

### LWV Membership

Membership is open to women and men. There are 60 local Leagues across New York State. Joining at any level automatically confers membership at every level: local, state and national. Membership provides the opportunity to be actively involved in local, state and national issues.

### Membership Application

Please complete and return the following form:

Name: \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_  
Email \_\_\_\_\_

Please check one or more:

- Individual membership/\$55 per year
- Household membership/\$80 per year (2 people)
- Carrie C. Catt membership/\$75 per year
- Susan B. Anthony membership/\$100 per year
- Sojourner Truth membership/\$125 per year
- Student membership/\$25 per year
- Contribution in support of LWV activities  
Amount \$ \_\_\_\_\_

Payment Method:

Check Enclosed (Please make payable to LWVNYS)

Please charge my  MasterCard  Visa  Amex  
Card # \_\_\_\_\_  
Signature \_\_\_\_\_

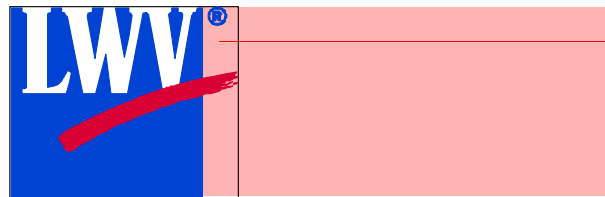
Please complete and return to:

League of Women Voters of New York State  
62 Grand Street, Albany, NY 12207  
Phone: 518-465-4162  
Fax: 518-465-0812  
Email: [lwny@lwny.org](mailto:lwny@lwny.org)  
Website: [www.lwny.org](http://www.lwny.org)

# Judicial Facts for Voter



League of Women Voters  
of New York State



## New York State Supreme Court

### DUTIES OF A SUPREME COURT JUSTICE

The Supreme Court is the principal trial court in New York State and has unlimited original jurisdiction. In practice, the Supreme Court generally hears cases outside the jurisdiction of the specialized courts. These cases include: civil matters dealing with monetary amounts above \$25,000, the jurisdiction of lower courts, such as negligence and personal injury cases, matrimonial cases, equity suits (e.g., mortgage foreclosures and injunctions) and felony prosecutions in a few large metropolitan areas including New York City.

In New York City, the Supreme Court has exclusive jurisdiction over felonies and misdemeanors prosecuted by indictment.

### SUPREME COURT ELECTIONS

New York State is divided geographically into 12 Judicial Districts. There are Supreme Courts in each District.

### JUDICIAL DISTRICT NOMINATING CONVENTIONS

Nomination by a political party at a Judicial District Nominating Convention has been the traditional process by which candidates for Supreme Court reach the ballot.

However, this partisan method of selecting nominees has been held unconstitutional by a Federal District Court as violating the First Amendment rights of both voters and judicial candidates (Gleeson decision, January 27, 2006).

### QUALIFICATIONS FOR THE SUPREME COURT

Supreme Court justices must have been members of the bar for at least ten years. They serve 14-year terms or until age 70, whichever comes first.

**SALARY: \$136,700.00**



# Judicial Independence in New York State

## BACKGROUND

JUDICIAL INDEPENDENCE is the freedom that a judge should have to decide a case based on the facts and the law, not public opinion, the views of special interest groups or even a judge's own personal beliefs.

JUDICIAL INDEPENDENCE is important because the right of every citizen to a fair trial is a cornerstone of our democracy. Without judicial independence, this right would be compromised.

## NEW YORK STATE HAS A VERY INTRICATE COURT STRUCTURE

There are eleven different types of trial courts in New York State: Court of Claims; Supreme Court; County Court (outside of New York City); District Court (in Nassau and Suffolk Counties only); Family Court; Surrogate's Court; NYC Criminal Court and NYC Civil Courts; City Courts outside New York City; Town Courts and Village Courts.

The appellate structure, where decisions are appealed, is equally complicated. The highest appellate court in

New York is the Court of Appeals. The intermediate appellate courts are: the Appellate Division of the Supreme Court and the Appellate Terms of the Supreme Court. In addition, County Courts act as appellate courts in the Third and Fourth Departments.

Judges and Justices in New York State come to the bench in a variety of ways, depending on the jurisdiction of the court, and are subject to a variety of qualification requirements, serve different lengths of terms, and receive different salaries.

## THE NEW YORK STATE CONSTITUTION MANDATES THE WAYS JUDGES ARE SELECTED

Justices of the Supreme Court, County Court, Surrogate's Court, Family Court (except in New York City), Civil Court of the City of New York, District Court, Town Court and Village Court are elected.

The Governor appoints justices to the Appellate Division and, with confirmation by the Senate, appoints judges to the Court of Claims. Judges are appointed by the Governor, with Senate approval, to the Court of Appeals, the state's highest court, upon recommendation of the Commission on Judicial Nomination. The Governor also fills vacancies on the Supreme, County, Surrogate's, and Family Court outside of New York City until the next general election. The Mayor of New York City appoints judges to the New York City Criminal and Family Courts.

## JUDICIAL CANDIDATES ARE DIFFERENT FROM OTHER CANDIDATES

Even though judges run for office, they are different from other candidates. Specifically:

- Judges are NOT elected to represent the views of the people who vote for them; and
- The New York Rules of Judicial Conduct prohibit a judicial candidate from making pledges or promises of conduct in office other than the faithful and impartial performance of the duties of the office.

## CHOOSING AMONG JUDICIAL CANDIDATES CAN SEEM DIFFICULT

Since most citizens do not routinely interact with judges, and judicial candidates are not allowed to discuss certain issues which may come before their court, many voters don't know much about them. This can make deciding among judicial candidates difficult. Remember you are voting for the person you think will decide cases in a fair manner, not the person who reflects your beliefs.

Any evaluation of judicial candidates should be based on criteria relevant to how a judge performs in office. A few examples are:

- Integrity
- Legal knowledge
- Professional experience
- Professional conduct

## JUDICIAL 'SCORECARDS' CAN BE MISLEADING

During election time, many groups sponsor campaign advertisements that feature "scorecards" or "grade cards" that rate judges by examining their decisions in specific court cases. These advertisements claim that, just like a legislator's voting record, this is a good way to determine what a judicial candidate really believes about different issues. These "scorecards" are not reliable for two reasons:

- First, judges usually issue hundreds of rulings each year, yet a very small number of cases are used as the basis for these evaluations.
- Second, these ratings are based on the false idea that a judge's decisions are choices that are the result of his/her political viewpoints.

In reality, a judge applies the law to the facts of a case and then makes a decision that, in many cases, he or she would not choose as a matter of politics, policy or personal viewpoint. To look at a judge's decisions and infer something about that person's individual political beliefs is to paint a false picture without knowing all of the facts.

