

STATE OF NEW YORK

9389--A

IN ASSEMBLY

February 23, 2022

Introduced by M. of A. THIELE -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the uniform justice court act, the town law and the village law, in relation to requiring certain town and village justices be admitted to practice law in the state

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 105 of the uniform justice court act is amended by
2 adding a new subdivision (a-1) to read as follows:

3 (a-1) Education. Notwithstanding any other provision of law to the
4 contrary, no person may serve as a town or village justice in a town or
5 village with a high volume caseload unless they are admitted to practice
6 law in the state. For the purposes of this subdivision, "town or village
7 with a high volume caseload" shall mean the fifty highest volume case-
8 loads in town and village courts in the state as determined by the
9 office of court administration in consultation with the division of
10 criminal justice services. The initial determination shall be based on
11 the sum of cases from two thousand eighteen and two thousand nineteen.
12 Subsequent determinations shall take place every ten years thereafter
13 and shall use the sum of at least two years' data. Any change in the
14 requirements for eligibility to serve as a town or village justice in
15 such town or village shall take effect upon commencement of the next
16 judicial term of office following the designation as a town or village
17 with a high volume caseload.

18 § 2. Section 31 of the town law is amended by adding a new subdivision
19 2-a to read as follows:

20 2-a. Notwithstanding any other provision of law to the contrary, no
21 person may serve as a town justice in a town with a high volume case-
22 load, as determined pursuant to subdivision (a-1) of section one hundred
23 five of the uniform justice court act, unless they are admitted to prac-
24 tice law in the state. Any change in the requirements for eligibility to
25 serve as a town justice in such town shall take effect upon commencement

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

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1 of the next judicial term of office following the designation as a town
2 with a high volume caseload.

3 § 3. Section 3-301 of the village law is amended by adding a new
4 subdivision 6 to read as follows:

5 6. Notwithstanding any other provision of law to the contrary, no
6 person may serve as a village justice in a village with a high volume
7 caseload, as determined pursuant to subdivision (a-1) of section one
8 hundred five of the uniform justice court act, unless they are admitted
9 to practice law in the state. Any change in the requirements for eligi-
10 bility to serve as a village justice in such village shall take effect
11 upon commencement of the next judicial term of office following the
12 designation as a village with a high volume caseload.

13 § 4. This act shall take effect on the first of January next succeed-
14 ing the date on which it shall have become a law.