

APPROVAL # 104

CHAPTER 685

Print. 4722

Intro. 3983

IN SENATE

March 27, 1962

Introduced by COMMITTEE ON RULES—(upon the recommendation of the Joint Legislative Committee on Court Reorganization)—read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT

To amend the judiciary law, in relation to the administration of the unified court system of the state of New York

Notes

Compared by Mr. Mahon, Mr. Quinn, Hobert

APPROVED

APR 24 1962

Approved _____ NEW YORK STATE LIBRARY

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Date 6-10-77
No. of printed bills
No. of exposures 12
exclusive of bills 9

PRINT NO. 4722

INTRO. NO. 3933

1/3/62

Department & Agencies

Legal Groups

- Lt. Governor
- Attorney General
- Budget
- Comptroller

- Judicial Conf.
- Law Revision Comm.
- Assoc. of the Bar, NYC
- N. Y. Co. Lawyers
- N. Y. State Bar
- Nassau County Bar
- Bronx County Bar
- Fed. of Bar Assoc. West. NY
- N. Y. Crim. Cts. Assoc.
- D. A. Assoc.
- Magistrates Assoc.
- C. Judges Assoc.
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- State
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Municipal Officials & Groups

Mayor of NYC

Co. Bd. of Supervisors

Town Supervisor of

Co. Atty. of

Conf. of Mayors
County Officers' Assoc.
Association of Towns

Advisory Council on

Joint Legis. Comm. on
Comm. Reorganization

- Committee for Modern Clo
- Civil C. Bar Assoc
- Home " " "
- Garden " " "
- South " " "
- Westchester " " "
- Brown " " "
- League of Women Voters

Joint Legislative Commission on Court

Reorganization

S- 3933

Memo filed with

S. 3493

THE ASSOCIATION OF THE BAR
OF THE CITY OF NEW YORK
42 WEST 44TH STREET
NEW YORK 36

SPECIAL COMMITTEE ON THE REORGANIZATION OF THE COURTS

JAMES H. HALPIN, CHAIRMAN
180 BROADWAY
NEW YORK 5, N. Y.
WORTH 2-2000

ANTHONY S. GENOVESE, SECRETARY

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SOLOMON I. SKLAR
DAVID S. WORGAN

S 3933

April 13, 1962

Robert MacCrate, Esq.
Counsel to the Governor
Executive Chamber
Albany, New York

S. Int. 3933, Fr. 4722 -- approved

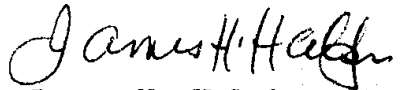
Dear Mr. MacCrate:

This bill, except for its last section, makes a number of amendments to S. Print 4500. If S. Print 4500 is approved by the Governor, it would appear that the proposed changes as set forth in this bill are appropriate.

The last section of this bill is a necessary conforming provision because of the creation of the Eleventh Judicial District.

Accordingly, we approve the bill.

Very truly yours,



James H. Halpin
Chairman

SENATE *S-3933*

30-Day Bill

Introduced by:

ASSEMBLY

Pr: 4722

Committee on Rules

Pr:

Int: 3933

Int:

Law: Judiciary

Sections: 212, subd. 1; 214; 223, subd. 3; 226, subd. 1 & 2; 273, 2-a (new)

Subject and Purpose: To amend the judiciary law, in relation to the administration of the unified court system of the state of New York.

Division of the Budget recommendation on the above bill:

Approve: X Veto: _____ No Objection: _____ No Recommendation: _____

1. Purpose of bill: See above.

2. Summary of provisions of bill: This bill provides that the standards and policies of the administrative board of the judicial conference relating to personnel practices shall be consistent with the civil service law and repeals subdivision 3 of new section 223 of another bill (Senate Intro. 3493, Print 4500), which would have provided that the appointment, promotion and continuance of employment of employees and officers of the unified court system shall be governed by the provisions of the civil service law. It also provides that for purposes of supervision rather than administration, the court of claims shall be part of the third department of the appellate division and that the presiding judge of the court of claims shall be the administrative judge of said court. Moreover, it clarifies a new proposed section 226, which deals with vacancies in the office of the chief judge of the court of appeals and the presiding judge of an appellate division. Lastly, it provides that confidential clerks appointed by the justices of the supreme court in the proposed eleventh judicial district shall receive salaries fixed by said judges and the funds for such salaries shall be paid directly by Queens County which is the only county in that district.

3. Prior legislative history: None

4. Arguments in support of bill: This bill clarifies and amplifies sections of the bill (Senate Intro. 3493, Print 4500) that generally sets up the administrative supervision of the unified court system. However, if Senate Intro. 3493, Print 4500 is vetoed, this bill also should be vetoed.

5. - 7. No comment.

8. Budgetary implications: ^{signed} If this bill is passed, there will be a savings of \$91,805 in the Judiciary's first instance appropriation since Queens county will pay the salaries of the confidential clerks directly, effective September 1, 1962. However, if the bill is vetoed, there will be no State budgetary significance inasmuch as the State will continue to pay their salaries in the first instance.

Date: April 17, 1962

Examiner:

Louis R. Tenenini
Louis R. Tenenini

Disposition:

Chapter No:

Veto Date:

Alton S. Mandel



THE JUDICIAL CONFERENCE
OF THE
STATE OF NEW YORK

270 BROADWAY
NEW YORK 7, N. Y.
BARCLAY 7-1616

53933

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CHAIRMAN

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ROBERT E. HOONAN

THOMAS F. MCGOY
STATE ADMINISTRATOR

April 5, 1962

Hon. Robert MacCrate
Counsel to the Governor
The State Capitol
Albany, New York

Re: Senate	Int. 3493,	Print 4500
"	Int. 3494,	Print 4501
"	Int. 3719,	Print 4069
"	Int. 3721,	Print 4071
"	Int. 3724,	Print 4602
"	Int. 3726,	Print 4076
"	Int. 3917,	Print 4677
"	Int. 3918,	Print 4678
"	Int. 3933,	Print 4722
"	Int. 3934,	Print 4723
Assembly	Int. 4920,	Print 5214
"	Int. 4924,	Print 5218
"	Int. 4926,	Print 5905
"	Int. 4921,	Print 5215

Dear Mr. MacCrate:

This will acknowledge your request for comments and recommendation upon the above listed bills, all of which are recommended by the Joint Legislative Committee on Court Reorganization.

These fourteen bills are part of the implementing legislation required to make effective the provisions of the new Judiciary Article which becomes operative on September 1, 1962.

The Judicial Conference has not officially passed upon the detailed provisions contained in these bills. Indeed, to do so would require a period of study at least as lengthy as that required to draft the proposals.

The matter of approving implementing legislation under which the court structure can function in September is an overriding necessity. At this juncture it would be unwise for any reason to postpone approval of this package of bills. Judges,

Hon. Robert MacCrate
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administrators, clerks and lawyers alike must be able to plan the processing of cases under the new court system and must have available to them the detailed provisions under which they will function.

I would recommend that all of the bills proposed by the Joint Legislative Committee on Court Reorganization be approved.

Sincerely yours,


State Administrator

TFM:ah



STATE OF NEW YORK
DEPARTMENT OF AUDIT AND CONTROL
ALBANY

ARTHUR LEVITT
STATE COMPTROLLER

April 6, 1962

IN REPLYING REFER TO

83933

REPORT TO THE GOVERNOR ON LEGISLATION

To: Hon. Robert MacCrate, Counsel to the Governor

The following bills are of no interest to this Department:

SENATE	Int.	Pr.
	27	A. 5904
	943	4528
	1547	4700
	1804	1863
	1912	4410
	1917	4293
	1927	1992
	1970	3853
	1990	2062
	2439	4565
	2454	4441
	2664	4651
	2680	2850
	2832	4701
	2883	4486
	2888	4567
	3004	4137
	3028	4652
	3065	3295
	3191	3445
	3283	3555
	3345	4226
	3415	3705
	3482	3777
	3483	4489
	3493	4500
	3494	4501
	3556	3883
	3557	4490
	3673	4460
	3696	4706

SENATE

Int.

Pr.

3703
 3716
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ARTHUR LEVITT
 State Comptroller

By *Alfred W. Haight*

Alfred W. Haight
 First Deputy Comptroller

DD:bf