

**FY 2021 NEW YORK STATE EXECUTIVE BUDGET**

**RESTRUCTURE THE UNIFIED COURT SYSTEM  
CONCURRENT RESOLUTION**

**MEMORANDUM IN SUPPORT**

## MEMORANDUM IN SUPPORT

A BUDGET BILL submitted by the Governor in  
Accordance with Article VII of the Constitution

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendments to article 6 of  
the constitution, in relation to consolidation  
of the unified court system, and the repeal  
of sections 9, 10, 11, 12, 13, 14, 16, 34,  
35, 36, 36-a, 36-c, and 37 and subdivision j  
of section 22 of article 6 of the constitution  
relating thereto

#### Purpose:

This concurrent resolution would restructure the New York state unified court system to make it more efficient, cost effective, and sensitive to the needs of litigants.

#### Summary of Provisions and Statement in Support:

This concurrent resolution would amend article 6 of the constitution, and repeal sections 9, 10, 11, 12, 13, 14, 16, 34, 35, 36, 36-a, 36-c, and 37 and subdivision j of section 22 of article 6 of the constitution.

These amendments will consolidate 11 different kinds of trial courts (excluding the Justice Courts) into the existing Supreme Court and creating a new statewide Municipal Court. The landmark proposal also allows the Legislature to evaluate and adjust the number of judicial departments every 10 years.

#### Budget Implications:

Enactment is necessary to implement the FY 2021 Executive Budget, because it will streamline the New York state court system and result in taxpayer savings.

#### Effective Date:

This concurrent resolution becomes effective following passage by the Legislature over two successive legislative sessions, upon approval by voters.

Legislative Bill Drafting Commission  
89159-01-0

S. -----  
Senate  
-----

IN SENATE--Introduced by Sen

--read twice and ordered printed,  
and when printed to be committed  
to the Committee on

----- A.  
Assembly  
-----

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the  
Committee on

\*CONSTCOR\*  
(Relates to consolidation of the  
unified court system)

-----  
Const. unified court system

CONCURRENT RESOLUTION  
OF THE SENATE AND ASSEMBLY

proposing amendments to article 6 of  
the constitution, in relation to  
consolidation of the unified court  
system, and the repeal of sections  
9, 10, 11, 12, 13, 14, 16, 34, 35,  
36, 36-a, 36-c, and 37 and subdivi-  
sion j of section 22 of article 6 of  
the constitution relating thereto

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship  
of this proposal:

s15 Addabbo	s02 Flanagan	s09 Kaminsky	s25 Montgomery	s23 Savino
s52 Akshar	s55 Funke	s07 Kaplan	s20 Myrie	s32 Sepulveda
s46 Amedore	s59 Gallivan	s26 Kavanagh	s58 O'Mara	s41 Serino
s36 Bailey	s05 Gaughran	s63 Kennedy	s62 Ortt	s29 Serrano
s30 Benjamin	s12 Gianaris	s28 Krueger	s21 Parker	s51 Seward
s34 Biaggi	s22 Gounardes	s24 Lanza	s19 Persaud	s39 Skoufis
s57 Borrello	s47 Griffo	s01 LaValle	s13 Ramos	s16 Stavisky
s04 Boyle	s40 Harckham	s45 Little	s61 Ranzenhofer	s35 Stewart- Cousins
s44 Breslin	s54 Helming	s11 Liu	s48 Ritchie	s49 Tedisco
s08 Brooks	s27 Hoylman	s03 Martinez	s33 Rivera	s06 Thomas
s38 Carlucci	s31 Jackson	s53 May	s56 Robach	s50
s14 Comrie	s60 Jacobs	s37 Mayer	s18 Salazar	
s17 Felder	s43 Jordan	s42 Metzger	s10 Sanders	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the  
multi-sponsorship of this proposal:

a049 Abbate	a053 Davila	a128 Hunter	a037 Nolan	a140 Schimminger
a092 Abinanti	a072 De La Rosa	a029 Hyndman	a144 Norris	a099 Schmitt
a084 Arroyo	a034 DenDekker	a104 Jacobson	a069 O'Donnell	a076 Seawright
a107 Ashby	a003 DeStefano	a097 Jaffee	a051 Ortiz	a052 Simon
a035 Aubry	a070 Dickens	a011 Jean-Pierre	a091 Otis	a036 Simotas
a120 Barclay	a054 Dilan	a135 Johns	a132 Palmesano	a005 Smith
a030 Barnwell	a081 Dinowitz	a115 Jones	a002 Palumbo	a118 Smullen
a106 Barrett	a147 DiPietro	a077 Joyner	a088 Paulin	a022 Solages
a060 Barron	a016 D'Urso	a040 Kim	a141 Peoples- Stokes	a114 Stec
a082 Benedetto	a048 Eichenstein	a131 Kolb	a058 Perry	a110 Steck
a042 Bichotte	a004 Englebright	a105 Lalor	a023 Pheffer	a010 Stern
a079 Blake	a074 Epstein	a013 Lavine	a023 Pheffer	a127 Stirpe
a117 Blankenbush	a109 Fahy	a134 Lawrence	Amato	a102 Tague
a098 Brabene	a061 Fall	a050 Lentol	a086 Pichardo	a071 Taylor
a026 Braunstein	a080 Fernandez	a125 Lifton	a089 Pretlow	a001 Thiele
a138 Bronson	a126 Finch	a009 LiPetri	a073 Quart	a033 Vanel
a093 Buchwald	a008 Fitzpatrick	a123 Lupardo	a019 Ra	a116 Walczyk
a142 Burke	a124 Friend	a129 Magnarelli	a006 Ramos	a055 Walker
a119 Buttenschon	a046 Frontus	a064 Malliotakis	a062 Reilly	a143 Wallace
a094 Byrne	a095 Galef	a130 Manktelow	a087 Reyes	a112 Walsh
a133 Byrnes	a137 Gantt	a108 McDonald	a043 Richardson	a041 Weinstein
a103 Cahill	a007 Garbarino	a014 McDonough	a078 Rivera	a024 Weprin
a044 Carroll	a148 Giglio	a146 McMahan	a068 Rodriguez	a059 Williams
a047 Colton	a066 Glick	a017 Mikulin	a136 Romeo	a113 Woerner
a032 Cook	a150 Goodell	a101 Miller, B.	a027 Rosenthal, D.	a056 Wright
a085 Crespo	a075 Gottfried	a038 Miller, M. G.	a067 Rosenthal, L.	a096 Zebrowski
a122 Crouch	a021 Griffin	a020 Miller, M. L.	a025 Rozic	a012
a039 Cruz	a100 Gunther	a015 Montesano	a149 Ryan	a031
a063 Cusick	a139 Hawley	a145 Morinello	a121 Salka	
a045 Cymbrowitz	a083 Heastie	a057 Mosley	a111 Santabarbara	
a018 Darling	a028 Hevesi	a065 Niou	a090 Sayegh	

1) Single House Bill (introduced and printed separately in either or  
both houses). Uni-Bill (introduced simultaneously in both houses and printed  
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2  
signed copies of bill and: in Assembly 2 copies of memorandum in support, in  
Senate 4 copies of memorandum in support (single house); or 4 signed copies  
of bill and 8 copies of memorandum in support (uni-bill).

1 Section 1. Resolved (if the concur), That section 1 of article  
2 6 of the constitution be amended to read as follows:

3 Section 1. a. There shall be a unified court system for the state. The  
4 state-wide courts shall consist of the court of appeals[,] and the  
5 supreme court including the appellate divisions and the appellate terms  
6 thereof[, the court of claims, the county court, the surrogate's court  
7 and the family court,] as hereinafter provided. [The legislature shall  
8 establish in and for the city of New York, as part of the unified court  
9 system for the state, a single, city-wide court of civil jurisdiction  
10 and a single, city-wide court of criminal jurisdiction, as hereinafter  
11 provided, and may upon the request of the mayor and the local legisla-  
12 tive body of the city of New York, merge the two courts into one city-  
13 wide court of both civil and criminal jurisdiction.] The unified court  
14 system for the state shall also include the [district] municipal, town,  
15 [city] and village courts [outside the city of New York,] as hereinafter  
16 provided.

17 b. The court of appeals, the supreme court including the appellate  
18 divisions and the appellate terms thereof as hereinafter provided, the  
19 [court of claims, the county court, the surrogate's court, the family  
20 court, the courts or court of civil and criminal jurisdiction of the  
21 city of New York] municipal courts, and such other courts as the legis-  
22 lature may determine shall be courts of record.

23 c. All processes, warrants and other mandates of the court of  
24 appeals[,] and the supreme court including the appellate divisions and  
25 the appellate terms thereof[, the court of claims, the county court, the  
26 surrogate's court and the family court] as hereinafter provided may be  
27 served and executed in any part of the state. All processes, warrants,  
28 and other mandates of the municipal courts [or court of civil and crimi-

1 nal jurisdiction of the city of New York] may, subject to such limita-  
2 tion as may be prescribed by the legislature provided it applies  
3 uniformly to all municipal courts, be served and executed in any part of  
4 the state. The legislature may provide that processes, warrants and  
5 other mandates of [the district court may be served and executed in any  
6 part of the state and that processes, warrants and other mandates of]  
7 town[,] and village [and city] courts [outside the city of New York] may  
8 be served and executed in any part of the county in which such courts  
9 are located or in any part of any adjoining county.

10 § 2. Resolved (if the concur), That subdivision a of section 2  
11 of article 6 of the constitution be amended to read as follows:

12 a. The court of appeals is continued. It shall consist of [the] a  
13 chief judge and [the] six [elected] associate judges [now in office, who  
14 shall hold their offices until the expiration of their respective terms,  
15 and their successors], and such justices of the supreme court as may be  
16 designated for service in said court as hereinafter provided. The [offi-  
17 cial] terms of the chief judge and the six associate judges shall be  
18 fourteen years.

19 Five members of the court shall constitute a quorum, and the concur-  
20 rence of four shall be necessary to a decision; but no more than seven  
21 judges shall sit in any case. In case of the temporary absence or  
22 inability to act of any judge of the court of appeals, the court may  
23 designate any justice of the supreme court to serve as associate judge  
24 of the court during such absence or inability to act. The court shall  
25 have power to appoint and to remove its clerk. The powers and jurisdic-  
26 tion of the court shall not be suspended for want of appointment when  
27 the number of judges is sufficient to constitute a quorum.

1 § 3. Resolved (if the concur), That subdivisions a, c and d of  
2 section 4 of article 6 of the constitution be amended to read as  
3 follows:

4 a. (1) The state shall be divided into four judicial departments. The  
5 first department shall consist of the counties within the first and  
6 twelfth judicial [district] districts of the state. The second depart-  
7 ment shall consist of the counties within the second, ninth, tenth  
8 [and], eleventh, and thirteenth judicial districts of the state. The  
9 third department shall consist of the counties within the third, fourth,  
10 and sixth judicial districts of the state. The fourth department shall  
11 consist of the counties within the fifth, seventh, and eighth judicial  
12 districts of the state. [Each department shall be bounded by the lines  
13 of judicial districts.]

14 (2) Once every ten years, the legislature may increase or decrease the  
15 number of judicial departments, or alter the boundaries of the judicial  
16 departments[, but without changing the number thereof]. Upon any adjust-  
17 ment hereunder, each department shall be bounded by the lines of judi-  
18 cial districts, and the justices of each appellate division affected by  
19 such adjustment may be re-apportioned, and appeals in their respective  
20 courts transferred, as provided by subdivision g of section twenty-seven  
21 of this article.

22 c. The governor shall designate the presiding justice of each appel-  
23 late division, who shall act as such during his or her term of office  
24 and shall be a resident of the department. The other justices of the  
25 appellate divisions shall be designated by the governor, from all the  
26 justices [elected to] of the supreme court other than those appointed to  
27 fill a vacancy pursuant to subdivision a of section fifteen of this

1 article, for terms of five years or the unexpired portions of their  
2 respective terms of office, if less than five years.

3 d. The [justices heretofore designated shall continue to sit in the  
4 appellate divisions until the terms of their respective designations  
5 shall expire. From time to time as the terms of the designations expire,  
6 or vacancies occur, the governor shall make new designations. The]  
7 governor may also, on request of any appellate division, make temporary  
8 designations in case of the absence or inability to act of any justice  
9 in such appellate division, for service only during such absence or  
10 inability to act.

11 § 4. Resolved (if the concur), That subdivisions a, b, c, and d  
12 of section 6 of article 6 of the constitution be amended to read as  
13 follows:

14 a. The state shall be divided into [eleven] thirteen judicial  
15 districts. The first judicial district shall consist of the [counties]  
16 county of [Bronx and] New York. The second judicial district shall  
17 consist of the [counties] county of Kings [and Richmond]. The third  
18 judicial district shall consist of the counties of Albany, Columbia,  
19 Greene, Rensselaer, Schoharie, Sullivan, and Ulster. The fourth judicial  
20 district shall consist of the counties of Clinton, Essex, Franklin,  
21 Fulton, Hamilton, Montgomery, St. Lawrence, Saratoga, Schenectady,  
22 Warren and Washington. The fifth judicial district shall consist of the  
23 counties of Herkimer, Jefferson, Lewis, Oneida, Onondaga, and Oswego.  
24 The sixth judicial district shall consist of the counties of Broome,  
25 Chemung, Chenango, Cortland, Delaware, Madison, Otsego, Schuyler, Tioga  
26 and Tompkins. The seventh judicial district shall consist of the coun-  
27 ties of Cayuga, Livingston, Monroe, Ontario, Seneca, Steuben, Wayne and  
28 Yates. The eighth judicial district shall consist of the counties of

1 Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and  
2 Wyoming. The ninth judicial district shall consist of the counties of  
3 Dutchess, Orange, Putnam, Rockland and Westchester. The tenth judicial  
4 district shall consist of the counties of Nassau and Suffolk. The elev-  
5 enth judicial district shall consist of the county of Queens. The  
6 twelfth judicial district shall consist of the county of Bronx. The  
7 thirteenth judicial district shall consist of the county of Richmond.

8 b. Once every ten years the legislature may increase or decrease the  
9 number of judicial districts or alter the composition of judicial  
10 districts and thereupon re-apportion the justices [to be thereafter  
11 elected] of the supreme court in the judicial districts so altered. Each  
12 judicial district shall be bounded by county lines.

13 c. [The] Except as otherwise provided in this article, the justices of  
14 the supreme court shall be chosen by the electors of the judicial  
15 district in which they are to serve[. The] for terms of [justices of the  
16 supreme court shall be] fourteen years from and including the first day  
17 of January next after their election. Except that:

18 (1) justices who become justices of the supreme court pursuant to  
19 subparagraph C of paragraph one of subdivision b of section twenty-seven  
20 of this article, and their successors in office, shall be appointed as  
21 provided in such subparagraph;

22 (2) the legislature, upon authorizing a new justice of the supreme  
23 court, may provide that such justice shall be appointed by the governor  
24 by and with the advice and consent of the senate for a term of nine  
25 years.

26 d. The supreme court is continued. [It shall consist of the number of  
27 justices of the supreme court including the justices designated to the  
28 appellate divisions of the supreme court, judges of the county court of



1 the counties of Bronx, Kings, Queens and Richmond and judges of the  
2 court of general sessions of the county of New York authorized by law on  
3 the thirty-first day of August next after the approval and ratification  
4 of this amendment by the people, all of whom shall be justices of the  
5 supreme court for the remainder of their terms. The legislature may  
6 increase the] In each judicial district, it shall consist of such number  
7 of justices [of the supreme court in any judicial district] as may be  
8 authorized by law, except that [the number in any district shall not be  
9 increased to exceed one justice for fifty thousand, or fraction over  
10 thirty thousand, of the population thereof as shown by the last federal  
11 census or state enumeration. The legislature may decrease the number of  
12 justices of the supreme court in any judicial district, except that]:

13 (1) the number in any judicial district shall not be less than the  
14 number of justices of the supreme court authorized by law in such judi-  
15 cial district on [the effective date of this article] December thirty-  
16 first, two thousand twenty-one; and

17 (2) there shall be at least one justice of the supreme court in each  
18 county outside the city of New York chosen by the electors thereof.

19 § 5. Resolved (if the concur), That section 7 of article 6 of  
20 the constitution be amended to read as follows:

21 § 7. a. The supreme court and any division thereof shall have general  
22 original jurisdiction in law and equity, including the jurisdiction of  
23 the former court of claims following its abolition pursuant to section  
24 twenty-seven of this article subject, however, to such power as the  
25 legislature had to withdraw jurisdiction from the court of claims on the  
26 day immediately preceding such abolition; the appellate jurisdiction of  
27 the former county court following its abolition pursuant to such section  
28 twenty-seven, except that the legislature may provide, in accordance

1 with section eight of this article, that one or more appellate terms  
2 shall exercise any or all of such appellate jurisdiction; and [the] such  
3 other appellate jurisdiction as herein provided. [In the city of New  
4 York, it] Except as the legislature may otherwise provide pursuant to  
5 paragraph four of subdivision a of section ten of this article, the  
6 supreme court shall have exclusive jurisdiction over crimes prosecuted  
7 by indictment[, provided, however, that the legislature may grant to the  
8 city-wide court of criminal jurisdiction of the city of New York juris-  
9 isdiction over misdemeanors prosecuted by indictment and to the family  
10 court in the city of New York jurisdiction over crimes and offenses by  
11 or against minors or between spouses or between parent and child or  
12 between members of the same family or household].

13 b. If the legislature shall create new classes of actions and  
14 proceedings, the supreme court shall have jurisdiction over such classes  
15 of actions and proceedings, but the legislature may provide that another  
16 court or other courts shall also have jurisdiction and that actions and  
17 proceedings of such classes may be originated in such other court or  
18 courts.

19 c. Except as the chief administrator of the courts may otherwise  
20 provide, the supreme court shall have the following divisions effective  
21 January first, two thousand twenty-five or such other date as shall be  
22 provided herein:

23 (1) a family division, for actions and proceedings for marital sepa-  
24 ration, divorce, annulment of marriage and dissolution of marriage, and  
25 actions and proceedings within the jurisdiction of the former family  
26 court on December thirty-first, two thousand twenty-four;

1 (2) a probate division, for actions and proceedings within the juris-  
2 diction of the former surrogate's court on December thirty-first, two  
3 thousand twenty-four;

4 (3) a criminal division, for crimes and other violations of law;

5 (4) effective October first, two thousand twenty-two, a state claims  
6 division, for actions and proceedings within the jurisdiction of the  
7 former court of claims on September thirtieth, two thousand twenty-two;

8 (5) a commercial division, for civil actions and proceedings as may be  
9 provided by law or prescribed by the chief administrator; and

10 (6) a general division, for all other actions and proceedings in the  
11 supreme court. To the extent practicable, justices assigned to any such  
12 divisions shall be experienced in the business coming before them.

13 Notwithstanding any provision of this subdivision, each of the divi-  
14 sions specified herein may exercise all of supreme court's jurisdiction  
15 under this section, provided, however, that all causes of action pending  
16 in any of the foregoing divisions or otherwise in supreme court that  
17 would have been within the jurisdiction of the former court of claims on  
18 or before September thirtieth, two thousand twenty-two shall be heard  
19 and determined by a justice of the supreme court sitting without a jury.

20 § 6. Resolved (if the concur), That subdivisions d and e of  
21 section 8 of article 6 of the constitution be amended to read as  
22 follows:

23 d. If so directed by the appellate division of the supreme court in  
24 the first or second judicial department establishing an appellate term,  
25 [an] such appellate term shall have jurisdiction to hear and determine  
26 appeals [now or hereafter authorized by law to be taken to the supreme  
27 court or to the appellate division other than appeals from the supreme  
28 court, a surrogate's court, the family court or appeals in criminal

1 cases prosecuted by indictment or by information as provided in section  
2 six of article one] from the municipal court in the city of New York  
3 sitting in such judicial department.

4 e. As may be provided by law, an appellate term shall have jurisdic-  
5 tion to hear and determine appeals from [the district] a municipal court  
6 outside the city of New York or from a town[,] or village [or city]  
7 court [outside the city of New York].

8 § 7. Resolved (if the concur), That sections 9, 10, 11, 12, 13,  
9 14, 16, 34, 35, 36, 36-a, 36-c, and 37 and subdivision j of section 22  
10 of article 6 of the constitution be REPEALED.

11 § 8. Resolved (if the concur), That sections 15, 17, 18, 19,  
12 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33 of article 6  
13 of the constitution be renumbered sections 9, 11, 12, 13, 14, 15, 16,  
14 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 28.

15 § 9. Resolved (if the concur), That section 9 of article 6 of  
16 the constitution, as renumbered by section 8 of this resolution, be  
17 amended to read as follows:

18 § 9. [a.] The [legislature shall by law establish a single court of  
19 city-wide civil jurisdiction and a single court of city-wide criminal  
20 jurisdiction in and for the city of New York and the legislature may,  
21 upon the request of the mayor and the local legislative body of the city  
22 of New York, merge the two courts into one city-wide court of both civil  
23 and criminal jurisdiction. The said city-wide courts] municipal court  
24 system is hereby established effective January first, two thousand twen-  
25 ty-seven. Under such system:

26 a. There shall be a municipal court in the city of New York. It shall  
27 consist of such number of judges as may be [provided] authorized by law.  
28 The judges of the municipal court [of city-wide civil jurisdiction] in

1 the city of New York shall be residents of such city and, except as  
2 otherwise provided in this article, shall be [chosen] selected in the  
3 manner provided by law for terms of ten years [by the electors of the  
4 counties included within the city of New York from districts within such  
5 counties established by law. The judges of the court of city-wide crimi-  
6 nal jurisdiction shall be residents of such city and shall be appointed  
7 for terms of ten years by the mayor of the city of New York.

8 b. The court of city-wide civil jurisdiction of the city of New York  
9 shall have jurisdiction over the following classes of actions and  
10 proceedings which shall be originated in such court in the manner  
11 provided by law: actions and proceedings for the recovery of money,  
12 actions and proceedings for the recovery of chattels and actions and  
13 proceedings for the foreclosure of mechanics liens and liens on personal  
14 property where the amount sought to be recovered or the value of the  
15 property does not exceed twenty-five thousand dollars exclusive of  
16 interest and costs, or such smaller amount as may be fixed by law; over  
17 summary proceedings to recover possession of real property and to remove  
18 tenants therefrom and over such other actions and proceedings, not with-  
19 in the exclusive jurisdiction of the supreme court, as may be provided  
20 by law. The court of city-wide civil jurisdiction shall further exercise  
21 such equity jurisdiction as may be provided by law and its jurisdiction  
22 to enter judgment upon a counterclaim for the recovery of money only  
23 shall be unlimited.

24 c. The court of city-wide criminal jurisdiction of the city of New  
25 York shall have jurisdiction over crimes and other violations of law,  
26 other than those prosecuted by indictment, provided, however, that the  
27 legislature may grant to said court jurisdiction over misdemeanors pros-  
28 ecuted by indictment; and over such other actions and proceedings, not

1 within the exclusive jurisdiction of the supreme court, as may be  
2 provided by law.

3 d. The provisions of this section shall in no way limit or impair the  
4 jurisdiction of the supreme court as set forth in section seven of this  
5 article]. Where a term of office prescribed hereunder is elective, it  
6 shall be from and including the first day of January next after  
7 election.

8 b. There shall be municipal courts outside the city of New York as  
9 follows:

10 (1) The legislature may, at the request of the board of supervisors or  
11 other elective governing body of any county outside the city of New  
12 York, establish a municipal court for the entire area of such county or  
13 for a portion of such county consisting of one or more cities, or one or  
14 more towns which are contiguous, or of a combination of such cities and  
15 such towns provided at least one of such cities is contiguous to one of  
16 such towns; provided that: (i) no law establishing a municipal court  
17 hereunder for an entire county shall become effective unless approved at  
18 a general election on the question of the approval of such law by a  
19 majority of the votes cast thereon by the electors within the area of  
20 any cities in the county considered as one unit and by a majority of the  
21 votes cast thereon by the electors within the area outside of cities in  
22 the county considered as one unit; and (ii) no law establishing a munic-  
23 ipal court hereunder for a portion of a county shall become effective  
24 unless approved at a general election on the question of the approval of  
25 such law by a majority of the votes cast thereon by the electors within  
26 the area of any cities included in such portion of the county considered  
27 as one unit and by a majority of the votes cast thereon by the electors

1 within the area outside of cities included in the portion of the county  
2 considered as one unit.

3 (2) Unless the legislature shall otherwise provide, a municipal court  
4 shall be established for the area of each city outside the city of New  
5 York.

6 The judges of a municipal court outside the city of New York shall be  
7 residents of the county or portion thereof for which such court has been  
8 established and shall be chosen by the electors of such county or  
9 portion thereof for terms of six years; except that judges of a munici-  
10 pal court established pursuant to paragraph two of this subdivision  
11 shall be residents of the city for which such court is established  
12 unless otherwise provided by law, and shall be chosen in such manner and  
13 for such terms as shall be provided by law. Where a term of office  
14 prescribed hereunder is elective, it shall be from and including the  
15 first day of January next after election.

16 c. The legislature may create districts of a municipal court outside  
17 the city of New York established pursuant to paragraph one of subdivi-  
18 sion b of this section, which shall consist of an entire county or of an  
19 area less than a county; and may discontinue any district of such a  
20 municipal court. The judges of a municipal court for which districts  
21 have been created hereunder shall be apportioned among such districts as  
22 may be provided by law and, to the extent practicable, in accordance  
23 with the population and the volume of judicial business.

24 d. Each municipal court outside the city of New York shall consist of  
25 such number of judges as may be authorized by law, provided there shall  
26 be at least one judge for each municipal court and, for each municipal  
27 court in which districts have been created hereunder, at least one judge  
28 for each of such districts.

1 § 10. Resolved (if the concur), That article 6 of the constitu-  
2 tion be amended by adding a new section 10 to read as follows:

3 § 10. a. Once established pursuant to section nine of this article,  
4 the municipal courts shall enjoy uniform jurisdiction statewide. Such  
5 jurisdiction shall include the following classes of actions and  
6 proceedings, which shall be originated in such courts in the manner  
7 provided by law:

8 (1) actions and proceedings for the recovery of money, actions and  
9 proceedings for the recovery of chattels, and actions and proceedings  
10 for the foreclosure of mechanics liens and liens on personal property  
11 where the amount sought to be recovered or the value of the property  
12 does not exceed fifty thousand dollars exclusive of interest and costs,  
13 or such other amount as may be fixed by law; provided, however, that the  
14 jurisdiction of the municipal court to enter judgment upon a counter-  
15 claim for the recovery of money only shall be unlimited;

16 (2) actions and proceedings in law and equity involving the enforce-  
17 ment of state and local laws for the establishment and maintenance of  
18 housing standards, summary proceedings to recover possession of real  
19 property and to remove tenants therefrom, and such other actions and  
20 proceedings, not within the exclusive jurisdiction of the supreme court,  
21 as may be provided by law;

22 (3) such equity jurisdiction as may be provided by law;

23 (4) jurisdiction over crimes and other violations of law other than  
24 those prosecuted by indictment; provided, however, that the legislature  
25 may grant to the municipal courts jurisdiction over misdemeanors prose-  
26 cuted by indictment and over such other criminal actions and  
27 proceedings, not within the exclusive jurisdiction of the supreme court,  
28 as may be provided by law; and



1 (5) any other jurisdiction exercised by the former city-wide courts of  
2 civil and criminal jurisdiction for the city of New York on December  
3 thirty-first, two thousand twenty-six not otherwise provided herein and,  
4 where it is provided by law after such date, such further jurisdiction  
5 as those courts might have exercised on such date had such jurisdiction  
6 then been provided by law.

7 b. The municipal court in the city of New York and such other munici-  
8 pal courts outside such city as the legislature may provide shall have a  
9 housing division, for actions and proceedings specified in paragraph two  
10 of subdivision a of this section, and such further divisions as the  
11 chief administrator of the courts may provide.

12 c. The provisions of this section shall in no way limit or impair the  
13 jurisdiction of the supreme court as set forth in section seven of this  
14 article.

15 § 11. Resolved (if the concur), That section 11 of article 6 of  
16 the constitution, as renumbered by section 8 of this resolution, be  
17 amended to read as follows:

18 § 11. a. Courts for towns[,] and villages [and cities outside the city  
19 of New York] are continued and shall have the jurisdiction prescribed by  
20 the legislature but not in any respect greater than the jurisdiction of  
21 [the district] a municipal court as provided in section [sixteen] ten of  
22 this article.

23 b. The legislature may regulate such courts, [establish uniform juris-  
24 diction, practice and procedure for city courts outside the city of New  
25 York] and may discontinue any village [or city] court [outside the city  
26 of New York existing on the effective date of this article]. The legis-  
27 lature may discontinue any town court [existing on the effective date of  
28 this article] only with the approval of a majority of the total votes

1 cast at a general election on the question of a proposed discontinuance  
2 of the court in each such town affected thereby.

3 c. [The legislature may abolish the legislative functions on town  
4 boards of justices of the peace and provide that town councilmen be  
5 elected in their stead.

6 d.] The number of [the judges] justices of each of such town[,] and  
7 village [and city] courts and the classification and duties of [the  
8 judges] such justices shall be prescribed by the legislature. The terms,  
9 method of selection and method of filling vacancies for the [judges]  
10 justices of such courts shall be prescribed by the legislature[,];  
11 provided, however, that the justices of town courts shall be chosen by  
12 the electors of the town for terms of four years from and including the  
13 first day of January next after their election.

14 § 12. Resolved (if the concur), That section 13 of article 6 of  
15 the constitution, as renumbered by section 8 of this resolution, be  
16 amended to read as follows:

17 § 13. a. The supreme court may transfer any action or proceeding,  
18 except one over which it shall have exclusive jurisdiction which does  
19 not depend upon the monetary amount sought, to any other court having  
20 jurisdiction of the subject matter within the judicial department  
21 provided that such other court has jurisdiction over the classes of  
22 persons named as parties. As may be provided by law, the supreme court  
23 may transfer to itself any action or proceeding originated or pending in  
24 another court within the judicial department [other than the court of  
25 claims] upon a finding that such a transfer will promote the adminis-  
26 tration of justice.

27 b. The [county court shall transfer to the supreme court or surro-  
28 gate's court or family court any action or proceeding which has not been

1 transferred to it from the supreme court or surrogate's court or family  
2 court and over which the county court has no jurisdiction. The county  
3 court may transfer any action or proceeding, except a criminal action or  
4 proceeding involving a felony prosecuted by indictment or an action or  
5 proceeding required by this article to be dealt with in the surrogate's  
6 court or family court, to any court, other than the supreme court,  
7 having jurisdiction of the subject matter within the county provided  
8 that such other court has jurisdiction over the classes of persons named  
9 as parties.

10 c. As may be provided by law, the supreme court or the county court  
11 may transfer to the county court any action or proceeding originated or  
12 pending in the district court or a town, village or city court outside  
13 the city of New York upon a finding that such a transfer will promote  
14 the administration of justice.

15 d. The surrogate's court shall transfer to the supreme court or the  
16 county court or the family court or the courts for the city of New York  
17 established pursuant to section fifteen of this article any action or  
18 proceeding which has not been transferred to it from any of said courts  
19 and over which the surrogate's court has no jurisdiction.

20 e. The family court shall transfer to the supreme court or the surro-  
21 gate's court or the county court or the courts for the city of New York  
22 established pursuant to section fifteen of this article any action or  
23 proceeding which has not been transferred to it from any of said courts  
24 and over which the family court has no jurisdiction.

25 f. The courts for the city of New York established pursuant to section  
26 fifteen of this article] municipal court shall transfer to the supreme  
27 court [or the surrogate's court or the family court] any action or  
28 proceeding which has not been transferred to [them] it from [any of said

1 courts] the supreme court and over which the [said courts for the city  
2 of New York have] municipal court has no jurisdiction.

3 [g.] c. As may be provided by law, the supreme court shall transfer  
4 any action or proceeding to any other court having jurisdiction of the  
5 subject matter in any other judicial district or county provided that  
6 such other court has jurisdiction over the classes of persons named as  
7 parties.

8 [h.] d. As may be provided by law, the [county] municipal court[, the  
9 surrogate's court, the family court and the courts for] in the city of  
10 New York [established pursuant to section fifteen of this article],  
11 sitting outside the first judicial department, may transfer any action  
12 or proceeding, other than one which has previously been transferred to  
13 it, to any other court in the second judicial department, except the  
14 supreme court, having jurisdiction of the subject matter [in any other  
15 judicial district or county] provided that such other court has juris-  
16 diction over the classes of persons named as parties.

17 [i.] e. As may be provided by law, [the district] a municipal court  
18 outside the city of New York or a town[,] or village [or city] court  
19 [outside the city of New York] may transfer any action or proceeding,  
20 other than one which has previously been transferred to it, to any other  
21 court, [other than] except the [county court or the surrogate's court or  
22 the family court or the] supreme court, having jurisdiction of the  
23 subject matter in the same or an adjoining county provided that such  
24 other court has jurisdiction over the classes of persons named as  
25 parties.

26 [j.] f. Each court shall exercise jurisdiction over any action or  
27 proceeding transferred to it pursuant to this section.

1 [k.] g. The legislature may provide that the verdict or judgment in  
2 actions and proceedings so transferred shall not be subject to the limi-  
3 tation of monetary jurisdiction of the court to which the actions and  
4 proceedings are transferred if that limitation be lower than that of the  
5 court in which the actions and proceedings were originated.

6 § 13. Resolved (if the concur), That section 14 of article 6 of  
7 the constitution, as renumbered by section 8 of this resolution, be  
8 amended to read as follows:

9 § 14. a. No person[, other than one who holds such office at the  
10 effective date of this article,] may assume the office of judge of the  
11 court of appeals[, or justice of the supreme court[, or judge of the  
12 court of claims] unless he or she has been admitted to practice law in  
13 this state at least ten years. No person[, other than one who holds such  
14 office at the effective date of this article,] may assume the office of  
15 judge of [the county court, surrogate's court, family court, a court for  
16 the city of New York established pursuant to section fifteen of this  
17 article, district] a municipal court [or city court outside the city of  
18 New York] unless he or she has been admitted to practice law in this  
19 state at least five years or such greater number of years as the legis-  
20 lature may determine.

21 b. A judge of the court of appeals, justice of the supreme court,  
22 [judge of the court of claims, judge of a county court, judge of the  
23 surrogate's court, judge of the family court] or judge of a municipal  
24 court [for the city of New York established pursuant to section fifteen  
25 of this article who is elected or appointed after the effective date of  
26 this article] may not:

27 (1) hold any other public office or trust except an office in relation  
28 to the administration of the courts, member of a constitutional conven-

1 tion or member of the armed forces of the United States or of the state  
2 of New York in which latter event the legislature may enact such legis-  
3 lation as it deems appropriate to provide for a temporary judge or  
4 justice to serve during the period of the absence of such judge or  
5 justice in the armed forces;

6 (2) be eligible to be a candidate for any public office other than  
7 judicial office or member of a constitutional convention, unless he or  
8 she resigns from judicial office; in the event a judge or justice does  
9 not so resign from judicial office within ten days after his or her  
10 acceptance of the nomination of such other office, his or her judicial  
11 office shall become vacant and the vacancy shall be filled in the manner  
12 provided in this article;

13 (3) hold any office or assume the duties or exercise the powers of any  
14 office of any political organization or be a member of any governing or  
15 executive agency thereof;

16 (4) engage in the practice of law, act as an arbitrator, referee or  
17 compensated mediator in any action or proceeding or matter or engage in  
18 the conduct of any other profession or business which interferes with  
19 the performance of his or her judicial duties; except that, if the  
20 legislature so provides, a judge of a municipal court outside the city  
21 of New York established pursuant to paragraph two of subdivision b of  
22 section nine of this article may engage in the practice of law.

23 Judges and justices of the courts specified in this subdivision shall  
24 also be subject to such rules of conduct as may be promulgated by the  
25 chief administrator of the courts with the approval of the court of  
26 appeals.

27 c. Qualifications for and restrictions upon justices of the [judges of  
28 district,] town[,] and village [or city] courts [outside the city of New

1 York, other than such qualifications and restrictions specifically set  
2 forth in subdivision a of this section,] shall be prescribed by the  
3 legislature[,]; provided, however, that the legislature shall require a  
4 course of training and education to be completed by such justices [of  
5 town and village courts selected after the effective date of this arti-  
6 cle] who have not been admitted to practice law in this state. [Judges]  
7 Justices of such courts shall also be subject to such rules of conduct  
8 not inconsistent with laws as may be promulgated by the chief adminis-  
9 trator of the courts with the approval of the court of appeals.

10 § 14. Resolved (if the concur), That section 15 of article 6 of  
11 the constitution, as renumbered by section 8 of this resolution, be  
12 amended to read as follows:

13 § 15. a. When a vacancy shall occur, otherwise than by expiration of  
14 term, in the office of an elective justice of the supreme court[, of  
15 judge of the county court, of judge of the surrogate's court or judge of  
16 the family court outside the city of New York], it shall be filled for a  
17 full term at the next general election held not less than three months  
18 after such vacancy occurs and, until the vacancy shall be so filled, the  
19 governor by and with the advice and consent of the senate, if the senate  
20 shall be in session, or, if the senate not be in session, the governor  
21 may fill such vacancy by [an] appointment [which]; except that, where  
22 the vacancy is in the office of a justice who was a judge of the city-  
23 wide court of civil jurisdiction of the city of New York who became a  
24 justice of the supreme court pursuant to subparagraph C of paragraph one  
25 of subdivision b of section twenty-seven of this article, or his or her  
26 successor in office, the mayor of the city of New York shall fill such  
27 vacancy by appointment. Each appointment pursuant to this subdivision

1 shall continue until and including the last day of December next after  
2 the election at which the vacancy shall be filled.

3 b. When a vacancy shall occur, otherwise than by expiration of term,  
4 in the office of [judge of the court of claims] an appointive justice of  
5 the supreme court, it shall be filled for the unexpired term in the same  
6 manner as an original appointment.

7 c. When a vacancy shall occur, otherwise than by expiration of term,  
8 in the office of judge elected to the [city-wide] municipal court [of  
9 civil jurisdiction of] in the city of New York, it shall be filled for a  
10 full term at the next general election held not less than three months  
11 after such vacancy occurs and, until the vacancy shall be so filled, the  
12 mayor of the city of New York may fill such vacancy by an appointment  
13 which shall continue until and including the last day of December next  
14 after the election at which the vacancy shall be filled. When a vacancy  
15 shall occur, otherwise than by expiration of term on the last day of  
16 December of any year, in the office of judge appointed to the [family  
17 court within the city of New York or the city-wide] municipal court [of  
18 criminal jurisdiction of] in the city of New York, the mayor of the city  
19 of New York shall fill such vacancy by an appointment for the unexpired  
20 term; except that, where the vacancy is in the office of a judge who was  
21 a housing judge of the city-wide court of civil jurisdiction of the city  
22 of New York who became a judge of the municipal court pursuant to  
23 subparagraph C of paragraph one of subdivision c of section twenty-seven  
24 of this article, or his or her successor in office, the mayor shall fill  
25 such vacancy by appointment for the unexpired term from a list of  
26 persons found qualified by an advisory council established by law.

27 d. When a vacancy shall occur, otherwise than by expiration of term,  
28 in the office of judge of [the district] a municipal court outside the



1 city of New York established pursuant to paragraph one of subdivision b  
2 of section nine of this article, it shall be filled for a full term at  
3 the next general election held not less than three months after such  
4 vacancy occurs and, until the vacancy shall be so filled, the board of  
5 supervisors or the supervisor or supervisors of the [affected district]  
6 area for which the court was established if such [district] area  
7 consists of a portion of a county or, in counties with an elected county  
8 executive officer, such county executive officer may, subject to confir-  
9 mation by the board of supervisors or the supervisor or supervisors of  
10 such [district] area, fill such vacancy by an appointment which shall  
11 continue until and including the last day of December next after the  
12 election at which the vacancy shall be filled.

13 e. When a vacancy shall occur, otherwise than by expiration of term,  
14 in the office of judge of a municipal court outside the city of New York  
15 established pursuant to paragraph two of subdivision b of section nine  
16 of this article, it shall be filled in the manner provided by law.

17 § 15. Resolved (if the concur), That section 17 of article 6 of  
18 the constitution, as renumbered by section 8 of this resolution, be  
19 amended to read as follows:

20 § 17. a. Judges of the court of appeals and justices of the supreme  
21 court may be removed by concurrent resolution of both houses of the  
22 legislature, if two-thirds of all the members elected to each house  
23 concur therein.

24 b. Judges of [the court of claims, the county court, the surrogate's  
25 court, the family court, the courts for the city of New York established  
26 pursuant to section fifteen of this article,] the [district] municipal  
27 court and such other courts as the legislature may determine may be

1 removed by the senate, on the recommendation of the governor, if two-  
2 thirds of all the members elected to the senate concur therein.

3 c. No judge or justice shall be removed by virtue of this section  
4 except for cause, which shall be entered on the journals, nor unless he  
5 or she shall have been served with a statement of the cause alleged, and  
6 shall have had an opportunity to be heard. On the question of removal,  
7 the yeas and nays shall be entered on the journal.

8 § 16. Resolved (if the concur), That section 19 of article 6 of  
9 the constitution, as renumbered by section 8 of this resolution, be  
10 amended to read as follows:

11 § 19. a. The compensation of a judge of the court of appeals, a  
12 justice of the supreme court, a judge of [the] a municipal court [of  
13 claims, a judge of the county court, a judge of the surrogate's court, a  
14 judge of the family court, a judge of a court for the city of New York  
15 established pursuant to section fifteen of this article, a judge of the  
16 district court or of], and a retired judge or justice shall be estab-  
17 lished by law and shall not be diminished during the term of office for  
18 which he or she was elected or appointed. [Any judge or justice of a  
19 court abolished by section thirty-five of this article, who pursuant to  
20 that section becomes a judge or justice of a court established or  
21 continued by this article, shall receive without interruption or diminu-  
22 tion for the remainder of the term for which he or she was elected or  
23 appointed to the abolished court the compensation he or she had been  
24 receiving upon the effective date of this article together with any  
25 additional compensation that may be prescribed by law.]

26 b. Each judge of the court of appeals, justice of the supreme court,  
27 and judge of [the] a municipal court [of claims, judge of the county  
28 court, judge of the surrogate's court, judge of the family court, judge

1 of a court for the city of New York established pursuant to section  
2 fifteen of this article and judge of the district court] shall retire on  
3 the last day of December in the year in which he or she reaches the age  
4 of seventy. Each such former judge of the court of appeals and justice  
5 of the supreme court may thereafter perform the duties of a justice of  
6 the supreme court, with power to hear and determine actions and  
7 proceedings[,]; provided, however, that: (1) it shall be certificated in  
8 the manner provided by law that the services of such judge or justice  
9 are necessary to expedite the business of the court and that he or she  
10 is mentally and physically able and competent to perform the full duties  
11 of such office, and (2) to be eligible for certification hereunder, a  
12 judge of the court of appeals or a justice of the supreme court must  
13 have served in at least one of such offices prior to January first, two  
14 thousand twenty-two. Any such certification shall be valid for a term of  
15 two years and may be extended as provided by law for additional terms of  
16 two years. A retired judge or justice shall serve no longer than until  
17 the last day of December in the year in which he or she reaches the age  
18 of seventy-six. A retired judge or justice shall be subject to assign-  
19 ment by the appellate division of the supreme court of the judicial  
20 department of his or her residence. Any retired justice of the supreme  
21 court who had been designated to and served as a justice of any appel-  
22 late division immediately preceding his or her reaching the age of  
23 seventy shall be eligible for designation by the governor as a temporary  
24 or additional justice of the appellate division. [A retired judge or  
25 justice shall not be counted in determining the number of justices in a  
26 judicial district for purposes of subdivision d of section six of this  
27 article.

1 c. The provisions of this section shall also be applicable to any  
2 judge or justice who has not reached the age of seventy-six and to whom  
3 it would otherwise have been applicable but for the fact that he or she  
4 reached the age of seventy and retired before the effective date of this  
5 article.]

6 § 17. Resolved (if the concur), That section 20 of article 6 of  
7 the constitution, as renumbered by section 8 of this resolution, be  
8 amended to read as follows:

9 § 20. a. A justice of the supreme court may perform the duties of  
10 office or hold court in any county and may be temporarily assigned to  
11 the supreme court in any judicial district [or to the court of claims].  
12 A justice of the supreme court [in the city of New York] may be [tempo-  
13 rarily] assigned to [the family court in the city of New York or to the  
14 surrogate's court in any county within the city of New York when  
15 required to dispose of the business] any division or divisions of such  
16 court.

17 b. [A judge of the court of claims may perform the duties of office or  
18 hold court in any county and may be temporarily assigned to the supreme  
19 court in any judicial district.

20 c. A judge of the county court may perform the duties of office or  
21 hold court in any county and may be temporarily assigned to the supreme  
22 court in the judicial department of his or her residence or to the coun-  
23 ty court or the family court in any county or to the surrogate's court  
24 in any county outside the city of New York or to a court for the city of  
25 New York established pursuant to section fifteen of this article.

26 d. A judge of the surrogate's court in any county within the city of  
27 New York may perform the duties of office or hold court in any county

1 and may be temporarily assigned to the supreme court in the judicial  
2 department of his or her residence.

3 e. A judge of the surrogate's court in any county outside the city of  
4 New York may perform the duties of office or hold court in any county  
5 and may be temporarily assigned to the supreme court in the judicial  
6 department of his or her residence or to the county court or the family  
7 court in any county or to a court for the city of New York established  
8 pursuant to section fifteen of this article.

9 f. A judge of the family court may perform the duties of office or  
10 hold court in any county and may be temporarily assigned to the supreme  
11 court in the judicial department of his or her residence or to the coun-  
12 ty court or the family court in any county or to the surrogate's court  
13 in any county outside of the city of New York or to a court for the city  
14 of New York established pursuant to section fifteen of this article.

15 g. A judge of a court for the city of New York established pursuant to  
16 section fifteen of this article may perform the duties of office or hold  
17 court in any county and may be temporarily assigned to the supreme court  
18 in the judicial department of his or her residence or to the county  
19 court or the family court in any county or to the other court for the  
20 city of New York established pursuant to section fifteen of this arti-  
21 cle.

22 h.) A judge of [the district] a municipal court [in any county] may  
23 perform the duties of office or hold court in any county [and], may be  
24 [temporarily] assigned to [the county court in the judicial department]  
25 any district of his or her [residence or to a] court [for the city of  
26 New York established pursuant to section fifteen of this article or], and  
27 and may be temporarily assigned to [the district] any municipal, town,  
28 or village court in [any county] the judicial department of his or her

1 residence. Housing judges of the city-wide court of civil jurisdiction  
2 established pursuant to section nine of this article who became judges  
3 of the municipal court in the city of New York pursuant to subparagraph  
4 C of paragraph one of subdivision c of section twenty-seven of this  
5 article and their successors in office shall be assigned to the housing  
6 division of such municipal court but may preside over any action or  
7 proceeding pending in such municipal court and may be temporarily  
8 assigned to the same courts as any other municipal court judge. Any  
9 other judge of the municipal court in the city of New York may be  
10 assigned to such housing division.

11 [i. Temporary assignments of all the foregoing judges or justices  
12 listed in this section, and of judges of the city courts pursuant to  
13 paragraph two of subdivision j of this section, shall be made by the  
14 chief administrator of the courts in accordance with standards and  
15 administrative policies established pursuant to section twenty-eight of  
16 this article.

17 j. (1) c. The legislature may provide for temporary assignments with-  
18 in the county of residence or any adjoining county[, ] of [judges]  
19 justices of town[, ] and village [or city] courts [outside the city of  
20 New York]. Such assignments may include temporary assignment to a munic-  
21 ipal court outside the city of New York provided the justice so assigned  
22 has been permitted to practice law in this state for at least five years  
23 or such greater number of years as the legislature may determine.

24 [(2) In addition to any temporary assignments to which a judge of a  
25 city court may be subject pursuant to paragraph one of this subdivision,  
26 such judge also may be temporarily assigned by the chief administrator  
27 of the courts to the county court, the family court or the district

1 court within his or her county of residence or any adjoining county  
2 provided he or she is not permitted to practice law.

3 k.] d. Temporary assignments of all the foregoing judges and justices  
4 listed in this section shall be made by the chief administrator of the  
5 courts in accordance with standards and administrative policies estab-  
6 lished pursuant to section twenty-two of this article.

7 e. While temporarily assigned pursuant to the provisions of this  
8 section, any judge or justice shall have the powers, duties and juris-  
9 diction of a judge or justice of the court to which assigned. After the  
10 expiration of any temporary assignment, as provided in this section, the  
11 judge or justice assigned shall have all the powers, duties and juris-  
12 diction of a judge or justice of the court to which he or she was  
13 assigned with respect to matters pending before him or her during the  
14 term of such temporary assignment.

15 § 18. Resolved (if the concur), That subdivision a of section  
16 23 of article 6 of the constitution, as renumbered by section 8 of this  
17 resolution, be amended to read as follows:

18 a. The legislature shall provide for the allocation of the cost of  
19 operating and maintaining the court of appeals, the appellate division  
20 of the supreme court in each judicial department, the appellate terms,  
21 the supreme court, and the [court of claims, the county court, the  
22 surrogate's court, the family court, the courts for the city of New York  
23 established pursuant to section fifteen of this article and the district  
24 court,] municipal courts among the state, the counties, the city of New  
25 York, and other political subdivisions.

26 § 19. Resolved (if the concur), That article 6 of the constitu-  
27 tion be amended by adding a new section 27 to read as follows:

1    § 27. a. (1) The justices of the supreme court in office on December  
2 thirty-first, two thousand twenty-one shall, for the remainder of the  
3 terms for which they were selected, be justices of the supreme court in  
4 and for the judicial district in which they were elected or for which  
5 they were appointed. Retired justices who, on December thirty-first, two  
6 thousand twenty-one, were authorized to perform the duties of a justice  
7 of the supreme court pursuant to certification in accordance with the  
8 provisions of subdivision b of section nineteen of this article, shall  
9 be certificated justices of the supreme court for the remainder of the  
10 terms for which they were certificated and thereafter shall be eligible  
11 for further certification in accordance with subdivision b of section  
12 nineteen of this article. Each designation of a justice of the supreme  
13 court to the appellate division or an appellate term in effect on Decem-  
14 ber thirty-first, two thousand twenty-one, not otherwise required to  
15 expire on account of any provision of this article then in effect, shall  
16 continue in effect on January first, two thousand twenty-two.

17    (2) Effective January first, two thousand twenty-two, each action and  
18 proceeding pending in the supreme court on December thirty-first, two  
19 thousand twenty-one shall be deemed pending in the supreme court in the  
20 county in which such action or proceeding was pending on such date, or  
21 otherwise as may be provided by law.

22    b. (1) Effective October first, two thousand twenty-two:

23    A. the court of claims shall be abolished;

24    B. each action and proceeding pending in the court of claims on  
25 September thirtieth, two thousand twenty-two shall be deemed pending in  
26 the supreme court in the county in which such action or proceeding was  
27 pending on such date, or otherwise as may be provided by law;



1 C. each judge of the city-wide court of civil jurisdiction or the  
2 city-wide court of criminal jurisdiction of the city of New York, as  
3 established pursuant to section nine of this article, or of the family  
4 court in such city, who, on September thirtieth, two thousand twenty-two  
5 and continuously throughout the six-month period immediately preceding  
6 such date, was temporarily assigned to the supreme court pursuant to  
7 section twenty of this article shall, for the remainder of the term of  
8 office in which he or she was then serving, be a justice of the supreme  
9 court in and for the judicial district in which he or she was elected to  
10 such term or, if appointed, in which he or she resided on such date.  
11 Thereafter, his or her office shall be an office of justice of the  
12 supreme court, to be filled in the same manner and for the same term as  
13 provided by this article on December thirty-first, two thousand twenty-  
14 one for a judge of the court from which he or she was assigned to serve  
15 on the supreme court.

16 (2) Effective January first, two thousand twenty-five:

17 A. the county court, the surrogate's court, and the family court shall  
18 be abolished; and

19 B. each action and proceeding pending in a court abolished pursuant to  
20 subparagraph A of this paragraph on December thirty-first, two thousand  
21 twenty-four shall be deemed pending in the supreme court in the county  
22 in which such action or proceeding was pending on such date, or other-  
23 wise as may be provided by law.

24 (3) Upon abolition of the courts specified in subparagraph A of para-  
25 graph one and subparagraph A of paragraph two of this subdivision, their  
26 seals, records, papers, and documents shall be deposited in the offices  
27 of the clerks of the supreme court of such counties as may be provided  
28 by law. Each of the judges of these courts in office on the date of

1 their abolition shall, for the remainder of the term of office for which  
2 he or she was selected to the abolished court, be a justice of the  
3 supreme court in and for the judicial district in which he or she was  
4 elected to such term or, if appointed, in which he or she resided on  
5 such date. Thereafter, his or her office shall be an office of justice  
6 of the supreme court, to be filled in the same manner and for the same  
7 term as provided by this article on December thirty-first, two thousand  
8 twenty-one for his or her office on the abolished court.

9 c. Effective January first, two thousand twenty-seven:

10 (1) A. the city-wide courts of civil and criminal jurisdiction for the  
11 city of New York established pursuant to section nine of this article  
12 shall be abolished;

13 B. each action and proceeding pending in a court abolished pursuant to  
14 subparagraph A of this paragraph on December thirty-first, two thousand  
15 twenty-six shall be deemed pending in the municipal court in the city of  
16 New York; and

17 C. each judge of a court specified in subparagraph A of this paragraph  
18 in office on the date of its abolition shall, for the remainder of the  
19 term of office he or she was then serving on the abolished court, be a  
20 judge of the municipal court in the city of New York. Thereafter, his or  
21 her office shall be an office of judge of the municipal court in the  
22 city of New York, to be filled in the same manner and for the same term  
23 as provided by this article on December thirty-first, two thousand twen-  
24 ty-one for the office he or she held on such date. For purposes of this  
25 paragraph, housing judges for the city-wide court of civil jurisdiction  
26 in office on December thirty-first, two thousand twenty-six shall be  
27 deemed judges of such city-wide court of civil jurisdiction on such  
28 date; provided, however, the successors in office to each such housing

1 judge shall be residents of the city of New York and, subject to the  
2 provisions of subdivision c of section fifteen of this article, shall be  
3 appointed for a term of ten years by the mayor of such city from a list  
4 of persons found qualified by an advisory council established by law.

5 (2) A. the district courts heretofore continued or established in  
6 Nassau and Suffolk counties pursuant to former section sixteen of this  
7 article shall be continued as municipal courts and deemed to have been  
8 established pursuant to paragraph one of subdivision b of section nine  
9 of this article;

10 B. each action and proceeding pending in a district court on December  
11 thirty-first, two thousand twenty-six shall be deemed pending in the  
12 municipal court that is the successor to such district court established  
13 pursuant to paragraph one of subdivision b of section nine of this arti-  
14 cle; and

15 C. each judge of a district court in office on December thirty-first,  
16 two thousand twenty-six shall, for the remainder of the term for which  
17 he or she was selected, be a judge of the municipal court that is the  
18 successor to such district court established pursuant to paragraph one  
19 of subdivision b of section nine of this article.

20 (3) A. the city courts outside the city of New York, as authorized by  
21 section eleven of this article, shall be continued as municipal courts  
22 for the cities in which they were located on December thirty-first, two  
23 thousand twenty-six and shall be deemed to have been established pursu-  
24 ant to paragraph two of subdivision b of section nine of this article;

25 B. each action and proceeding pending in a city court outside the city  
26 of New York on December thirty-first, two thousand twenty-six shall be  
27 deemed pending in the municipal court that is the successor to such city

1 court established pursuant to paragraph two of subdivision b of section  
2 nine of this article; and

3 C. each judge of a city court in office on December thirty-first, two  
4 thousand twenty-six shall, for the remainder of the term for which he or  
5 she was selected, be a judge of such municipal court that is the succes-  
6 sor to such city court established pursuant to paragraph two of subdivi-  
7 sion b of section nine of this article.

8 d. In the event that a judgment or order was entered before the date  
9 of abolition of a court hereunder, or continuation of a court as another  
10 court, and a right of appeal existed and notice of appeal therefrom is  
11 filed after such date, such appeal shall be taken to such court as it  
12 might have been taken before the effective date of this section, except  
13 such an appeal from a city, town, or village court in the third or  
14 fourth judicial department shall be taken to any appellate term that has  
15 been established if, prior to December thirty-first, two thousand twen-  
16 ty-six, such appeal could have been taken thereto or, otherwise, to the  
17 supreme court. Further appeal from a decision of an appellate court in  
18 an action subject to this paragraph shall be as provided by law,  
19 consistent with this article.

20 e. Upon abolition of the courts specified in subparagraph A of para-  
21 graph one and subparagraph A of paragraph three of subdivision c of this  
22 section, and continuation of the district courts authorized by former  
23 section sixteen of this article as municipal courts, their seals,  
24 records, papers, and documents shall become the seals, records, papers,  
25 and documents of the appropriate municipal court as may be provided by  
26 law.

27 f. In the event that an appeal was decided by a county court before  
28 January first, two thousand twenty-five and a further appeal could be

1 taken as of right and notice of appeal therefrom is filed after such  
2 date, such appeal may be taken to any appellate court to which such an  
3 appeal could have been taken prior to such date. Further appeal from a  
4 decision of such appellate court shall be governed by the provisions of  
5 this article. If a further appeal could not be taken as of right, such  
6 appeal shall be governed by the provisions of this article.

7 g. As may be provided by law, the nonjudicial personnel of the courts  
8 abolished or continued by this section in office on the date of aboli-  
9 tion shall, to the extent practicable, be continued without decrease in  
10 salaries and with the same status and rights in the courts established  
11 or continued by this article; and especially skilled, experienced, and  
12 trained personnel shall, to the extent practicable, be assigned to like  
13 functions in the municipal court or the supreme court, as appropriate.  
14 If the abolition or continuation of such courts shall require or make  
15 possible a reduction in the number of nonjudicial personnel, or in the  
16 number of certain categories of such personnel, such reduction shall be  
17 made, to the extent practicable, by provision that the death, resigna-  
18 tion, removal, or retirement of an employee shall not create a vacancy  
19 until the reduced number of personnel has been reached.

20 h. Notwithstanding any provision of this article to the contrary,  
21 where there is an adjustment in the number of the judicial departments  
22 of the state or in the boundaries of such departments pursuant to para-  
23 graph two of subdivision a of section four of this article:

24 (1) The legislature shall provide for the transfer of appeals then  
25 pending in the appellate division or in an appellate term in each  
26 department so adjusted to the appellate division or an appellate term,  
27 respectively, for the department in which such appeals could have been  
28 taken had such adjustment been effective on the date such appeal was

1 taken, or if no appellate term has been established therefor, to the  
2 supreme court.

3 (2) The governor may re-apportion, among the departments so adjusted,  
4 the justices theretofore designated to the appellate divisions thereof,  
5 provided that: (i) the presiding justice of any judicial department  
6 affected by such adjustment shall be the presiding justice of the  
7 department that includes the county of his or her residence for the  
8 remainder of his or her term of office, unless there already is a  
9 presiding justice in such department, in which event he or she shall  
10 serve as a justice in such department for the duration of the term of  
11 office for which he or she was designated as presiding justice; and (ii)  
12 each other justice designated pursuant to subdivision c of section four  
13 of this article to the appellate division of any department so adjusted  
14 shall, for the remainder of the term for which he or she was so desig-  
15 nated, be a justice designated pursuant to such subdivision in the  
16 department to which he or she is re-apportioned.

17 (3) Where compliance with paragraph two of this subdivision is incon-  
18 sistent with the provisions of section four of this article as to a  
19 judicial department affected by such adjustment, until such time as  
20 there is compliance with such provisions all subsequent designations of  
21 justices by the governor to the appellate division of such department  
22 shall be as provided by law.

23 (4) If a department is abolished, the legislature shall provide for  
24 the deposit of the seals, records, papers, and documents of the appel-  
25 late division thereof, as appropriate.

26 § 20. Resolved (if the concur), That article 6 of the constitu-  
27 tion be amended by adding a new section 29 to read as follows:

1 § 29. a. Except as provided in subdivision b of this section, this  
2 article and all amendments thereto, as heretofore approved and ratified  
3 by the people, shall remain in full force and effect.

4 b. The repeal of sections nine, ten, eleven, twelve, thirteen, four-  
5 teen, sixteen, thirty-four, thirty-five, thirty-six, thirty-six-a, thir-  
6 ty-six-c, and thirty-seven and subdivision j of section twenty-two of  
7 this article, the amendments to sections one, two, four, six, seven, and  
8 eight of this article, the renumbering of and, as renumbered, the amend-  
9 ments to sections nine, eleven, thirteen, fourteen, fifteen, seventeen,  
10 nineteen, twenty, and twenty-three of this article, the renumbering of  
11 sections twelve, sixteen, eighteen, twenty-one, twenty-two, twenty-four,  
12 twenty-five, twenty-six, and twenty-eight of this article, and the addi-  
13 tion of new sections ten, twenty-seven and twenty-nine to this article,  
14 as first proposed by a concurrent resolution passed by the legislature  
15 in the year two thousand twenty, entitled "CONCURRENT RESOLUTION OF THE  
16 SENATE AND ASSEMBLY proposing amendments to article 6 of the constitu-  
17 tion, in relation to consolidation of the unified court system, and the  
18 repeal of sections 9, 10, 11, 12, 13, 14, 16, 34, 35, 36, 36-a, 36-c,  
19 and 37 and subdivision j of section 22 of article 6 of the constitution  
20 relating thereto", shall become a part of the constitution on the first  
21 day of January next after the approval and ratification of such amend-  
22 ments by the people and shall be effective on such date.

23 c. Notwithstanding subdivision b of this section, the provisions of  
24 this article in effect on December thirty-first, two thousand twenty-one  
25 shall continue to apply to any court or courts specified in such  
26 provisions, and the judge or judges thereof, until the abolition of such  
27 court or courts as provided pursuant to section twenty-seven of this  
28 article.

1     § 21. Resolved (if the                   concur), That the foregoing amendments  
2 be referred to the first regular legislative session convening after the  
3 next succeeding general election of members of the assembly, and, in  
4 conformity with section 1 of article 19 of the constitution, be  
5 published for 3 months previous to the time of such election.