STATE OF NEW YORK

7737

2023-2024 Regular Sessions

IN ASSEMBLY

June 6, 2023

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

AN ACT to amend the judiciary law, in relation to requiring data reporting by the chief administrator to delineate specific information relating to county, city, town, village and district courts

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

Section 1. Paragraph (e) of subdivision 2 of section 212 of the judiciary law, as amended by chapter 323 of the laws of 1987, the closing paragraph as amended by chapter 349 of the laws of 1995, is amended to read as follows:

(e) Prepare forms and compile data on family offenses, proceedings or actions in all courts, **including county, city, town, village and district courts,** including but not limited to the following information:

(i) the offense alleged;

(ii) the relationship of the alleged offender to the petitioner or complainant;

(iii) the court where the action or proceeding was instituted**, whether village, town, city, county, district, family, criminal or supreme court**;

(iv) the disposition; and

(v) in the case of dismissal, the reasons therefor.

In executing this requirement, the chief administrator may adopt rules requiring appropriate law enforcement or criminal justice agencies to identify actions and proceedings involving family offenses and, with respect to such actions and proceedings, to report, in such form and manner as the chief administrator shall prescribe, the information specified herein.

The chief administrator of the courts shall adopt rules to facilitate record sharing and other communication among the supreme, criminal and family courts, subject to applicable provisions of the domestic

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

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relations law, criminal procedure law and the family court act pertaining to the confidentiality, expungement and sealing of records, where such courts exercise concurrent jurisdiction over family offense proceedings or proceedings involving orders of protection.

§ 2. The opening paragraphs of (u-1) and (v-1) of subdivision 2 of section 212 of the judiciary law, as added by chapter 102 of the laws of 2020, are amended to read as follows:

Compile and publish data on misdemeanor offenses in all courts, disaggregated by county, **city, town, village, or district court,** including the following information:

Compile and publish data on violations, to the greatest extent practicable, in all courts, disaggregated by county, **city, town, village, or district court,** including the following information:

§ 3. Subdivision 2 of section 212 of the judiciary law is amended by adding three new paragraphs (cc), (cc-1) and (dd) to read as follows:

(cc) Prepare forms and compile and publish data on eviction filings, proceedings or actions in all courts, disaggregated by county, city, town, village, or district court, including but not limited to the following information:

(i) the total number of eviction filings in each court by month;

(ii) the total number of holdover proceedings versus nonpayment proceedings;

(iii) the court where the action or proceeding was instituted;

(iv) the disposition of the proceeding, including whether a warrant of eviction was issued; and

(v) in the case of dismissal, the reasons therefor.

(cc-1) Include the information required by paragraph (cc) of this subdivision in the annual report submitted to the legislature and the governor pursuant to paragraph (j) of subdivision one of this section. The chief administrator shall also make the information required by paragraph (cc) of this subdivision available to the public by posting it on the website of the office of court administration and shall update such information on a monthly basis. The information shall be posted in alphanumeric form that can be digitally transmitted or processed and not in portable document format or scanned copies of original documents.

(dd) In addition to the data reporting required under paragraphs (e), (u-1), (v-1), (cc), and (cc-1) of this subdivision, wherever the chief administrator is required to compile, report, and make other court data publicly available, or wherever the chief administrator opts to require such collection, reporting, and public availability of data, this shall include data from all county, city, village, town and district courts, disaggregated by locality.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.