 365 days a year. In addition to presenting training programs for the newly elected judges, as well as the sitting judges, attorneys at OJCS serve as confidential law clerks to the courts day and night, fielding over 20,000 inquiries annually. The administrative staff work on available grant initiatives associated with the local courts, as well as tracking judicial education and training compliance.

The Justice Court Assistance Program, which was established in 1999, has provided local Justice Courts with more than $35 million in resources and equipment. With an increased allocation (to $3 million from $2.5 million) in 2017, approximately 340 courts were awarded grants to improve their delivery of justice.



Peru Town Court, Clinton County, New York, after renovations funded by the Justice Court Assistance Fund.

Chester Town Court, Warren County, New York, after renovations.

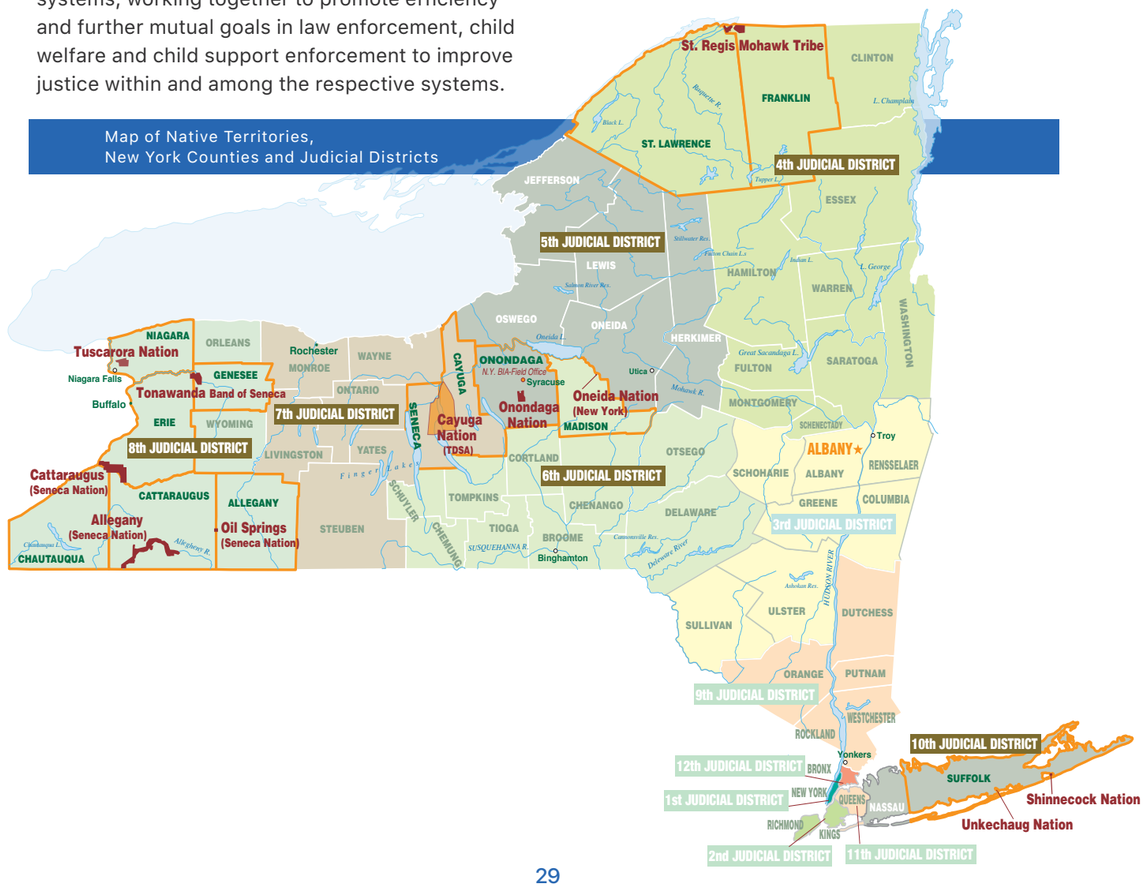
Partnering with Indian Nation Courts: New York Federal-State-Tribal Courts and Indian Nations Justice Forum

Within New York's borders, state law, federal law and tribal law all fulfill important and often over-lapping roles.

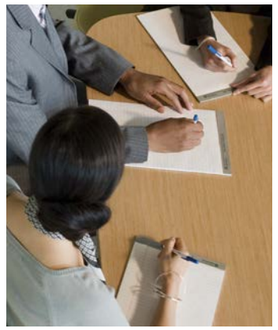
The New York State Court system has joined with the Federal Courts within New York State and the justice systems of New York's nine Indian tribal nations to establish a New York Federal-State-Tribal Courts and Indian Nations Justice Forum to investigate ways that the different justice systems could collaborate, nurture understanding and foster respect. The participants include judges and court personnel, child welfare workers and policymakers, and traditional tribal nation officials like chiefs and clan mothers. The forum addresses problems of mutual concern, including resolving jurisdictional conflicts among the different justice systems, working together to promote efficiency and further mutual goals in law enforcement, child welfare and child support enforcement to improve justice within and among the respective systems.

Indian Entities	NY Counties
Cayuga Nation	Cayuga Seneca
Oneida Indian Nation	Madison
Onondaga Nation	Onondaga
Saint Regis Mohawk Tribe	Franklin St.Lawrence
Seneca Nation of Indians Allegany Reservation	Cattaraugus
Seneca Nation of Indians Cattaraugus Reservation	Cattaraugus Chautauqua Erie
Seneca Nation of Indians Oil Springs Reservation	Allegany Cattaraugus
Shinnecock Indian Nation	Suffolk
Tonawanda Band of Seneca Indians	Erie Genesee
Tuscarora Nation	Niagara
Unkechaug Indian Nation	Suffolk

Map of Native Territories,
New York Counties and Judicial Districts



St. Lawrence County Courthouse, Canton NY. Photo by John E. Deacon, www.courthouses.co.



The Collaborative Family Law Center, which provides divorcing couples in NYC with free mediation, provided assistance to more than 3,600 families in 2017, an average of 69 families per week.

Facilitating Dispute Resolution Through ADR

Mediation and other forms of Alternative Dispute Resolution (ADR) often provide a quicker, more economical option to costly and often protracted litigation.

The Unified Court System provides funding to the statewide network of not-for-profit Community Dispute Resolution Centers that offer services on matters referred by courts, municipal agencies, probation departments, police departments, social service providers and other entities. Approximately 1,000 trained volunteers help mediate small claims matters as well as housing, family, divorce, custody, and minor criminal issues each year.

Community Dispute Resolution Centers in 2017

67,118	27,072
Individuals Served	Resolved Cases

During 2017:

- 67,118 individuals in 27,072 cases were served through the network of Community Dispute Resolution Centers — and 75 percent of the cases were resolved.
- The New York State Attorney/Client Fee Dispute Resolution Program resolved 1,100 cases.
- The Collaborative Family Law Center, which provides qualifying divorcing couples in NYC with free mediation, provided assistance to more than 3,600 families in 2017, an average of 69 families per week.
- The UCS ADR Office continues to expand the array of dispute resolution options available throughout New York State. A complete listing of ADR programs, including those in the Supreme Court, is maintained on the UCS website at www.nycourts.gov/adr.
- The UCS ADR office also supports an ongoing effort to promote quality assurance among ADR professionals serving the courts and communities. For example, mediation courses are approved pursuant to Part 146 of the Chief Administrative Judge, which establishes "Guidelines for Qualifications and Training of ADR Neutrals Serving On Court Rosters."

New York County Courthouse, Manhattan NY. Home of the first commercial court in New York State.

New York is the center of finance and commerce for the entire country—and even much of the globe—and along with that world-class status comes a world-class court: The Commercial Division of the New York State Supreme Court.

Achieving Excellence in Commercial Litigation

New York is the center of finance and commerce for the entire country—and even much of the globe—and along with that world-class status comes a world-class court: The Commercial Division of the New York State Supreme Court.

In 1993, the Civil Branch of the New York County Supreme Court established four Commercial Parts on an experimental basis. The experiment proved successful and the New York State Bar Association recommended establishing a Commercial Division of the Supreme Court. On November 6, 1995, then Chief Judge Judith S. Kaye opened Commercial Divisions in New York and Monroe counties.

"The goal and mission throughout our court system is excellence. It is vitally important for New York to maintain a cost-effective and consistent forum for complex business litigation."

Chief Judge DiFiore

Since 1995, the Division has expanded to meet growing demand. Currently, 26 Commercial Division Justices preside in ten different jurisdictions: Albany, Kings, Nassau, New York, Onondaga, Queens, Suffolk and Westchester counties, plus the entire Seventh and Eighth Judicial Districts. Its reputation and success has raised New York's profile as an internationally respected forum for the resolution of complex commercial disputes. In addition, the Commercial Division has led the national and international trend toward creation of business courts by serving as a model for many of these new courts.

During the last five years, the Commercial Division has implemented numerous improvements to its rules, procedures and operations that have been designed to respond to the needs and concerns of the business community. The ultimate goal of these changes is to make the business litigation process in New York more cost-effective, predictable and expeditious, providing a more hospitable environment for business litigation in New York State. The success of these new initiatives has been the subject of numerous articles in the press, as well as CLE programs and other events that have highlighted the advantages and benefits for businesses of litigating their disputes in New York.

Additionally, the Historical Society of the New York Courts and the Commercial Division Advisory Council worked in tandem in producing a video about the Commercial Division. The professionally filmed video describes the origins and evolution of the court, with glowing testimonials from no fewer than eleven general counsel of major corporations, as well as judges and experienced litigators. The video is available at YouTube and https://vimeo.com/195552034.

Old County Courthouse, Herkimer County, Herkimer NY. Photo by John E. Deacon, www.courthouses.co.

"Only when there is accountability for diversity and inclusion will we move forward to a more just, productive, and equal society."

Hon. Richard B. Lowe III,
Chair, Franklin H.
Williams Commission

Pursuing Excellence Through Inclusion and Fairness

The Unified Court System celebrates diversity and has a longstanding commitment to equal employment opportunity, the elimination of under-representation of minorities and women in the workforce, and the fair and equal treatment of every individual.

The Franklin H. Williams Judicial Commission

The Franklin H. Williams Judicial Commission is composed of judges, attorneys and court administrators appointed by the Chief Judge 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. The Commission continues to provide conferences, seminars, and workshops on issues of race, ethnic fairness, and diversity. It has maintained dialogue with court administrators and others in the legal community to foster racial equity, cultural sensitivity, and increased diversity.

In 2017, the Commission presented an all-day conference entitled *Mass Incarceration: Mercy Matters*. Panels examined issues including solitary confinement as a means to control an excessive prison population. Also examined was the reason for the burgeoning number of women entering the criminal justice system. Attendees included judges, attorneys, and members of the legal community.

For more information about the Commission, visit www.nycourts.gov/ip/ethnic-fairness.

Appellate Division, Third Department, Presiding Justice Karen K. Peters and Associate Justice Elizabeth Garry.
Right: Acting Supreme Court Justice Toko Serita and Cohoes City Court Judge Andra Ackerman

Suffolk County LGBTQ Pride Month, June 2017

The New York State Judicial Committee on Women in the Courts

In 1984, in response to respected academic studies that questioned whether women were being fairly and justly treated in our nation's court systems, then Chief Judge Hon. Lawrence H. Cooke established a Task Force to examine the courts of New York State and "identify gender bias and, if found, make recommendations for its alleviation." To no one's surprise, when the Task Force issued its report in March 1986 it documented "the pervasiveness of gender bias in our court system with grave consequences that denied women equal justice, equal treatment and equal opportunity" and made specific recommendations for corrective action.

Working within the New York court system, the New York State Judicial Committee on Women in the Courts addresses concerns of women litigants, attorneys and court employees. In recent years, it has acted on behalf of constituencies that range from domestic violence victims to immigrant women and from sexually-harassed employees to self-represented matrimonial litigants. The committee was instrumental in the creation of a statewide network of human trafficking intervention courts.

Twenty-four local gender bias and gender fairness committees address issues in particular geographic regions, conducting public awareness and continuing legal education programs on issues as diverse as human trafficking and elder abuse.

The Third Judicial District Gender Fairness Committee produced a documentary on pioneering women judges in the district, *Blazing a Trail* (www.youtube.com/watch?v=PCXhJurIVc8&t) as part of a continuing oral history project.

The Richard C. Failla LGBTQ Commission

> *In June 2017, Hon. Paul G. Feinman became the first openly gay judge in the 170-year history of the Court of Appeals.*

Chief Judge DiFiore and Chief Administrative Judge Marks first announced a new commission to highlight and address issues of concern to the LGBTQ community in late 2016. Under the leadership of Justices Marcy Kahn of the Appellate Division, First Department, and Elizabeth Garry of the Appellate Division, Third Department, the new Richard C. Failla LGBTQ Commission was established. The Commission is dedicated to promoting equal participation and access throughout the court system by all persons regardless of sexual orientation, gender identity, or gender expression. In furtherance of that mission, the Commission in 2017:

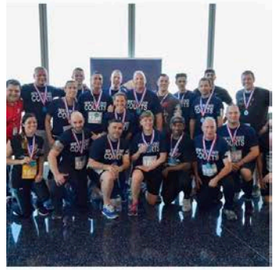
- Organized educational LGBTQ Pride Month events in Manhattan, Central Islip, Ithaca, Utica, Rochester, Buffalo, and Batavia
- Presented plenary session on family law and transgender issues at 2017 New York State Judicial Institute

THE RICHARD C. FAILLA
LGBTQ COMMISSION
of the New York Courts

- Proposed amendments to the various court system non-discrimination rules to expressly prohibit discrimination based on gender identity and gender expression. Those amendments are under review by the Administrative Board of the Courts
- Began an initiative to ensure full access by transgender employees, attorneys and members of the public to court system facilities

In addition, Commission Member Paul G. Feinman was nominated by Governor Andrew M. Cuomo and confirmed as the first openly gay judge in the history of the New York Court of Appeals in June 2017.

Richmond County Courthouse, Staten Island, NY. Photo courtesy of Ennead Architects, www.ennead.com.



Enhancing Access to Information

The Unified Court System never loses sight of the fact that the court system belongs to the people. It strives to ensure that its services and records are as easily accessible as possible, seeking to enhance transparency through a variety of measures, including social media, and by promptly responding to inquiries from the public and the press.

1-800-COURT-NY

1-800-COURT-NY is the Unified Court System's toll-free information line for providing quick and easy access to UCS services and information, for both the public and court employees. Every year, approximately 100,000 calls are fielded through a specially-trained staff at a virtual call center. For callers who do not speak English, foreign language interpreter assistance is available.

1-800-COURT-NY works to improve the court system's delivery of services by providing callers with accurate and timely information, thereby allowing the courts to focus on their core missions and manage their workload efficiently. It is also a mechanism for disseminating critical or time-sensitive notifications to the public (such as weather-related closures of facilities, emergency plans, etc.) The calls provide a measurement and analysis of the court-related services that are needed and/or being delivered statewide.

Social Media

Social media has emerged as a prime method of communicating with the public. The Unified Court System now maintains multiple Twitter accounts, each serving a different purpose. For instance, NYCourtsNotice is used exclusively to provide timely alerts of court closings and delays. Nearly 30,000 people receive those alerts either through a Twitter account or on their smart phone. NYSCourtsNews offers general news on the Unified Court System and has a following of more than 4,000. Other accounts provide alerts on Court of Appeals decisions and calendars, as well as news from the Appellate Division.

We also have a Facebook page (www.facebook.com/NewYorkCourts), an Instagram property (www.instagram.com/nycourts) , a YouTube channel (www.youtube.com/channel/UCW_ws2fU5vIOBAwRIzv5yFw), and a podcast library.

The podcast program, "Amici," features more than 50 interviews, all of which are archived on our website (www.nycourts.gov/admin/amici/index.shtml) and many of which are included in the iTunes podcast library, thanks to a collaboration with the Historical Society of the New York Courts.

Staff of the New York State Archives box card file indexes for transfer to Albany. Photo by Geof Huth, Chief Records Officer.

A parchment roll of attorneys from the early 1800s. Photo by Hiroko Masuike/The New York Times/Redux

Important Historical Records Transferred to State Archives

"The records were from criminal prosecutions and civil court proceedings, like divorces, property and contract disputes and contests over wills and estates. But perusing the shelves can feel like time-traveling through the history of New York and seeing a capital of commerce and culture take root."

Rick Rojas
"Centuries of New York History Prepare for a Move,"
New York Times, January 5, 2017.

In 2017, the court system transferred thousands of boxes and bound volumes of court records—many dating back to early colonial times—to the New York State Archives for preservation and for improved access by scholars and the public. Truckloads of documents were transported from New York City to the Archives' state-of the-art preservation and research facility in Albany.

The records represent a virtual who's who of early American patriots, many of whom practiced as lawyers or judges in these early courts, among them Alexander Hamilton, Aaron Burr and Robert R. Livingston, one of the drafters of the Declaration of Independence. These papers and parchments tell the ordinary stories of human conflict, from contract disputes and disagreements over estates to the often tawdry divorce proceedings of early New York.

Staff member of the New York State Archives reviews boxes before their transfer to Albany. Photo by Geof Huth, Chief Records Officer.

This work has captured imaginations and attention—as indicated by YouTube videos at www.youtube.com/watch?v=TMFkGVKcLsw and https://www.circa.com/story/2017/03/13/aaron-burr-never-knew-he-was-divorced-but-this-court-archivist-did-and-so-much-more, and a New York Times article at www.nytimes.com/2017/01/05/nyregion/new-york-documents-archives-records.html.

In the second phase of a records archiving initiative, about 9,000 cubic feet of records related to early municipal courts are destined for the Municipal Archives in New York City.

Court of Appeals Hall, Albany NY.

Court Structure and Caseload Activity

The Unified Court System is comprised of 11 separate trial courts, an Appellate Division with four regional departments, an Appellate Term that hears appeals from certain trial courts in certain regions of the state, and the Court of Appeals — the highest court in the State.

Appellate Courts

The Court of Appeals is the State's court of last resort. It 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. The court's caseload activity is reported in Table 1.

Table 1: Caseload Activity in Court of Appeals - 2017

Applications Decided [CPL 460.20(3)(b)]	0
Records on Appeal Filed	146
Oral Arguments	116
Appeals Decided	142
Motions Decided	1,255
Judicial Conduct Determinations Reviewed	4

Dispositions of Appeals Decided in the Court of Appeals by Basis of Jurisdiction

BASIS OF JURISDICTION	AFFIRMED	REVERSED	MODIFIED	DISMISSED	OTHER*	TOTAL
All Cases						
Dissents in Appellate Division	7	8	1	1	0	17
Permission of Court of Appeals or Judge thereof	38	25	3	1	0	67
Permission of Appellate Division or Justice thereof	29	11	5	0	0	45
Constitutional Question	0	3	0	0	0	3
Stipulation for Judgment Absolute	1	0	0	0	0	1
Other	1	0	0	0	8	9
Total	**76**	**47**	**9**	**2**	**8**	**142**
Civil Cases						
Dissents in Appellate Division	7	8	1	1	0	17
Permission of Court of Appeals	11	10	3	0	0	24
Permission of Appellate Division	17	5	4	0	0	26
Constitutional Question	0	3	0	0	0	3
Stipulation for Judgment Absolute	1	0	0	0	0	1
Other	1	0	0	0	8	9
Total	**37**	**26**	**8**	**1**	**8**	**80**
Criminal Cases						
Permission of Court of Appeals Judge	27	15	0	1	0	43
Permission of Appellate Division Justice	12	6	1	0	0	19
Other	0	0	0	0	0	0
Total	**39**	**21**	**1**	**1**	**0**	**62**

**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)*

Below the Court of Appeals is the **Appellate Division of State Supreme Court,** the State's intermediate appellate court. The Presiding Justice and Associate Justices of each division are designated by the Governor to serve on the appellate court. All must be elected Supreme Court justices.

Table 2: Caseload Activity in the Appellate Division - 2017

	FIRST DEPT		SECOND DEPT		THIRD DEPT		FOURTH DEPT		TOTAL
	Civil	Criminal	Civil	Criminal	Civil	Criminal	Civil	Criminal	
Records on Appeal Filed	**1,530**	**1,034**	**3,494**	**846**	**1,289**	**431**	**805**	**511**	**9,940**
Disposed of before argument or submission (e.g., dismissed, withdrawn, settled)	167	156	6,068	445	0	0	0	0	6,836
Disposed of after argument or submission:									
Affirmed	1,034	681	1,521	677	760	355	416	450	5,894
Reversed	334	43	615	58	109	27	109	48	1,343
Modified	277	56	253	67	150	24	130	48	1,005
Dismissed	233	6	376	11	152	2	203	19	1,002
Other	46	21	115	122	0	0	6	15	325
Total Dispositions	**2,091**	**963**	**8,948**	**1,380**	**1,171**	**408**	**864**	**580**	**16,405**

	FIRST DEPT	SECOND DEPT	THIRD DEPT	FOURTH DEPT	TOTAL
Oral Arguments*	1,293	2,051	687	869	**4,900**
Motions Decided*	5,471	11,587	6,984	5,137	**29,179**
Admissions to the Bar*	2,539	2,225	3,162	280	**8,206**
Atty. Disciplinary Proceedings Decided*	3,076	204	233	110	**3,623**

**Not broken down by civil or criminal.*

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.

Table 3: Caseload Activity in the Appellate Terms - 2017

	FIRST DEPT			SECOND DEPT*			TOTAL
	Civil	Criminal	Total	Civil	Criminal	Total	
Records on Appeal Filed	**180**	**243**	**423**	**834**	**790**	**1,624**	**2,047**
Disposed of before argument or submission (e.g., dismissed, withdrawn, settled)	6	1	7	619	934	1,553	1,560
Disposed of after argument or submission:							
Affirmed	100	186	286	227	102	329	615
Reversed	30	50	80	141	49	190	270
Modified	28	5	33	53	9	62	95
Dismissed	24	1	25	30	5	35	60
Other	1	-	1	18	3	21	22
Total Dispositions	**189**	**243**	**432**	**1,088**	**1,102**	**2,190**	**2,622**
Oral Arguments**			283			199	482
Motions Decided**			1,501			4,692	6,193

**These numbers are subject to revision pending final submission by the courts.*
***Not broken down by civil or criminal.*

Trial Courts

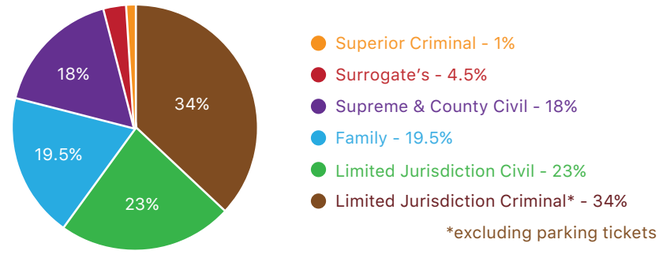
In 2017, 3,271,686* cases were filed statewide in the trial courts. Criminal cases (excluding parking tickets) accounted for 35%*. Civil cases accounted for 41%*. About 19.5%* of the cases were in Family Court and about 4.5%* were in Surrogate's Court. Table 4 shows total filings in the trial courts over a five-year period. Figure A shows the percentage of filings by case type.

Table 4: Filings in the Trial Courts: Five-Year Comparison

	2013	2014	2015	2016	2017*
Criminal					
Supreme and County Courts Criminal[a]	51,857	47,805	45,655	46,067	43,986
Criminal Court of the City of NY[b]	809,868	728,811	622,730	566,145	434,045
City & District Courts Outside NYC[b]	685,488	648,340	642,871	637,044	631,135
Parking Tickets	115,529	115,847	100,059	108,452	104,841
Criminal Total	1,662,742	1,540,803	1,411,315	1,357,708	1,214,007
Civil					
Supreme Court Civil[c]	504,910	491,203	481,719	476,058	454,987
Civil Court of the City of NY[d]	574,347	547,629	528,059	507,389	529,356
City & District Courts Outside NYC[d]	228,379	212,804	190,177	173,574	181,434
County Courts Civil[e]	83,292	54,353	61,617	110,675	107,456
Court of Claims	1,622	1,817	1,894	1,794	1,816
Small Claims Assessment Review Program	66,462	54,041	55,568	46,638	29,425
Civil Total	1,459,012	1,361,847	1,319,034	1,316,128	1,304,474
Family[e]	694,975	646,954	640,658	621,107	611,470
Surrogate's	137,249	138,553	139,341	140,203	141,735
Total	**3,953,978**	**3,688,157**	**3,510,348**	**3,435,146**	**3,271,686***

[a] Includes felonies and misdemeanors, of which 2,442 were misdemeanor filings in 2017.
[b] NYC includes arrest and summons cases; outside NYC includes arrest cases and uniform traffic tickets.
[c] Includes new cases, ex parte applications and uncontested matrimonial cases.
[d] Includes civil, housing, small claims and commercial claims.
[e] Includes new cases and ex parte applications.
**These numbers are subject to revision pending final submission by the courts.*

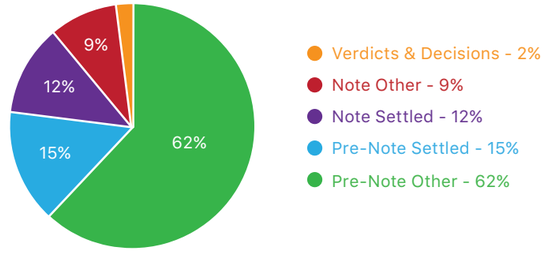
Figure A: Trial Court Filings by Case Type - 2017



The Supreme Court 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. Supreme Court Civil Cases During 2017, there were 454,987* civil filings in Supreme Court, including 176,993* new cases, 236,903* ex parte applications and 41,091* uncontested matrimonial cases. A total of 505,278* matters reached disposition. Figure B shows the breakdown of cases by manner of disposition.

**These numbers are subject to revision pending final submission by the courts.*

Figure B: Supreme Civil Disposition by Type of Disposition - 2017



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. 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 2017*

	FILINGS			DISPOSITIONS						
Location	Total	Indictments	SCI's**	Total	Guilty Pleas	Convictions	Acquittals	Nonjury Verdicts	Dismissals	Other
Total State	**41,544**	**26,560**	**14,984**	**45,410**	**39,475**	**1,047**	**357**	**253**	**3,208**	**1,070**
NYC	17,920	13,851	4,069	20,561	17,082	552	215	83	2,021	608
New York	5,621	4,658	963	7,036	5,607	256	66	23	878	206
Bronx	3,694	3,297	397	4,118	3,242	59	59	9	575	174
Kings	4,940	3,801	1,139	5,420	4,790	101	45	16	320	148
Queens	2,984	1,650	1,334	3,230	2,791	121	45	33	172	68
Richmond	681	445	236	757	652	15	0	2	76	12
ONYC**	23,624	12,709	10,915	24,849	22,393	495	142	170	1,187	462
Albany	966	556	410	1,052	925	42	7	6	51	21
Allegany	72	5	67	115	101	1	1	1	9	2
Broome	557	203	354	626	552	21	7	2	44	0
Cattaraugus	263	145	118	279	263	5	0	0	8	3
Cayuga	164	75	89	174	160	3	1	0	7	3
Chautauqua	314	182	132	365	347	0	1	1	9	7
Chemung	283	263	20	315	264	7	4	12	16	12
Chenango	160	101	59	140	139	0	0	0	0	1
Clinton	256	102	154	269	261	5	0	1	1	1
Columbia	125	52	73	145	121	3	1	2	4	14
Cortland	130	60	70	140	128	3	0	0	2	7
Delaware	100	49	51	85	81	1	2	0	0	1
Dutchess	488	194	294	491	455	10	0	1	20	5
Erie	1,517	461	1,056	1,651	1,546	14	4	34	26	27
Essex	62	39	23	84	72	2	1	0	1	8
Franklin	125	90	35	105	96	3	0	0	6	0
Fulton	163	57	106	159	155	3	0	0	1	0

**These numbers are subject to revision pending final submission by the courts.*
***Superior Court Information*

Table 5: Supreme Criminal & County Court - Felony Cases 2017*

	FILINGS			DISPOSITIONS						
Location	Total	Indictments	SCI's**	Total	Guilty Pleas	Convictions	Acquittals	Nonjury Verdicts	Dismissals	Other
Total State	**41,544**	**26,560**	**14,984**	**45,410**	**39,475**	**1,047**	**357**	**253**	**3,208**	**1,070**
Genesee	271	128	143	246	231	6	1	0	1	7
Greene	129	65	64	118	107	0	1	0	7	3
Hamilton	7	3	4	8	7	1	0	0	0	0
Herkimer	127	59	68	108	104	1	0	0	2	1
Jefferson	530	124	406	527	517	3	0	1	5	1
Lewis	136	45	91	128	118	0	0	0	9	1
Livingston	205	102	103	252	226	5	0	0	6	15
Madison	151	57	94	161	151	1	1	1	1	6
Monroe	1,801	1,320	481	1,908	1,584	76	30	36	157	25
Montgomery	152	68	84	138	127	1	1	0	5	4
Nassau	2,148	1,070	1,078	2,247	1,947	44	16	4	199	37
Niagara	435	232	203	455	416	5	0	0	21	13
Oneida	755	525	230	780	746	13	2	3	10	6
Onondaga	1,234	753	481	1,305	1,136	44	20	4	85	16
Ontario	441	158	283	476	444	16	0	1	10	5
Orange	878	617	261	883	818	5	7	1	16	36
Orleans	93	84	9	95	89	1	0	0	2	3
Oswego	304	145	159	312	296	2	2	1	4	7
Otsego	78	55	23	72	68	2	1	0	1	0
Putnam	107	54	53	101	94	2	0	0	2	3
Rensselaer	351	196	155	324	291	3	2	0	28	0
Rockland	492	324	168	501	449	11	4	11	24	2
St. Lawrence	255	194	61	246	228	0	1	0	11	6
Saratoga	326	96	230	325	313	4	1	0	5	2
Schenectady	433	258	175	469	422	20	2	0	7	18
Schoharie	62	16	46	69	66	0	0	0	1	2
Schuyler	61	33	28	85	68	1	0	9	6	1
Seneca	124	50	74	124	110	3	0	1	6	4
Steuben	375	253	122	409	313	6	3	24	25	38
Suffolk	2,645	1,709	936	2,964	2,590	38	4	5	266	61
Sullivan	192	63	129	204	199	3	0	0	2	0
Tioga	122	80	42	117	109	4	0	1	2	1
Tompkins	130	70	60	147	121	8	2	0	11	5
Ulster	274	176	98	340	321	6	6	1	0	6
Warren	233	89	144	239	229	7	0	0	0	3
Washington	186	131	55	184	173	5	0	0	6	0
Wayne	219	162	57	184	171	1	0	0	9	3
Westchester	1,186	377	809	1,168	1,109	21	6	3	21	8
Wyoming	166	97	69	173	166	2	0	2	3	0
Yates	65	37	28	62	53	1	0	1	6	1

**These numbers are subject to revision pending final submission by the courts.*
***Superior Court Information*

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. During 2017, 1,816 claims were filed and 1,850 were 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. See Table 6 for 2017 filings and dispositions by case type.

Table 6: Surrogate's Court Filings & Dispositions: Proceedings by Case Type - 2017*

	TOTAL STATE		NYC		OUTSIDE NYC	
Case Type	Filings	Dispositions**	Filings	Dispositions**	Filings	Dispositions**
Total	**141,735**	**114,695**	**37,244**	**35,355**	**104,491**	**79,340**
Probate	40,662	43,196	11,503	11,854	29,159	31,342
Administration	16,998	18,798	7,245	7,487	9,753	11,311
Voluntary Admin.	26,075	26,075	7,893	7,893	18,182	18,182
Accounting	28,601	4,780	3,418	1,544	25,183	3,236
Inter Vivos Trust	1,387	1,426	151	194	1,236	1,232
Miscellaneous	9,570	9,639	2,865	3,888	6,705	5,751
Guardianship	17,364	9,041	4,007	2,268	13,357	6,773
Adoption	1,049	1,701	160	224	889	1,477
Estate Tax	29	39	2	3	27	36

**These numbers are subject to revision pending final submission by the courts.*
***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. 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) Filings & Dispositions by Type of Petition - 2017

	TOTAL STATE		NYC		OUTSIDE NYC	
Type of Petition	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
Total	**611,470**	**606,265**	**209,711**	**205,734**	**401,759**	**400,531**
Termination of Parental Rights	3,231	3,297	850	876	2,381	2,421
Surrender of Child	2,032	1,952	500	460	1,532	1,492
Child Protective (Neglect & Abuse)	45,834	39,566	17,646	12,181	28,188	27,385
Juvenile Delinquency	8,021	8,060	2,596	2,668	5,425	5,392
Designated Felony	234	152	97	45	137	107
Persons in Need of Supervision	3,587	3,834	624	649	2,963	3,185
Adoption	2,859	2,931	1,100	1,158	1,759	1,773
Adoption Certification	211	185	64	50	147	135
Guardianship	10,640	10,882	3,941	3,963	6,699	6,919
Custody/Visitation	193,171	190,341	55,308	53,331	137,863	137,010
Foster Care Review	82	73	48	39	34	34
Foster Care Placement	538	485	300	279	238	206
Family Offense	61,313	60,140	24,315	23,494	36,998	36,646
Paternity	25,380	26,158	11,847	12,315	13,533	13,843
Support	209,983	213,451	67,632	71,000	142,351	142,451
Uniform Interstate Family Support Act	7,986	8,453	3,792	4,213	4,194	4,240
Consent to Marry	23	16	7	4	16	12
Other	728	672	150	115	578	557
Permanency Planning Hearings Held	35,617	35,617	18,894	18,894	16,723	16,723

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 ten 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 - 2017

	CIVIL ACTIONS*		HOUSING		SMALL CLAIMS*		COMMERCIAL CLAIMS*	
	Filing[a]	Dispositions[b]	Filing[a]	Dispositions[b]	Filing	Dispositions	Filing	Dispositions
New York City	253,616	161,099	252,007	218,333	18,376	28,935	5,357	5,939
New York	38,151	24,990	52,100	42,512	4,539	5,823	1,388	1,766
Bronx	42,685	28,533	88,913	76,649	2,865	3,524	761	866
Kings	98,821	64,652	68,487	60,157	4,911	7,766	1,219	1,765
Queens	52,237	24,934	37,197	34,400	5,040	10,750	1,410	987
Richmond	21,722	17,990	5,310	4,615	1,021	1,072	579	555

[a] *Includes both answered and unanswered cases.*
[b] *Includes courtroom dispositions and default judgments.*
**These numbers are subject to revision pending final submission by the courts.*

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 ten year terms. During 2017, 76% of the arrests were misdemeanors, with 47% of all cases reaching disposition by plea. Another 43% were dismissed; 4.5% were sent to the grand jury; 4% were disposed of by other means; and 1.5% pled to a superior court information. Table 9 shows filings and dispositions by county for both arrest cases and summons cases (cases in which an appearance ticket, returnable in court, is issued to the defendant).

Table 9: New York City Criminal Court: Filings & Dispositions by Case Type and County - 2017

	ARREST CASES		SUMMONS CASES		
	Filings	Dispositions	Filings*	Dispositions	NYC C-SAVed Dismissals**
New York City	**251,210**	**256,764**	**182,835**	**239,245**	**421,788**
New York	69,055	72,961	50,177	57,471	138,013
Bronx	49,133	49,880	38,251	49,878	98,741
Kings	71,735	72,054	48,849	73,528	99,188
Queens	51,651	52,421	36,583	46,450	85,846
Richmond	9,636	9,448	8,975	11,918	0

**Includes both answered and unanswered cases.*
***Cases that were administratively dismissed and sealed due to the NYC C-SAVed program.*

City Courts Outside New York City 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.

**These numbers are subject to revision pending final submission by the courts.*

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. In 2017, there were a total of 917,410* filings and 923,724* 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 Filings by Case Type - 2017

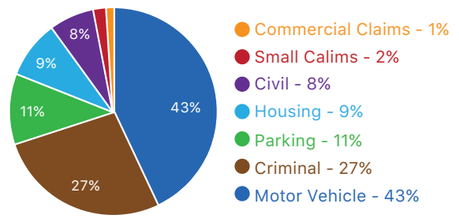


Table 10: City and District Courts: Filings by Case Type - 2017* Total Filings: 917,410

Location	Criminal	MV	Parking	Civil	Small Claims	L&T	Commercial
Total	**237,520**	**393,615**	**104,841**	**77,468**	**18,318**	**78,847**	**6,801**
Albany	6,094	17,190	0	2,139	507	5,427	105
Amsterdam	1,034	2,630	34	400	81	192	25
Auburn	1,353	2,752	159	150	159	620	20
Batavia	1,003	1,924	16	199	77	190	61
Beacon	773	3,908	550	192	71	112	30
Binghamton	4,359	6,541	164	1,319	334	1,364	108
Buffalo	18,187	16,038	68	4,282	1,771	8,530	547
Canandaigua	819	3,321	27	275	68	82	13
Cohoes	952	2,892	12	70	24	197	1
Corning	638	1,731	33	840	49	69	14
Cortland	2,014	3,077	605	281	113	358	33
Dunkirk	732	741	47	189	71	102	29
Elmira	1,905	2,036	1,626	659	108	646	33
Fulton	855	1,704	0	331	91	171	31
Geneva	652	2,867	2	137	34	166	13
Glen Cove	1,288	4,122	3,990	7	58	241	8
Glens Falls	1,082	2,640	107	571	83	173	65
Gloversvillle	993	1,310	72	574	102	343	35
Hornell	586	1,288	0	115	31	83	13
Hudson	514	1,121	2	166	70	89	46
Ithaca	2,438	3,573	32	190	119	136	20
Jamestown	3,828	3,705	563	431	137	424	186
Johnstown	589	852	3	254	38	64	7
Kingston	1,842	4,596	44	775	138	1,131	66
Lackawanna	1,168	6,170	2	314	136	1,449	44
Little Falls	245	487	1	172	108	35	22
Lockport	1,570	3,433	85	838	163	255	56
Long Beach	2,473	2,934	14,206	13	77	200	6
Mechanicville	482	1,328	12	158	46	77	88
Middletown	2,999	6,189	245	626	159	480	53
Mount Vernon	3,470	8,016	0	456	260	2,770	17
New Rochelle	3,075	10,457	67,872	2,427	220	1,054	85
Newburgh	3,534	6,261	39	534	205	867	33
Niagara Falls	3,762	9,424	1,571	876	203	1,380	30
North Tonawanda	1,006	5,767	3	266	107	147	43
Norwich	419	576	44	324	49	71	41
Ogdensburg	746	856	0	207	94	90	79

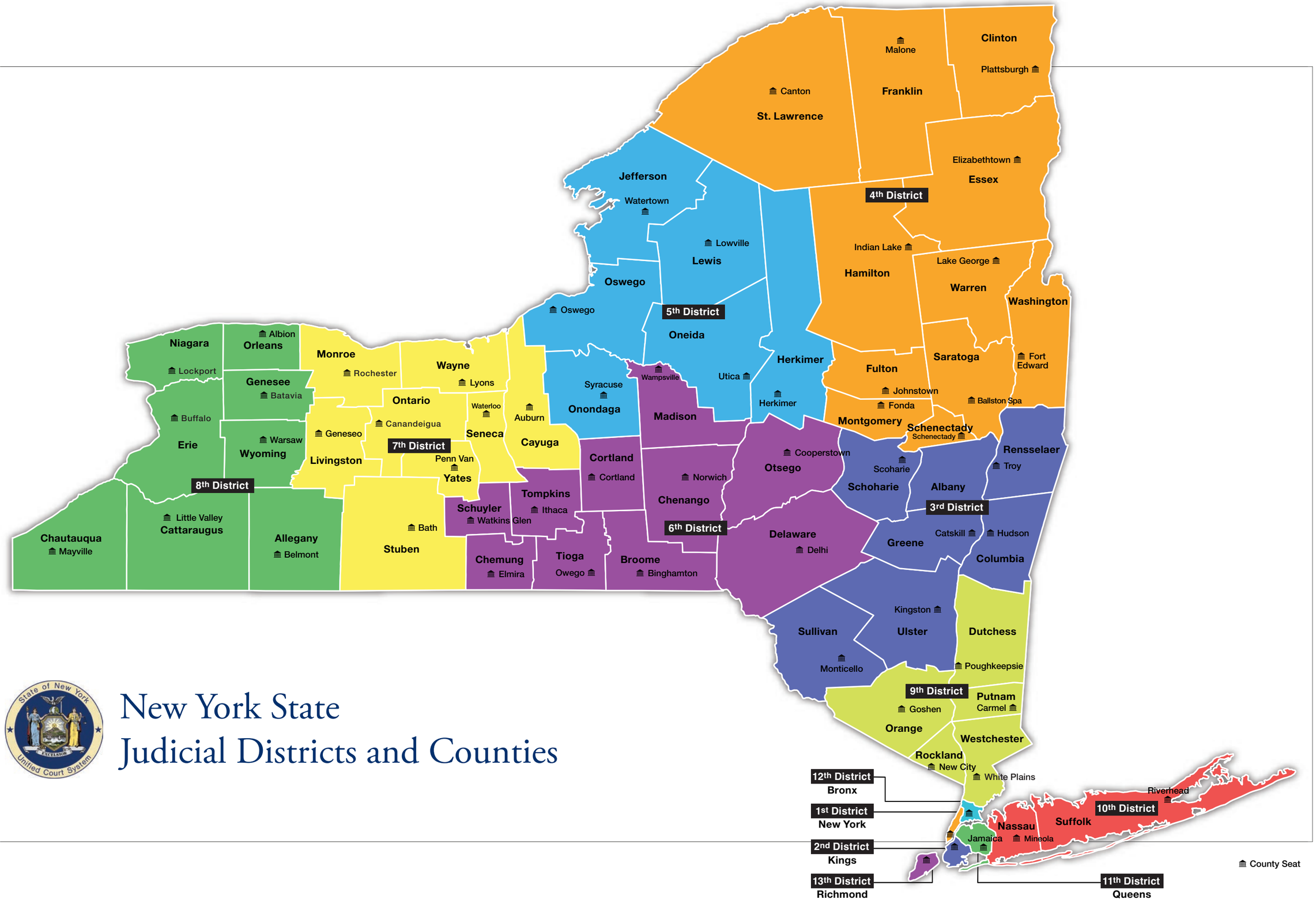
**These numbers are subject to revision pending final submission by the courts.*

Table 10: City and District Courts: Filings by Case Type - 2017* Total Filings: 917,410

Location	Criminal	MV	Parking	Civil	Small Claims	L&T	Commercial
Total	**237,520**	**393,615**	**104,841**	**77,468**	**18,318**	**78,847**	**6,801**
Olean	863	2,270	6	141	172	152	35
Oneida	785	1,990	87	727	50	130	27
Oneonta	692	833	56	182	123	94	21
Oswego	1,446	3,644	4	452	125	172	14
Peekskill	1,262	5,356	3	140	111	287	41
Plattsburgh	1,109	2,727	1	236	125	137	78
Port Jervis	1,581	2,106	0	134	37	176	4
Poughkeepsie	2,332	5,278	2,221	369	289	1,688	74
Rensselaer	241	480	2	338	60	105	37
Rochester	11,916	6,112	12	2,663	1,711	8,695	386
Rome	2,460	8,273	1	823	138	466	7
Rye	456	7,157	783	34	72	23	30
Salamanca	720	1,588	10	83	27	43	3
Saratoga Springs	2,146	5,744	772	288	147	135	62
Schenectady	3,993	8,739	51	748	379	3,206	84
Sherrill	44	171	0	59	10	5	8
Syracuse	12,740	26,009	12	4,039	793	5,201	131
Tonawanda	918	5,063	57	281	125	103	89
Troy	2,632	8,583	17	1,399	233	3,994	30
Utica	6,002	11,988	2	1,118	301	1,345	152
Watertown	1,821	2,892	1	732	173	528	78
Watervliet	701	5,024	4	446	52	336	11
White Plains	2,280	14,046	5,737	256	353	716	87
Yonkers	7,818	18,766	0	681	455	5,507	156
Nassau District	31,949	37,155	121	17,133	2,880	6,737	1,478
Suffolk District	59,134	47,164	2,645	22,209	3,216	9,081	1,572

**These numbers are subject to revision pending final submission by the courts.*

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, driving while impaired cases and zoning violations. Town and Village Justices also conduct preliminary felony proceedings. There are approximately 1,275 Justice Courts and 2,200 Town and Village Justices.

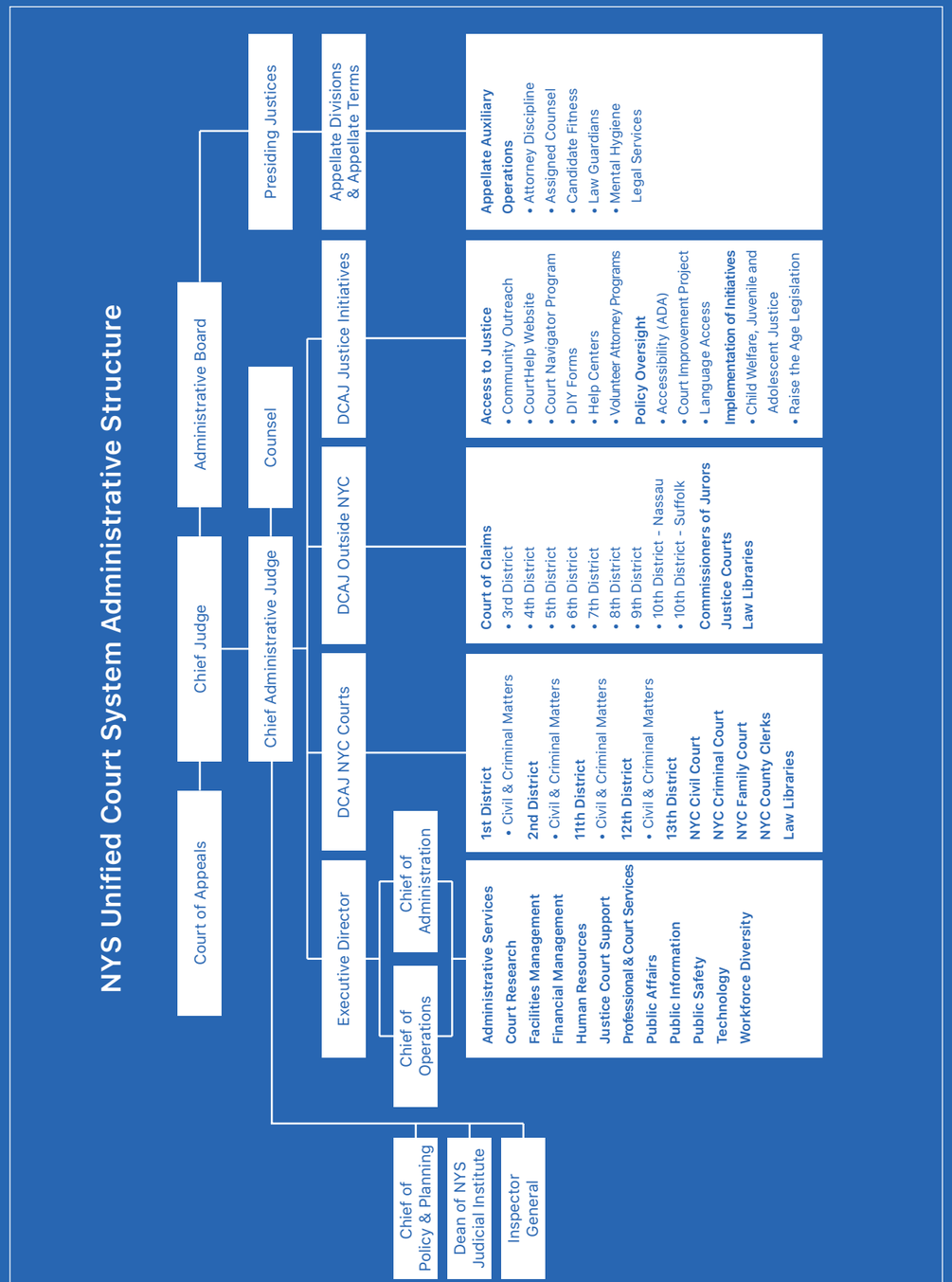


New York State
Judicial Districts and Counties

Office of Court Administration

The New York State Unified Court System is administered by the Office of Court Administration (OCA) under the direction of the Chief Administrative 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:

- **Division of Administrative Services** purchases goods and services, procures contracts, processes revenues and manages accounts.
- **Division of Financial Management** prepares the judiciary budget and formulates and implements fiscal policies.
- **Division of Human Resources** is responsible for personnel and benefits administration and providing education and training programs to the non-judicial and uniformed workforce. The Division also administers equal employment opportunity policies and programs and negotiates with the court system's labor unions.
- **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.
- **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.
- **Counsel's Office** prepares and analyzes legislation and represents the Unified Court System in litigation.
- **Department of Public Safety** is responsible for developing and implementing uniform policies and procedures to ensure the safety and accessibility of our state courthouses.
- **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.
- **Office of Court Facilities Management** provides oversight to localities in relation to the maintenance, renovation, and construction of court facilities.
- **Office of Court Research** provides caseload activity statistics, jury system support and operations research to all UCS courts.
- **Office of Internal Affairs** conducts internal audits and investigations to support the attainment of long-term UCS goals.
- **Office of Justice Court Support** provides assistance to and training for judges and staff of the Justice Courts, and oversees the Justice Court Assistance Program, the court system's grant program for the Justice Courts.
- **Office of Public Affairs** works to promote awareness of the work of the New York State Judiciary among the public, the legal community and our employees.
- **Office of Public Information** coordinates communications, serves as liaison with the media and facilitates public information programs.
- **Office of Workforce Diversity** promotes and supports diversity in hiring and promotion in the court system's workforce and advances practices that ensure a bias-free work place.



Cortland County Courthouse, Cortland NY. Photo by John E. Deacon, www.courthouses.co.

Fiscal Overview

The Unified Court System operates on a fiscal year that runs from April 1 through March 31, with revenues provided primarily by the New York State Legislature and approved by the Governor. Appropriations of $2.96 billion were approved for the State Judiciary for the 2017-2018 fiscal year.

Substantial Revenue is Collected Through Fines, Fees and Other Measures

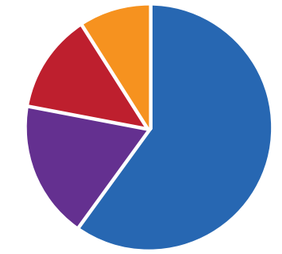
In 2017, fines and fees totaled nearly $607 million, a figure which includes all state, county and city remedies, but does not include bail or other trusts. A portion of this revenue included fees for services provided by the court system's Criminal History Search Unit, which since 2003 has sold statewide 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 these 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 2017, the Criminal History Search Unit received more than $170 million for criminal history search records.

Under Section 486-a of the Judiciary Law and the Rules of the Chief Administrative Judge (22 NYCRR Part 118), every attorney admitted to practice in New York must file a biennial registration form. Attorneys actively practicing law in New York State or elsewhere must, upon registering, pay a $375 fee, allocated as follows: $60 to the Lawyers' Fund for Client Protection to support programs providing restitution to clients of dishonest attorneys; $50 to the Indigent Legal Services Fund to cover fees of lawyers serving on 18-B panels representing indigent defendants; $25 to the Legal Services Assistance Funds; and the balance to the Attorney Licensing Fund to cover the cost of the Appellate Division attorney admission and disciplinary programs. In 2017, the court system collected $44.6 million in attorney registration fees.

$607,000,000
Total Fines and Fees Collected in 2017

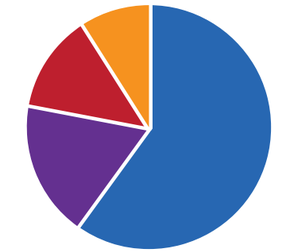
$170,000,000
Criminal History Search Fees

Criminal Search History Fee Breakdown



$44,600,000
Attorney Registration Fees

Attorney Registration Fee Breakdown



Left to right, Justice Building, Alfred E. Smith Building and the State Capitol, Albany.

Broome County Courthouse, Binghamton NY. Photos by John E. Deacon, www.courthouses.co.

Measures Enacted into Law in 2017

The 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, and 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.

During the 2017 legislative session, Counsel's Office, with the assistance of the Chief Administrative Judge's advisory committees, prepared and submitted 75 measures for legislative consideration. Ultimately, 11 were enacted into law. Also during the 2017 session, Counsel's Office furnished Counsel to the Governor with analyses and recommendations on 12 measures awaiting executive action.

Chapter 51 (Senate 2001/Assembly 3001). Enacts the 2017-18 Judiciary Budget. Eff. 4/1/17.

Chapter 55 (Senate 2005-C/Assembly 3005-C [Part BB]). Requires that provisions of orders of protection be made available in multiple languages. Eff. 7/19/17.

Chapter 56 (Senate 2009-C/Assembly 3009-C [Part VVV]). Substantially implements the recommendations of the Chief Judge's Task Force on Wrongful Convictions regarding video recording of custodial interrogations and the admissibility of photo identifications. Eff. 4/10/17 (with various provisions).

Chapter 56 (Senate 2009-C/Assembly 3009-C [Part WWW]). Relates to proceedings against juvenile offenders and the age of juvenile offenders, pushing back to 18 the age of criminal responsibility. Eff. 4/10/17 (with various provisions).

Chapter 98 (Senate 6494/Assembly 8101). Implements collective bargaining agreements between the State and seven public employee unions negotiating on behalf of court employees in the following collective negotiating units: Suffolk County, New York City Administrative, Librarian, Clerical and Support, New York City Administrative Services, Ninth Judicial

District, Citywide Law Assistants, New York City Senior Court Attorneys and New York City Court Reporters. These collective bargaining agreements provide salary increases and other benefits for the period from April 1, 2016 through March 31, 2019. Eff. 7/24/17 (and deemed to have been in full force and effect retroactively as of April 1, 2016).

Chapter 99 (Senate 6408-A/Assembly 8127). Amends the Judiciary Law, the Civil Practice Law and Rules and chapter 237 of the Laws of 2015 in relation to the use of electronic means for the commencement and filing of papers in certain actions and proceedings in the Appellate Divisions, extends from Sept. 1, 2017 to Sept. 1, 2019 the sunset established by chapter 237 for the authorized deployment of mandatory e-filing in residential foreclosure and consumer debt proceedings, and also changes the date on which the Chief Administrative Judge is required annually to report on the operation of the State's e-filing programs from April 1 to Feb. 1 in each year. Eff. 7/24/17 provided, however, the amendments to subdivision 2 of section 212 of the Judiciary Law made by section 1-a shall take effect on 7/19/17.

Chapter 116 (Senate 5737/Assembly 6955). Amends the Judiciary Law to change the timetable for the bidding and award, every five years, of the contract for publishing the Judiciary's Official Reports. Eff. 7/25/17.

Chapter 164 (Senate 6561/Assembly 8102-A). Implements a collective bargaining agreement between the State and a public employee union (CSEA) negotiating on behalf of court employees in the State Judiciary collective negotiating unit. This collective bargaining agreement provides salary increases and other benefits for the period from April 1, 2017 through March 31, 2020. Eff. 8/8/17 (and deemed to have been in full force and effect retroactively as of April 1, 2017).

Chapter 194 (Senate 5071/Assembly 7442). Amends the Criminal Procedure Law to provide that a pre-sentence investigation and written report thereon may be waived by the mutual consent of the parties and with the consent of the court where a sentence of conditional discharge has been agreed to by the parties and will be imposed. Eff. 8/21/17.

Chapter 195 (Senate 5069/Assembly 7446). Amends the Criminal Procedure Law to facilitate appeals from local criminal courts where proceedings are recorded by electronic means instead of by a stenographer. It allows the parties time to secure a transcript of an electronically-recorded proceeding before filing an affidavit of errors. Eff. 10/20/17.

Chapter 359 (Senate 4835/Assembly 7553). Amends the Family Court Act and the Social Services Law in relation to procedure for siblings to seek access to and/or communication with their siblings in destitute child, permanency and surrender proceedings in Family Court. Eff. 1/21/18.

Chapter 384 (Senate 4833-A/Assembly 7554-A). Amends the Social Services Law in relation to eligibility of children for subsidized kinship guardianship assistance to expedite permanency for foster children before Family Court.

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