S T A T E O F N E W Y O R K

5068

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. BRODSKY, JOHN -- read once and referred to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to mandatory alcoholism, drug use, and addiction training for certain judges and justices

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative findings and intent. The legislature finds and declares that alcoholism and drug use are alarmingly prevalent in our society and have a high cost to the state, including the lost productivity of addicted persons, criminal conduct, and broken families. The legislature further finds and declares that persons who suffer from these conditions, as well as their families and friends, often deny the existence of such problems until the condition is very advanced, treatment is very difficult, and much harm has been done.

The legislature further finds and declares that frequently one of the early events in a developing addiction is arrest and that effective identification of alcoholics and drug addicts at an early stage and appropriate judicial action can often awaken such persons to their problems and lead them to rehabilitation, a goal which is beneficial both to the individual and to society.

It is therefore the intent of the legislature that judges be adequately trained in matters of alcoholism and drug addiction, as well as appropriate judicial intervention therein, that they may effectively carry out their role in breaking the addiction cycle.

S 2. The judiciary law is amended by adding a new section 21-a to read as follows:

S 21-A. REQUIRED TRAINING FOR JUDGES AND JUSTICES. 1. THE OFFICE OF COURT ADMINISTRATION SHALL OFFER TO SUPREME COURT JUSTICES A SEVEN-HOUR ALCOHOLISM, DRUG USE, AND ADDICTION TRAINING COURSE AT LEAST ANNUALLY.

2. WITHIN FIVE YEARS OF THE EFFECTIVE DATE OF THIS SECTION, EACH JUDGE OR JUSTICE OF A COUNTY, CITY, TOWN, OR VILLAGE COURT SHALL ATTEND A

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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SEVEN-HOUR ALCOHOLISM, DRUG USE, AND ADDICTION TRAINING COURSE PRESENTED UNDER THE AUSPICES OF THE OFFICE OF COURT ADMINISTRATION. EACH JUDGE OR JUSTICE OF A COUNTY, CITY, TOWN, OR VILLAGE ELECTED AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL, WITHIN ONE YEAR AFTER THE DATE OF HIS OR HER ELECTION, ATTEND SUCH SEVEN-HOUR COURSE.

3. SUCH SEVEN-HOUR ALCOHOLISM, DRUG USE, AND ADDICTION TRAINING COURSE SHALL BE DESIGNED AND PRESENTED BY THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES IN CONSULTATION WITH THE OFFICE OF COURT ADMINISTRATION. SUCH OFFICE SHALL SCHEDULE SUCH TRAINING PRESENTATIONS.

S 3. This act shall take effect immediately.