

3866

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

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

AN ACT to amend the judiciary law, in relation to directing the commission on judicial nominations to forward to the governor all well qualified candidates for associate judge and/or chief judge

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

1 Section 1. Subdivision 2 of section 63 of the judiciary law, as  
2 amended by chapter 35 of the laws of 1983, is amended to read as  
3 follows:

4 2. (a) In recognition of the unique responsibilities of the chief  
5 judge of the court of appeals for policies of judicial administration,  
6 for a vacancy in the office of chief judge the commission shall recom-  
7 mend to the governor [seven] ALL WELL QUALIFIED persons WHO EXEMPLIFY  
8 THE CRITERIA SET FORTH IN SUBDIVISION ONE OF THIS SECTION.

9 (b) For a vacancy in the office of associate judge, the commission  
10 shall recommend to the governor [at least three persons and not more  
11 than seven] ALL WELL QUALIFIED persons WHO EXEMPLIFY THE CRITERIA SET  
12 FORTH IN SUBDIVISION ONE OF THIS SECTION. [Should more than one vacancy  
13 exist at the same time in the office of associate judge, the number of  
14 persons recommended by the commission to the governor shall be at least  
15 three plus one additional person for each vacancy in such office, and  
16 not more than seven plus one additional person for each vacancy in such  
17 office.

18 (c) Should vacancies exist in the offices of chief judge and associate  
19 judge at the same time, the commission shall recommend for the office of  
20 associate judge the number of persons as provided in paragraph (b) of  
21 this subdivision, provided, however, that in addition thereto the  
22 commission may also recommend for associate judge any of the persons who  
23 have been recommended to the governor for the office of chief judge.]

24 S 2. This act shall take effect immediately.

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

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