§ 106. Holding of court; place of holding; assignment of justices.

Each court shall exercise its jurisdiction, civil or criminal, whenever it is invoked.

1. A justice may hold court anywhere in the municipality including in the case of a town justice anywhere within a village wholly or partly contained within the town of which he is a justice regardless of whether or not said village has a village court and in the event two or more contiguous villages maintain offices in the same building, a village justice of any such village may hold court in such building, notwithstanding that the building is outside the boundaries of such village. A town justice may hold court in an adjacent town providing such justice has been elected or holds office pursuant to a plan established by resolution which was adopted pursuant to the provisions of section one hundred six-a of this article or the provisions of section one hundred six-b of this article. A justice may hold court in one or more municipalities that form a contiguous geographic area, including in a town and one or more villages each of which is wholly or partly contained within such town, within the same county providing there is an agreement between such municipalities pursuant to article five-g of the general municipal law to hold all court proceedings in any of the such municipalities in a courtroom or other suitable facility open to the public.

2. The chief administrator of the courts may temporarily assign any justice of another town or village court, or a judge of a city court, to a town or village court within the county of such judge's or justice's residence or an adjoining county. While temporarily assigned hereunder, any such judge or justice shall have the powers, duties and jurisdiction of a justice of the court to which the assignment is made, including the power to preside over an off-hours arraignment part established in such court pursuant to paragraph (w) of subdivision one of section two hundred twelve of the judiciary law. After the expiration of any temporary assignment hereunder, the judge or justice assigned shall have all the powers, duties and jurisdiction of a judge or justice of the court to which the assignment was made with respect to all matters

pending during the term of such temporary assignment. Such judge or justice shall be entitled to such compensation and travel expenses as the chief administrator shall prescribe by rule, payable out of funds appropriated to the state judiciary for such purpose.

3. Notwithstanding the provisions of subdivision one of this section, a village may hold village court proceedings, including jury trials, in that portion of the town or towns in which such village is located beyond the limits of such village where suitable accommodations for such proceedings cannot be obtained within the village and the board of trustees of the village has authorized such extraterritorial proceedings.

4. Notwithstanding the provisions of subdivision one of this section, the town of Watson may hold town court jury trials in the town of Lowville offices or the Lewis county office building when suitable accommodations for such trial cannot be obtained within the town and the town board has authorized such extraterritorial procedures.

5. Notwithstanding the provisions of subdivision one of this section, the village of Saddle Rock, Nassau county, may hold all village court proceedings in that portion of the town of North Hempstead in which such village is located beyond the limits of such village where suitable accommodations for such proceedings cannot be obtained within the village and the board of trustees of the village has authorized such extraterritorial proceedings.

6. Notwithstanding the provisions of subdivision one of this section, a justice of a local criminal court situated in the county of Onondaga may preside as the justice of his or her court anywhere in the county of Onondaga for the limited purposes of arraignments and/or appearance proceedings pursuant to a bench warrant provided such arraignments and/or proceedings are held in a courtroom wherever possible or other suitable facility open to the public and provided further, that any municipality providing such facilities shall have consented to such usage.

7. Notwithstanding the provisions of subdivision one of this section, the village of Port Dickinson, county of Broome, may hold all village court proceedings in any area of the town of Dickinson if suitable accommodations for such proceedings cannot be obtained within the village and the board of trustees of the village has authorized such extraterritorial proceedings.

8. Notwithstanding the provisions of subdivision one of this section, a justice of a local criminal court situated in the county of Jefferson may preside as the justice of his or her court anywhere in the county of Jefferson for the limited purposes of arraignments and/or appearance proceedings pursuant to a bench warrant provided such arraignments and/or proceedings are held in a courtroom whenever possible or other suitable facility open to the public and provided further, that any municipality providing such facilities shall have consented to such usage.

9. Notwithstanding the provisions of subdivision one of this section, a justice of a local criminal court situated in the county of Rockland may preside as the justice of his or her court anywhere in the county of Rockland for the limited purposes of arraignments and/or appearance proceedings pursuant to a bench warrant provided such arraignments and/or proceedings are held in a courtroom wherever possible or other suitable facility open to the public and provided further, that any municipality providing such facilities shall have consented to such usage.

10. Notwithstanding the provisions of subdivision one of this section, the towns of Elba, Oakfield and Batavia, in the county of Genesee, may hold all town court proceedings in any of the towns of Elba, Oakfield or Batavia, or in the city of Batavia, provided that such proceedings are held in a courtroom or other suitable facility open to the public and the town boards of Elba, Oakfield and Batavia have authorized such extraterritorial proceedings.

* 11. Notwithstanding the provisions of subdivision one of this section, a justice of a local criminal court in which an off-hours arraignment part has been established in accordance with paragraph (w)

of subdivision one of section two hundred twelve of the judiciary law may preside as the justice of his or her court anywhere in the county in which such local criminal court is located for the limited purpose of presiding in such off-hours arraignment part and conducting only the proceedings specified in paragraph (w) of subdivision one of section two hundred twelve of the judiciary law.

* NB There are 2 sb 11's

* 11. Notwithstanding the provisions of subdivision one of this section, the town of Canandaigua, in the county of Ontario, may hold all town court proceedings in the city of Canandaigua, provided that such proceedings are held in a courtroom or other suitable facility open to the public and the town board of Canandaigua has authorized such extraterritorial proceedings.

* NB There are 2 sb 11's