Court Reform

New York has one of the largest and most complicated court systems in the country with many trial courts of overlapping jurisdiction. Many different trial courts create an exhausting, chaotic, confusing judicial system that despite its best efforts cannot provide New Yorkers with the best justice. Our state as the pre-eminent financial and commercial center of the world, must ensure that we have high-quality, efficient courts that protect the rule of law and equal access to justice for all.

What’s Wrong:

1. New York has more trial courts than any other state in the country
   - New York has 11 different trial courts, many with overlapping jurisdiction

2. The court system is not trusted by everyone because the structure creates obstacles, confusion, and a lack of transparency for people seeking to resolve their legal issues.
   Because of its structure:
   - The court system is wasteful of time and resources
   - The court system is difficult to navigate
   - The court system is not understandable

3. The court system’s resources are not equitably distributed to reflect the nature and volume of the cases. This inequality disproportionately affects the courts where the resolution of cases is a matter of safety, security, liberty, due process and economic stability:
   - Housing cases
   - Criminal matters
   - Family cases often involving children
   - Consumer cases

4. The current New York court structure perpetuates inequality in our justice system, and its impact extends beyond the courtroom:
   - The chronic case overload in housing, criminal and family courts causes delays, limits the time available for a judge to hear and consider a case, results in multiple court appearances, which can cause devastating disruption of work and home life which impacts not only litigants but also their children and their families.
   - The system makes it difficult for low income and unrepresented people to attain justice.

5. Matters that currently require multiple court appearances before different judges who then render conflicting decisions, creating barriers to resolution of complicated cases. The court system structure:
   - Creates confusion among the people the courts are supposed to serve,
   - Gives judges only limited ability to see the full picture of the case,
   - Wastes time for litigants, which often results in loss of work and wages.

6. Many efforts have been made over the last 50 years to reform the court structure, but all failed because of vested political interests.
Who is Impacted?

- Unrepresented individuals with few if any resources, who faces a system that they simply do not know how to navigate,
- Survivors of domestic violence who must make frequent court appearances in multiple courts for inter-related issues, having to retell the story of the violence they experienced, again and again,
- People in criminal, housing or family court where court calendars are overloaded,
- Families burdened by having to appear in multiple court venues, being represented by different lawyers on each case and trying to abide by multiple, often conflicting court orders,
- Those who lose wages and miss work,
- Businesses who waste time and money in an inefficient system,
- Individuals with disabilities who face additional and often insurmountable challenges related to travel and access; some have abandoned their legal cases,
- All litigants suffer as a result of the multiplicity of courts in New York, with the resulting confusion and expense and the lack of clarity as to where a dispute should be litigated, and

The Real Impacts of Reform:

- Simplification would end a system created in the 19th century that works against equality and the dignity of everyone who enters the courtroom.
- It would create a more streamlined court system that has the authority to better distribute resources and to provide them where they are needed the most, reduce court appearances and give all litigants a better and more equal justice system.
- Interrelated issues could be decided in one court.
- There would be more judges in civil and criminal courts, and more judges in the system overall. There would be opportunities for greater diversity and expertise in appellate courts.
- A 5-year implementation period would allow an orderly process for change. Court Administration could be standardized and streamlined.

The League of Women Voters encourages the legislature to support the Governor’s proposal to consolidate 11 different kinds of trial courts (excluding the Justice Courts) into the existing Supreme Court and create a new statewide Municipal Court. The proposal will establish an integrated, statewide court system consisting of a minimum number of trial courts of broad jurisdiction that would provide the needed agility and flexibility to assure equal access to justice through our court system.

Courts which deal with the issues addressing our most vulnerable and disadvantaged citizens, such as Family Court and Housing Court have been the most in need of extra resources. Under our current judicial system, this was difficult to provide. The consolidation of the trial courts will allow court administrators to deftly and efficiently divert resources to the areas of greatest need so that litigants will be best served, and our state court system will be able to truly provide “justice for all”.

The Simplify the Courts! Coalition is a growing alliance of over 110 organizations from all parts of the state representing a diverse cross section of New Yorkers established to achieve the critical goal of amending the NYS Constitution and simplifying the New York State court system.