

## **Streamlining NY's Courts: Hon. Lawrence K. Marks, 4/22/22**

John Caher: Welcome to Amici, news and insight from the New York Courts. I'm John Caher.

For today's episode, we are sharing an interview the New York County Lawyers Association recently conducted with Chief Administrative Judge Lawrence K. Marks. The topic: "How to Streamline the New York State Court System." The interview was conducted by Daniel K. Wiig, host of the County Lawyers Amicus Curiae podcast. I'd like to thank the County Lawyers for sharing this interview with Amici.

Speaker 2: Amicus Curiae with host Daniel K. Wiig, a podcast series from the New York County Lawyers Association. Join us monthly for candid, useful, inspirational and entertaining conversations with leaders of the bench and bar, and those who serve the legal profession.

Daniel Wiig: Most court structures are fairly simple. There's a trial level court, there's an intermediate appellate court, and then there's a court of last resort typically called the Supreme Court. We see that in the federal system.

New York, however, is a little bit different. There are 11 trial level courts, arguably two ways to appeal decisions from that court, the Appellate Division, the Appellate Term, and the court of last resort is called the Court of Appeals. This may be a loaded question, but I'll ask it anyway: Why was it structured that way?

Hon. Lawrence Marks: Boy, you'd have to ask somebody from the 17th century that question!

The last significant restructuring of the New York State Court System was in 1962, and that's the structure we have in place. It's really a very difficult question to answer, why we've been subjected to this very complicated, Byzantine structure. We're focused, not so much on why we are where we are today, we're focused more on the future and how can we simplify and implement a trial court structure?

It's particularly that the trial court structure, not so much the structure of the appellate courts, although the proposal does impact on that to some extent, on the appellate courts. But we're focused on the future.

Mr. Wiig: All right, and we will talk about the future today. I'd like to welcome our listeners to Amicus Curiae, NYCLA's podcast of casual, comfortable and friendly conversations with leaders of the bench and bar, and those who serve the legal profession. I am very pleased and honored to welcome

today The Honorable Lawrence Marks, the Chief Administrative Judge of the State of New York, a position he's had since 2015.

:

Prior to that, Judge Marks was the First Deputy Chief Administrative Judge from 2012 to 2015. He has had a long career in OCA, the Office of Court Administration in New York. He is a judge of the Court of Claims, and we'll talk about the different trial courts during this conversation. That is a position he was first appointed to by Governor Paterson in 2009. Judge Marks, welcome, and thank you very much for joining us.

Judge Marks: Thank you. Good to be here.

Mr. Wiig: Let's talk, and again, it's very complicated and I don't want to take up too much time, but let's talk a little bit about the current structure of the New York State Court System. Briefly, there are 11 trial level courts, and so just summarize what these courts are and maybe what their jurisdiction is.

Judge Marks: There are 11 separate and distinct trial courts. That's far more than any other state court system has in the country. We're *sui generis* in that respect. We have a group of, let's call them superior courts, superior trial courts in the state.

One, obviously being the Supreme Court, which is the court of general original jurisdiction in the state. By the way, it does date back to the 17th century, to 1691, and it's called the Supreme Court. As you pointed out, that's unique as well about our system. Supreme Courts are usually not just in the federal system, but in state courts around the country. The Supreme Court is the high court in the state.

We have the Supreme Court, the Surrogate's Court, which hears trust and estates matters, highly technical area of the law. We have the Court of Claims, which you mentioned. I'm a Court of Claims judge. The Court of Claims handles monetary claims against the state, and there are about 80 to 85 Court of Claims judges in the state appointed by the governor.

Most of those judges — and I don't want to get into too much detail and confusion about this — but most of the judges don't sit in the Court of Claims. They sit in as Acting Supreme Court justices in the Supreme Court around the state. So that's the Court of Claims.

We have the Family Court, which hears, as I think most people know here, issues relating to families—family offense matters, child protective matters, custody and visitation, child support and issues related to

families. We have the County Court as the last of the group of superior courts, which exists outside of New York City, not inside New York City, and has some modest civil jurisdiction, but it's primarily the felony level criminal court outside of New York City.

Those are the superior courts led by the Supreme Court, which is, as I mentioned, the court of general original jurisdiction. Then we have, let's call them lower courts, which have lower civil and criminal jurisdiction. That includes the New York City Civil Court, the New York City Criminal Court, the District Courts on Long Island in Nassau and Suffolk counties, and the 61 City Courts, which exist around the state outside of New York City. Those are the lower courts, if you will.

Then in addition to that, there are the Town and Village Courts, which also exists exclusively outside of New York City and have lower court criminal and civil jurisdiction in areas of the state outside of New York City that are not within city boundaries. There are probably about 1800 Town and Village Courts across the state, an enormous number of Town and Village Courts.

Most of the judges who sit in those courts are not lawyers, they're non-lawyers. They also are not state-funded. All the other courts I mentioned are state-funded. The legislature funds all of those courts through the Judiciary Budget and the Town and Village Courts are local funded, and the judges sit very much part-time, and as I noted, are mostly non-lawyers.

The Town and Village Courts are not impacted by the proposal we're going to talk about today, and I can explain why that is. But they're not impacted or covered by the proposal. That's the trial court structure that exists today in New York.

Mr. Wiig: There is somewhat of a difference in how appeals from these courts are processed. There's something called the Appellate Term and there's something called the Appellate Division. Could you maybe briefly address that for our listeners?

Judge Marks: Yes. The Appellate *Division* hears appeals from the Supreme Court, really from the superior courts, which I mentioned are the Supreme Court, the Court of Claims, the Family Court, and the Surrogates Court and the County Court. The Appellate *Term* exists in only part of the state, in the areas of the First and Second Judicial Departments. That's New York City, Long Island, and the Ninth Judicial District, which is Westchester County and four other counties directly north of the city.

Those areas of the state have an Appellate Term, and the Appellate Term hears appeals from the lower courts within that part of the state, the New York City Civil Court, New York City Criminal Court, District Courts on Long Island and City Courts in the First and Second Judicial Departments. North of the Ninth Judicial District, which is the entire rest of the state, the appeals from the lower courts, which would be City Courts and Town and Village Courts, go to County Court judges.

The County Court judges are designated as the intermediate appellate court in that whole swath of the rest of the state. You have an Appellate Division for appeals from the superior courts. You have the Appellate Term for appeals from the lower courts, civil and criminal, but just within the downstate portion of the state.

Then you have County Court judges who serve as the intermediate appellate court for City Courts and Town and Village Courts north of the Ninth Judicial District. Then of course, we have the Court of Appeals, which is our high court. It largely has control over the cases that it hears, not entirely, but largely.

Mr. Wiig: I have to say that I'm very grateful. I don't think the bar exam had any questions about the New York Court structure when I took it.

Judge Marks: We all would've failed the bar exam had there been questions about this!

Mr. Wiig: Just so we set the stage a little bit, the court structure is set forth in the New York Constitution, is that correct?

Judge Marks: Yes.

Mr. Wiig: The process, and we'll get into this, that we need to follow is an amendment to the Constitution in order to enact what it is that you and leadership of the court system and the legislature, who are supportive of this, are looking to do. Correct?

Judge Marks: Correct.

Mr. Wiig: Great. What I'd like to now talk about is what the plan is on how to consolidate the courts. I just want to focus on the court's structure and separately talk about the judges and staff and how that all gets impacted. My understanding is you're looking to have two buckets, a Supreme Court and a municipal court.

Focus just on the Supreme Court, again, just for clarity purposes, how is the Supreme Court structured right now? What I mean by that is there are different, and this goes into the follow-up question, there are different parts, depending upon a subject matter. Can you maybe explain that a little bit for our listeners?

Judge Marks:

There are specialized parts, if you will, court parts, within Supreme Court. For example, and we're talking mainly in the larger jurisdictions of the state, the larger counties, and particularly the downstate counties, as many of the counties upstate have one judge or two judges and don't specialize or approach their cases in a general fashion.

But in a county like Manhattan, for example, maybe the busiest, has the most litigation and has a lot of the most complex litigation that we see in the state court system around the state. It has a Commercial Division to hear larger commercial cases. I think the amount in controversy has to exceed \$500,000. So, there's a Commercial Division that deals with those cases.

There are matrimonial parts in larger counties, particularly downstate, that handle, obviously, divorce cases. There are some guardianship parts that handle very specialized area of the law, guardianship cases. The largest category of cases that we see, civil cases, that we see in the Supreme Court are tort cases, personal injury, which can range from fairly simple cases, slip and fall cases, to fairly complex cases like medical malpractice cases. They are not handled in specialized courts. Those are assigned to judges who don't specialize but handle the general mix of the cases.

Then of course, there's in New York City, I don't know that I would describe these as specialized parts, but they're criminal cases, the felony cases, that are handled in the Supreme Court in New York City. They're not outside the city, as I noted a moment ago. They're handled by the county courts, primarily outside the city, but that's really a separate term of the Supreme Court.

I wouldn't consider them specialized courts, but because they'll have up to, Manhattan, for example, has approximately 25-30 judges handling felony cases in the criminal term of Supreme Court. There is specialization within the larger Supreme Courts in the state, particularly downstate.

Mr. Wiig:

The plan for the Supreme Court is to abolish certain, and you can fill in the blanks, abolish certain of the superior courts that you mentioned

earlier and envelop them within the Supreme Court. Maybe share a little bit of how the proposal plans to do that.

Judge Marks: Other superior courts in this state, not including Supreme Court, under this proposal would be merged into the Supreme Court. The Surrogate's Court would be abolished. Those cases would be merged and the judges would be merged into the Supreme Court. The same for the Court of Claims, which as I noted, hears monetary claims against the state. The Court of Claims would be abolished. The cases and judges would be merged into Supreme Court. Same for Family Court, and outside New York City, the County Court, in addition to the other courts, the County Court would be merged into Supreme Court.

Mr. Wiig: They would all become parts of the Supreme Court. With this new proposal, how would the Supreme Court now, be structured with these different parts, correct?

Judge Marks: Yeah, I would call them divisions.

Mr. Wiig: Divisions.

Judge Marks: That's the term that we use in the proposal. In the larger jurisdictions, upstate again, there are many counties. Most of the counties in the state have relatively small population and many have a single judge, maybe two or three judges. Those counties would not be divided up. Their Supreme Court would not be divided up into divisions. The one or two or three judges in those counties would handle the entire mix of cases.

Mr. Wiig: You would potentially have a judge in wherever the county may be, who would hear a commercial case and a surrogates-related case and a family case.

Judge Marks: Correct. That's right. But in the larger jurisdictions, and I guess we could use Manhattan as an example. It's not the only example, of course, but in Manhattan, a court of that size with the volume of cases that it handles, we would not ignore the reality that individual judges may have particular expertise in some of these areas.

We would establish divisions within the Supreme Court in specialized areas, and routinely assign the judges who had expertise and interest in those areas to those divisions. But they would all be Supreme Court justices. The cases would be Supreme Court cases, and we'd be left with a single Supreme Court that would continue to be the court of general

original jurisdiction in the state, but it would be handling the whole range of superior court cases that are now handled by a handful of courts.

Mr. Wiig: The second bucket, or the second court, would be the Municipal Court. My understanding is that what you're looking to do here, what the proposal is, is that these, and I'll use the word inferior courts, but someone will slap me for saying that, would all be enveloped under there. Tell us a little bit about how this will work.

Judge Marks: I would call them the lower courts, not the inferior courts, because I don't want to be slapped either. We could both get into trouble. The New York City Civil Court and the New York City Criminal Court and the District Courts on Long Island and the 61 City Courts that we have outside of New York City now would all be merged into a single municipal court, which would have the lower court criminal and civil jurisdiction that those courts now enjoy.

There could be opportunity in the larger jurisdictions of the state to divide the municipal court in individual counties into divisions as well, where that would make sense. It seems probably more compelling to do that with the superior courts, but probably unlikely that most judges would handle criminal and civil cases in a merged municipal court. But it's possible. It's possible.

Of course, now in the City Courts north of New York City, and there's some City Courts on Long Island, in the smaller jurisdictions judges handle both the civil and the criminal in the City Courts, as they do in the town and village courts, which again, are not impacted by our proposal

Mr. Wiig: The Housing Court, now that is structured a little bit differently right now. How will that be reimaged under this proposal?

Judge Marks: Housing Court now is a part of the New York City Civil Court, but the judges are really statutory creations. They're not constitutional judges. Actually, they're appointed by the Chief Administrative Judge, pursuant to statutes set out in the Judiciary Law. They clearly, in our opinion, handle very important cases, very complex cases, mostly eviction cases.

There's been a lot of attention on Housing Court in recent months and over the past two years. Reflecting on the important work and the challenging work that they do, and the volume of work that they do, this proposal would make them full municipal court judges. Instead of being appointed by the Office of Court Administration and the Chief Administrative Judge, they would be appointed by the mayor. They

would be full-fledged, constitutional judges and municipal court judges under this plan.

Mr. Wiig: Finally, in terms of the structure, and you've mentioned this earlier, the town courts or the justice courts are not really going to be affected by this proposal. Share with us just a little bit more about what they do and maybe the reasoning for why they won't be affected.

Judge Marks: They have full criminal and civil lower court jurisdiction. You could look at the Town and Village Courts as a combination of New York City Civil Court and New York City Criminal Court. The monetary threshold is lower than it is right now in the New York City Civil Court, for example, but they arraign felony cases.

They have full jurisdiction over misdemeanor cases. They handle civil cases, and their jurisdiction is the areas within their boundaries. They're all outside of the City Courts. As I said, there are hundreds and hundreds of them throughout the state. They're not state paid courts. In other words, they're not paid out of the state budget, the state Judiciary Budget. They're paid by their localities.

They're part-time judges. Most of them are not lawyers. It's a system, frankly, that has tremendous challenges, mainly because most of the judges, two thirds of the judges, are not lawyers. That presents a lot of challenges for those courts, but the fact of the matter is they're popular in their jurisdictions. Each little town and hamlet wants to have its own justice court and elect—I believe, they're all elected. There may be some who are appointed at least on an interim basis.

They're popular upstate, despite some of the problems and challenges that they experience. We made a judgment early on that, although there are issues that should be addressed in the Town and Village Courts, we didn't want to weigh our proposal down by including them in our restructuring proposal.

Mr. Wiig: Before we talk a little bit about how the judges will be affected by this, and that's another topic, what would you say are the benefits to the litigants and the lawyers for your proposal in terms of the court structure?

Judge Marks: It is bewildering and confusing, and there's nothing like it in any other jurisdiction in the country.

First, and for foremost, it would eliminate the confusion and bewilderment for those that have to navigate the current system. That is not just litigants and unrepresented litigants, and this is certainly a bewildering system for that group of folks, but it's confusing and complicated for lawyers as well. It would be a much simpler, more streamlined, more comprehensible structure for lawyers and litigants who have to navigate it.

Because of the unique jurisdiction and authority that these individual courts have, related disputes, not infrequently, have to be litigated in multiple courts. The classic example of in the domestic relations area, where, depending on the case and the litigants, they may have to be litigating issues arising out of the same Family and Supreme Court, Family Court and Criminal Court.

Obviously, that is expensive and time consuming and burdensome and completely unnecessary. We've tried to address that in some of these areas by jumping through hoops and avoiding falling over trip wires by designating one judge to handle multiple issues relating to individual litigants or individual family litigants. But it's a jerry-rigged approach to the problem that we feel could be much better addressed by the merger of the courts that I've described.

It would address that problem, and very importantly, the Chief Judge has really emphasized this as one of the great benefits of the proposal, it would make it much easier to move resources around. I'm not talking about taking judges from Plattsburgh on the Canadian border and assigning them to Brooklyn. That's not going to happen.

Certainly, it's not going to happen on an involuntary basis against the wishes of the judge that would be reassigned. But certainly within counties, within individual jurisdictions, this approach, consolidation approach, would make it much easier for us to operate like a normal "business," certainly.

In many ways, running the court system is like running a business, and it can be very difficult to move resources around quickly to where they're most needed at any given point in time. Because each of these courts has its own culture and jurisdiction and an area of practice that makes it very difficult to do that, to be able to quickly and efficiently and effectively put resources where they're most needed. That works, and the Chief Judge also emphasized this, it's a very important point.

That problem that is probably a greater concern and challenge in courts that have been under-resourced over the years and need more resources, judicial, nonjudicial, courts that serve economically disadvantaged communities, communities of color, like Family Court, Housing Court and Criminal Court. Under this proposal, it would be far easier to assign a higher level of resources to courts like that, that historically have not been sufficiently resourced.

Mr. Wiig: Before we get onto the judge's question, this is not the first rodeo, so to speak. Attempts have been made in the past. I know the late Chief Judge Kaye, former Chief Judge of the state, tried this. I believe Judge Lippman, former Chief Judge who held your position once upon a time, also tried this. What are the lessons learned there? Why didn't it work those times, and why do you think and hope that it'll work this time?

Judge Marks: Every Chief Judge in the modern era, which I would date back to the 1960s when there was the last restructuring of the court system, particularly the trial court structure, every Chief Judge has tried to do this, and obviously has not succeeded. Why do we think that can happen now? The last point that I made about the difficulties in shifting resources around, particularly to the courts that service primarily economically disadvantaged litigants, I think there's been much more attention to that concern in recent years.

I'll just mention the report of our Special Equal Justice Advisor, Jeh Johnson, whom the Chief Judge appointed to evaluate how the court system institutionally deals with problems of bias and discrimination. In his report in the fall of 2020 he identified, which was not the first time that this problem has been identified, but identified and described how there are really two systems of justice in the New York State Courts. One for people of means, and one for people who are economically disadvantaged.

I think there's particular attention to that problem over the last couple of years. I think we're hoping that increased attention to that problem will give this proposal the push that it needs to get over for the top, and finally be approved by the legislature to go on the ballot the end of next year.

Mr. Wiig: Also, complex, maybe not necessarily as complex as the structure, are how judges are elected or appointed. You, as a Court of Claims judge, as we noted at the beginning, were appointed by the Governor. Justices of the New York Supreme Court are elected to 14-year terms. Some judges

in New York City on the Civil Court side, the Family Court side, are appointed by the mayor.

Some judges are addressed as judge, some are addressed as justice. Try to remember that for a bar exam question. Tell us a little bit of how that will play out in terms of abolishing certain courts and enveloping them into this two-structure on the trial level that you are envisioning.

Judge Marks:

How judges are selected is a hot button issue, politically and otherwise. Some people think that the elective system works better and produces the best judges. Some people think the appointive system works better, produces the better judges. Some people think a mix of both is the best approach.

There's no consensus on that question, and it's a real hot button issue. Similar to the determination we made about the Town and Village Courts, and one could argue, well, this is a once in a generation or once in several generations opportunity to fix the trial court structure, why wouldn't you fix the Town and Village Courts, the problems that they experience? For the very reason that we're declining to do that in this proposal. It's the same reason why we are adopting what we call "merger in place" with respect to how judges are selected and what their terms are.

There's no consensus on that. Our strategic determination that we've made is that better to deal with that if issue separately, rather than have that drag down the primary purpose of our proposal, which is to streamline, restructure the trial court system. We have adopted merger in place, and if I can quickly explain what that means, what that means is it would leave in place how judges are now, under merger, under trial court consolidation, it would leave in place how judges are selected and the terms that they serve. For example, Supreme Court justices are now elected in a judicial district and they serve 14-year terms. That would continue once this took effect. When the judge who was in the Supreme Court slot, when his or her term came to an end, that judge would continue to, assuming he or she wanted to remain on the bench, would continue to run for re-election in a judicial district for a 14-year term.

When that judge left the bench, the successor would be selected the same way, would run in the judicial district, run in an election, and would serve a 14-year term. That's true for all categories of judgeships. Take Family Court judges. In New York City, Family Court judges are appointed by the mayor to a 10-year term. Under our proposal, that would not change. What would change is that the Family Court judge would become

a Supreme Court justice, but he or she would continue to be appointed by the mayor for a tenured term.

When that judge left office, left the bench, the mayor, the successor, would continue to be appointed by the mayor for a tenured term. Outside New York City, Family Court judges are elected on a countywide basis for a 10-year term, that would continue under merger in place, for the judges in place when the constitutional amendments took effect. The successors to that judge would continue to run on a countywide basis for a 10-year term.

Merger in place would not change the way that the judges are now selected, would continue that. Ideally, that whole area would be addressed at some point in the future by the legislature, because to change that would require further amendments to the constitution. But again, for strategic reasons and an acknowledgement that there's a lack of consensus in New York about the better process is for selecting judges, we've avoided that controversy by continuing the way that judges are selected under this proposal.

Mr. Wiig: Keeping on the topic of staff, you mentioned earlier how some courts maybe have not been staffed as you would like or staffed to serve the needs of the people. How will this revision affect staffing? To give an example, Surrogate's Court in, say, New York County or Brooklyn, they have their own clerk of the court. If Surrogate's Court moves under Supreme Court, will it still have a structure, where there'll be a clerk for the probate part, which I believe is what it becomes, or will there be some other structure envisioned?

Judge Marks: Well, those are details that will require statutory changes and/or administrative rule changes. A lot of the details of this plan would have to be worked out after, if we're lucky to get passage by two consecutive legislatures, and then go on the ballot and get approval by the voters. That's the process, not a simple process, but that's the process for amending the state constitution.

A lot of the details will have to be worked out. We have a five-year, phase-in period. There's approval by the voters and the amendments take effect. Well, they would take effect over a five-year period. A lot of these details could be worked out. The example you gave is a good example of one of the details that would need to be worked out. There's approximately 16,000 words in Article Six of the state constitution, which is the Judiciary Article.

Article Three of the US Constitution is about 350 words, and it's not just Article Six, the Judiciary Article in our state's constitution, that's complicated. Throughout the state Constitution, it reads more like a detailed statute than it does constitutional provision. Details like that will have to be worked at out. We will have five years to do that.

Some may require statutory action by the legislature. A lot of it will require administrative rule making on our part, but there'll be a lot of technical details that will have to be worked out if there's passage by two consecutive legislatures and approval by the voters when it goes on the ballot.

Mr. Wiig: A final question, again, you touched on this a little bit earlier, most of these changes and most of what you're looking to do affects the trial level court, but there will be some effect on the Appellate Divisions. Share with us a little bit, please, on what that effect will be.

Judge Marks: In two respects. One, the pool of judges who would be eligible for appointment to the Appellate Division is significantly expanded under this proposal. Why? Because these other courts—Surrogates Court, Court of Claims, Family Court, County Court—those judges are not now eligible for appointment to the Appellate Division. Only Supreme Court justices are.

But under our proposal, the judges in those courts, those courts would be merged into Supreme Court. The judges in those courts would become Supreme Court justices, and that would make them eligible for appointment to the Appellate Division. We think that would be good for subject matter diversity for the Appellate Division, and we think it would be good for racial and ethnic and probably gender diversity as well, to expand the pool of judges who would be eligible for appointment to the Appellate Division.

Second, the four-department structure that has been in existence for over 100 years made sense when it was implemented a century-plus ago. Each the four appellate departments that exist to this day, back then, each of the four departments had roughly equal population. Here we are a century later, and the Second Department has roughly, within its geographical boundaries, has roughly half the population of the state.

That is greatly impacted to, no surprise, the volume of its caseload and created backlogs and so on. To change that now requires an amendment to the constitution to create, for example, an additional like a fifth department of the Appellate Division. What our proposal does, it would

amend the constitution to give the legislature authority every 10 years to evaluate whether there needs to be a change in the number of appellate departments or a reduction, for that matter, which I think would be very unlikely, but a possibility.

It would allow the legislature every 10 years to review whether there's a need to change the number of Appellate Division departments. Then to do that by statute, so it would make it easier to adjust the number of appellate departments.

Mr. Wiig: What about the Appellate Term? How does that get impacted?

Judge Marks: Really, it isn't impacted at all. It would continue, but again, the pool of judges who would be eligible for appointment to the Appellate Term, which is now limited to Supreme Court justices. There'd be more Supreme Court justices with the merger of these other courts into the Supreme Court. There'd be a larger pool of judges to choose from for appointment to the Appellate Term. Otherwise, it would continue as is.

Mr. Wiig: Process-wise, we are recording this in April of 2022. What needs to happen procedurally for this to become a reality?

Judge Marks: It requires passage by two consecutive legislatures, and then it would have to go on the ballot and be approved by the voters and then would take effect, after approval by the voters, the following January 1st. As I noted, there's a five-year rollout period in our proposal to deal with a lot of the technical details that would need to be addressed under the proposal.

We are pushing hard. This is the second year of the current legislative session. All the members of the legislature are up for re-election later this year, so we're pushing hard to get first passage this year. Technically, that means this would have to pass this year, because this is an election year and the primaries this year are in late June.

The legislature has said that it will be finished... It's just wrapped up the budget yesterday, and after a break, they'll come back and deal with a lot of remaining policy issues, hopefully, including this issue. They will need to do that by early June when they're saying they will be adjourning for the year. We're making a push, a big push, this year.

There's a hundred-plus organizations, and growing who support this, legal services organizations, good government groups, victims' rights groups, business organizations, over a 100 groups that support it. We're

going to activate those groups and get them to push hard in the legislature. The bill has been introduced in both houses by the Judiciary Committee chair, which is exactly who you would want to sponsor and introduce this proposal.

We're very optimistic. This is not easy at all, and we're not suggesting that it is. As we discussed, every Chief Judge going back five, six decades has advocated for something like this, but for the reasons I mentioned, we're very optimistic. We're going to try as hard as we can in the remaining weeks of the session to get this on the front burner and get first passage this year.

Mr. Wiig: I would note the New York County Lawyers Association has voiced its support of it. Their comment to this is available on their website for anyone who might be interested in reading it.

Judge Marks, thank you very much for spending time with us today to share with us this phrase that you used, this "Byzantine" structure, and the plan to, if there is such a phrase, un-Byzantine it moving forward. Thank you, Judge, for your time and thank you to our listeners for tuning into this episode of Amicus Curiae. I am Dan Wiig, your host, please stay tuned for our next episode, and that's a wrap.

Speaker 2: Thank you for listening to NYCLA Amicus Curiae candidly speaking with host Daniel K. Wiig, a podcast from the New York County Lawyers Association. New and previous episodes are available on Apple Podcasts, Android, Stitcher, and Spotify. If you enjoyed this episode, please subscribe, share, rate and leave a review on your listening platform.

To find out more or to join our incredible, inclusive legal community, please visit [nycla.org](https://nycla.org). We hope you'll join us on the next monthly installment of NYCLA Amicus Curiae candidly speaking. Be sure to follow our Twitter feed @AmicusNYCLA for information on upcoming episodes.