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June 24, 2010

Hon. Helene E. Weinstein
New York State Assembly
Legislative Office Building 831
Albany, NY 12248

Re: A.11398/S.1745-A (establishes the counties of residence that eleven additional judges previously authorized to serve on the civil court of the city of New York shall be elected from).

Status: Assembly Judiciary; Passed Senate

Dear Assembly Member Weinstein:

I am writing on behalf of the Civil Court Committee of the New York City Bar Association (the "Committee"), a group comprised of a wide range of lawyers who come together to study the operations and conditions of the New York City Civil Court.

On June 22, the Senate passed S.1745-A. The Committee urges all members of the Assembly Judiciary Committee to support A.11398 so that this bill - which finally allows for the seating of eleven additional judges in New York City Civil Court - can be considered and passed by the Assembly.

With monetary jurisdiction up to \$25,000, New York City Civil Court handles cases primarily involving low-income litigants, 99% of whom are unrepresented. These cases pertain to, among other things, consumer credit, labor and services, medical services and personal property.

New York Civil Court filings have tripled since 2001. In recent years, consumer debt cases in particular have skyrocketed: 241,195 consumer debt cases were filed in 2009 and 298,326 were filed in 2008. Judicial dockets are so overburdened that many unrepresented defendants in these cases are urged to waive defenses, not challenge "sewer" service, and settle cases that might otherwise be dismissed if heard on the merits.

It is a fundamental precept of our judicial system that all litigants have the opportunity to be heard. This simply cannot happen when there are not enough judges. The Legislature recognized its responsibility to provide equal access to justice when it passed legislation to increase the number of New York City Civil Court judges in 1993. This bill simply provides the mechanism for that to happen by identifying how many judges will come from each county. We urge its passage.

Thank you for your consideration.

Sincerely,

Janet Ray Kalson
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