

# STATE OF NEW YORK

139--A

2023-2024 Regular Sessions

## IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sen. RYAN -- read twice and ordered printed, and when printed to be committed 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 an attorney admitted  
6 to practice law in this state for at least five years as of the date  
7 they commence the duties of office. For the purposes of this subdivi-  
8 sion, "town or village with a high volume caseload" shall mean the fifty  
9 highest volume caseloads in town and village courts in the state as  
10 determined by the office of court administration in consultation with  
11 the division of criminal justice services. The initial determination  
12 shall be based on the sum of cases from two thousand eighteen and two  
13 thousand nineteen. Subsequent determinations shall take place every ten  
14 years thereafter and shall use the sum of at least two years' data. Any  
15 change in the requirements for eligibility to serve as a town or village  
16 justice in such town or village shall take effect upon commencement of  
17 the next judicial term of office following the designation as a town or  
18 village with a high volume caseload.

19 § 2. Section 31 of the town law is amended by adding a new subdivision  
20 2-a to read as follows:

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

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1 2-a. Notwithstanding any other provision of law to the contrary, no  
2 person may serve as a town justice in a town with a high volume case-  
3 load, as determined pursuant to subdivision (a-1) of section one hundred  
4 five of the uniform justice court act, unless they are an attorney  
5 admitted to practice law in this state for at least five years as of the  
6 date they commence the duties of office. Any change in the requirements  
7 for eligibility to serve as a town justice in such town shall take  
8 effect upon commencement of the next judicial term of office following  
9 the designation as a town with a high volume caseload.

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

12 6. Notwithstanding any other provision of law to the contrary, no  
13 person may serve as a village justice in a village with a high volume  
14 caseload, as determined pursuant to subdivision (a-1) of section one  
15 hundred five of the uniform justice court act, unless they are an attor-  
16 ney admitted to practice law in this state for at least five years as of  
17 the date they commence the duties of office. Any change in the require-  
18 ments for eligibility to serve as a village justice in such village  
19 shall take effect upon commencement of the next judicial term of office  
20 following the designation as a village with a high volume caseload.

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