

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 subdivision j of section 22 of article 6 of the constitution relating thereto

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

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

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

c. All processes, warrants, and other mandates of the court of appeals[,] and the supreme court including the appellate divisions and the appellate terms thereof], the court of claims, the county court, the surrogate's court and the family court] as hereinafter provided may be served and executed in any part of the state. All processes, warrants, and other mandates of the

municipal courts [or court of civil and criminal jurisdiction of the city of New York] may, subject to such limitation as may be prescribed by the legislature provided it applies uniformly to all municipal courts, be served and executed in any part of the state. The legislature may provide that processes, warrants, and other mandates of [the district court may be served and executed in any part of the state and that processes, warrants and other mandates of] town[,] and village [and city] courts [outside the city of New York] may be served and executed in any part of the county in which such courts are located or in any part of any adjoining county.

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

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

Five members of the court shall constitute a quorum, and the concurrence of four shall be necessary to a decision; but no more than seven judges shall sit in any case. In case of the temporary absence or inability to act of any judge of the court of appeals, the court may designate any justice of the supreme court to serve as associate judge of the court during such absence or inability to act. The court shall have power to appoint and to remove its clerk. The powers and jurisdiction of the court shall not be suspended for want of appointment when the number of judges is sufficient to constitute a quorum.

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

a. (1) The state shall be divided into four judicial departments. The first department shall consist of the counties within the first and twelfth judicial [district] districts of the state. The second department shall consist of the counties within the second, ninth, tenth [and], eleventh, and thirteenth judicial districts of the state. The third department shall consist of the counties within the third, fourth, and sixth judicial districts of the state. The fourth department shall consist of the counties within the fifth, seventh, and eighth judicial districts of the state. [Each department shall be bounded by the lines of judicial districts.]

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

c. The governor shall designate the presiding justice of each appellate division, who shall act as such during his or her term of office and shall be a resident of the department. The other justices of the appellate divisions shall be designated by the governor, from all the justices [elected to] of the supreme court other than those appointed to fill a vacancy pursuant to subdivision a of section fifteen of this article, for terms of five years or the unexpired portions of their respective terms of office, if less than five years.

d. The [justices heretofore designated shall continue to sit in the appellate divisions until the terms of their respective designations shall expire. From time to time as the terms of the designations expire, or vacancies occur, the governor shall make new designations. The] governor may also, on request of any appellate division, make temporary designations in case of

the absence or inability to act of any justice in such appellate division, for service only during such absence or inability to act.

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

a. The state shall be divided into [eleven] thirteen judicial districts. The first judicial district shall consist of the [counties] county of [Bronx and] New York. The second judicial district shall consist of the [counties] county of Kings [and Richmond]. The third judicial district shall consist of the counties of Albany, Columbia, Greene, Rensselaer, Schoharie, Sullivan, and Ulster. The fourth judicial district shall consist of the counties of Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, St. Lawrence, Saratoga, Schenectady, Warren, and Washington. The fifth judicial district shall consist of the counties of Herkimer, Jefferson, Lewis, Oneida, Onondaga, and Oswego. The sixth judicial district shall consist of the counties of Broome, Chemung, Chenango, Cortland, Delaware, Madison, Otsego, Schuyler, Tioga, and Tompkins. The seventh judicial district shall consist of the counties of Cayuga, Livingston, Monroe, Ontario, Seneca, Steuben, Wayne, and Yates. The eighth judicial district shall consist of the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming. The ninth judicial district shall consist of the counties of Dutchess, Orange, Putnam, Rockland, and Westchester. The tenth judicial district shall consist of the counties of Nassau and Suffolk. The eleventh judicial district shall consist of the county of Queens. The twelfth judicial district shall consist of the county of Bronx. The thirteenth judicial district shall consist of the county of Richmond.

b. Once every ten years the legislature may increase or decrease the number of judicial districts or alter the composition of judicial districts and thereupon re-apportion the justices [to

be thereafter elected] of the supreme court in the judicial districts so altered. Each judicial district shall be bounded by county lines.

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

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

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

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

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

§7. a. The supreme court and any division thereof shall have general original jurisdiction in law and equity, including the jurisdiction of the former court of claims following its abolition pursuant to section twenty-seven of this article subject, however, to such power as the legislature had to withdraw jurisdiction from the court of claims on the day immediately preceding such abolition; the appellate jurisdiction of the former county court following its abolition pursuant to such section twenty-seven, except that the legislature may provide, in accordance with section eight of this article, that one or more appellate terms shall exercise any or all of such appellate jurisdiction; and [the] such other appellate jurisdiction as herein provided. [In the city of New York, it] Except as the legislature may otherwise provide pursuant to paragraph (4) of subdivision a of section ten of this article, the supreme court shall have exclusive jurisdiction over crimes prosecuted by indictment[, provided, however, that the legislature may grant to the city-wide court of criminal jurisdiction of the city of New York jurisdiction over misdemeanors prosecuted by indictment and to the family court in the city of New York jurisdiction over crimes and offenses by or against minors or between spouses or between parent and child or between members of the same family or household].

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

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

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

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

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

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

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

(6) a general division, for all other actions and proceedings in the supreme court.

To the extent practicable, justices assigned to any such divisions shall be experienced in the business coming before them.

Notwithstanding any provision of this subdivision, each of the divisions specified herein may exercise all of supreme court's jurisdiction under this section.

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

d. If so directed by the appellate division of the supreme court in the first or second judicial department establishing an appellate term, [an] such appellate term shall have

jurisdiction to hear and determine appeals [now or hereafter authorized by law to be taken to the supreme court or to the appellate division other than appeals from the supreme court, a surrogate's court, the family court or appeals in criminal cases prosecuted by indictment or by information as provided in section six of article one] from the municipal court in the city of New York sitting in such judicial department.

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

§7. Resolved (if the _____ concur), That 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 be REPEALED.

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

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

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

a. There shall be a municipal court in the city of New York. It shall consist of such number of judges as may be [provided] authorized by law. The judges of the municipal court [of

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

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

c. The court of city-wide criminal jurisdiction of the city of New York shall have jurisdiction over crimes and other violations of law, other than those prosecuted by indictment, provided, however, that the legislature may grant to said court jurisdiction over misdemeanors prosecuted by indictment; and over such other actions and proceedings, not within the exclusive jurisdiction of the supreme court, as may be provided by law.

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

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

(1) The legislature may, at the request of the board of supervisors or other elective governing body of any county outside the city of New York, establish a municipal court for the entire area of such county or for a portion of such county consisting of one or more cities, or one or more towns which are contiguous, or of a combination of such cities and such towns provided at least one of such cities is contiguous to one of such towns; provided that: (i) no law establishing a municipal court hereunder for an entire county shall become effective unless approved at a general election on the question of the approval of such law by a majority of the votes cast thereon by the electors within the area of any cities in the county considered as one unit and by a majority of the votes cast thereon by the electors within the area outside of cities in the county considered as one unit; and (ii) no law establishing a municipal court hereunder for a portion of a county shall become effective unless approved at a general election on the question of the approval of such law by a majority of the votes cast thereon by the electors within the area of any cities included in such portion of the county considered as one unit and by a majority of the votes cast thereon by the electors within the area outside of cities included in the portion of the county considered as one unit.

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

The judges of a municipal court outside the city of New York shall be residents of the county or portion thereof for which such court has been established and shall be chosen by the

electors of such county or portion thereof for terms of six years; except that judges of a municipal court established pursuant to paragraph (2) of this subdivision shall be residents of the city for which such court is established unless otherwise provided by law, and shall be chosen in such manner and for such terms as shall be provided by law. Where a term of office prescribed hereunder is elective, it shall be from and including the first day of January next after election.

c. The legislature may create districts of a municipal court outside the city of New York established pursuant to paragraph (1) of subdivision b of this section, which shall consist of an entire county or of an area less than a county; and may discontinue any district of such a municipal court. The judges of a municipal court for which districts have been created hereunder shall be apportioned among such districts as may be provided by law and, to the extent practicable, in accordance with the population and the volume of judicial business.

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

§10. Resolved (if the _____ concur), That article 6 of the constitution be amended by adding a new section 10 to read as follows:

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

(1) actions and proceedings for the recovery of money, actions and proceedings for the recovery of chattels, and actions and proceedings for the foreclosure of mechanics liens and liens

on personal property where the amount sought to be recovered or the value of the property does not exceed fifty thousand dollars exclusive of interest and costs, or such other amount as may be fixed by law; provided, however, that the jurisdiction of the municipal court to enter judgment upon a counterclaim for the recovery of money only shall be unlimited;

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

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

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

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

b. The municipal court in the city of New York and such other municipal courts outside such city as the legislature may provide shall have a housing division, for actions and

proceedings specified in paragraph (2) of subdivision a of this section, and such further divisions as the chief administrator of the courts may provide.

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

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

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

b. The legislature may regulate such courts[, establish uniform jurisdiction, practice and procedure for city courts outside the city of New York] and may discontinue any village [or city] court [outside the city of New York existing on the effective date of this article]. The legislature may discontinue any town court [existing on the effective date of this article] only with the approval of a majority of the total votes cast at a general election on the question of a proposed discontinuance of the court in each such town affected thereby.

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

d.] The number of [the judges] justices of each of such town[, and] village [and city] courts and the classification and duties of [the judges] such justices shall be prescribed by the legislature. The terms, method of selection, and method of filling vacancies for the [judges] justices of such courts shall be prescribed by the legislature[,]; provided, however, that the

justices of town courts shall be chosen by the electors of the town for terms of four years from and including the first day of January next after their election.

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

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

b. The [county court shall transfer to the supreme court or surrogate's court or family court any action or proceeding which has not been transferred to it from the supreme court or surrogate's court or family court and over which the county court has no jurisdiction. The county court may transfer any action or proceeding, except a criminal action or proceeding involving a felony prosecuted by indictment or an action or proceeding required by this article to be dealt with in the surrogate's court or family court, to any court, other than the supreme court, having jurisdiction of the subject matter within the county provided that such other court has jurisdiction over the classes of persons named as parties.

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

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

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

f. The courts for the city of New York established pursuant to section fifteen of this article] municipal court shall transfer to the supreme court [or the surrogate's court or the family court] any action or proceeding which has not been transferred to [them] it from [any of said courts] the supreme court and over which the [said courts for the city of New York have] municipal court has no jurisdiction.

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

[h.] d. As may be provided by law, the [county] municipal court[, the surrogate's court, the family court and the courts for] in the city of New York [established pursuant to section fifteen of this article], sitting outside the first judicial department, may transfer any action or proceeding, other than one which has previously been transferred to it, to any other court in the second judicial department, except the supreme court, having jurisdiction of the subject matter

[in any other judicial district or county] provided that such other court has jurisdiction over the classes of persons named as parties.

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

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

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

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

§14. a. No person[, other than one who holds such office at the effective date of this article,] may assume the office of judge of the court of appeals[,], or justice of the supreme court[, or judge of the court of claims] unless he or she has been admitted to practice law in this state at least ten years. No person[, other than one who holds such office at the effective date of this article,] may assume the office of judge of [the county court, surrogate's court, family court, a court for the city of New York established pursuant to section fifteen of this article, district] a municipal court [or city court outside the city of New York] unless he or she has been admitted

to practice law in this state at least five years or such greater number of years as the legislature may determine.

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

(1) hold any other public office or trust except an office in relation to the administration of the courts, member of a constitutional convention, or member of the armed forces of the United States or of the state of New York in which latter event the legislature may enact such legislation as it deems appropriate to provide for a temporary judge or justice to serve during the period of the absence of such judge or justice in the armed forces;

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

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

(4) engage in the practice of law, act as an arbitrator, referee or compensated mediator in any action or proceeding or matter, or engage in the conduct of any other profession or business which interferes with the performance of his or her judicial duties; except that, if the legislature so provides, a judge of a municipal court outside the city of New York established pursuant to paragraph (2) of subdivision b of section nine of this article may engage in the practice of law.

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

c. Qualifications for and restrictions upon justices of the [judges of district,] town[,] and village [or city] courts [outside the city of New York, other than such qualifications and restrictions specifically set forth in subdivision a of this section,] shall be prescribed by the legislature[,]; provided, however, that the legislature shall require a course of training and education to be completed by such justices [of town and village courts selected after the effective date of this article] who have not been admitted to practice law in this state. [Judges] Justices of such courts shall also be subject to such rules of conduct not inconsistent with laws as may be promulgated by the chief administrator of the courts with the approval of the court of appeals.

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

§15. a. When a vacancy shall occur, otherwise than by expiration of term, in the office of an elective justice of the supreme court[, of judge of the county court, of judge of the surrogate's court or judge of the family court outside the city of New York], it shall be filled for a full term at the next general election held not less than three months after such vacancy occurs and, until the vacancy shall be so filled, the governor by and with the advice and consent of the senate, if the senate shall be in session, or, if the senate not be in session, the governor may fill such vacancy by [an] appointment [which]; except that, where the vacancy is in the office of a justice who was a judge of the city-wide court of civil jurisdiction of the city of New York who became a justice of the supreme court pursuant to subparagraph C of paragraph (1) of subdivision b of section twenty-seven of this article, or his or her successor in office, the mayor

of the city of New York shall fill such vacancy by appointment. Each appointment pursuant to this subdivision shall continue until and including the last day of December next after the election at which the vacancy shall be filled.

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

c. When a vacancy shall occur, otherwise than by expiration of term, in the office of judge elected to the [city-wide] municipal court [of civil jurisdiction of] in the city of New York, it shall be filled for a full term at the next general election held not less than three months after such vacancy occurs and, until the vacancy shall be so filled, the mayor of the city of New York may fill such vacancy by an appointment which shall continue until and including the last day of December next after the election at which the vacancy shall be filled. When a vacancy shall occur, otherwise than by expiration of term on the last day of December of any year, in the office of judge appointed to the [family court within the city of New York or the city-wide] municipal court [of criminal jurisdiction of] in the city of New York, the mayor of the city of New York shall fill such vacancy by an appointment for the unexpired term; except that, where the vacancy is in the office of a judge who was a housing judge of the city-wide court of civil jurisdiction of the city of New York who became a judge of the municipal court pursuant to subparagraph C of paragraph (1) of subdivision c of section twenty-seven of this article, or his or her successor in office, the mayor shall fill such vacancy by appointment for the unexpired term from a list of persons found qualified by an advisory council established by law.

d. When a vacancy shall occur, otherwise than by expiration of term, in the office of judge of [the district] a municipal court outside the city of New York established pursuant to

paragraph (1) of subdivision b of section nine of this article, it shall be filled for a full term at the next general election held not less than three months after such vacancy occurs and, until the vacancy shall be so filled, the board of supervisors or the supervisor or supervisors of the [affected district] area for which the court was established if such [district] area consists of a portion of a county or, in counties with an elected county executive officer, such county executive officer may, subject to confirmation by the board of supervisors or the supervisor or supervisors of such [district] area, fill such vacancy by an appointment which shall continue until and including the last day of December next after the election at which the vacancy shall be filled.

e. When a vacancy shall occur, otherwise than by expiration of term, in the office of judge of a municipal court outside the city of New York established pursuant to paragraph (2) of subdivision b of section nine of this article, it shall be filled in the manner provided by law.

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

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

b. Judges of [the court of claims, the county court, the surrogate's court, the family court, the courts for the city of New York established pursuant to section fifteen of this article,] the [district] municipal court and such other courts as the legislature may determine may be removed by the senate, on the recommendation of the governor, if two-thirds of all the members elected to the senate concur therein.

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

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

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

b. Each judge of the court of appeals, justice of the supreme court, and judge of [the] a municipal court [of claims, judge of the county court, judge of the surrogate's court, judge of the family court, judge of a court for the city of New York established pursuant to section fifteen of this article and judge of the district court] shall retire on the last day of December in the year in which he or she reaches the age of seventy. Each such former judge of the court of appeals and justice of the supreme court may thereafter perform the duties of a justice of the supreme court,

with power to hear and determine actions and proceedings[,]; provided, however, that: (1) it shall be certificated in the manner provided by law that the services of such judge or justice are necessary to expedite the business of the court and that he or she is mentally and physically able and competent to perform the full duties of such office, and (2) to be eligible for certification hereunder, a judge of the court of appeals or a justice of the supreme court must have served in at least one of such offices prior to January 1, 2022 or his or her service in one or both of such offices equals at least ten years as of the date on which he or she is required to retire pursuant to this section. Any such certification shall be valid for a term of two years and may be extended as provided by law for additional terms of two years. A retired judge or justice shall serve no longer than until the last day of December in the year in which he or she reaches the age of seventy-six. A retired judge or justice shall be subject to assignment by the appellate division of the supreme court of the judicial department of his or her residence. Any retired justice of the supreme court who had been designated to and served as a justice of any appellate division immediately preceding his or her reaching the age of seventy shall be eligible for designation by the governor as a temporary or additional justice of the appellate division. [A retired judge or justice shall not be counted in determining the number of justices in a judicial district for purposes of subdivision d of section six of this article.

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

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

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

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

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

d. A judge of the surrogate's court in any county within the city of New York may perform the duties of office or hold court in any county and may be temporarily assigned to the supreme court in the judicial department of his or her residence.

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

f. A judge of the family court may perform the duties of office or hold court in any county and may be temporarily assigned to the supreme court in the judicial department of his or

her residence or to the county court or the family court in any county or to the surrogate's court in any county outside the city of New York or to a court for the city of New York established pursuant to section fifteen of this article.

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

h.] A judge of [the district] a municipal court [in any county] may perform the duties of office or hold court in any county [and], may be [temporarily] assigned to [the county court in the judicial department] any district of his or her [residence or to a] court [for the city of New York established pursuant to section fifteen of this article or], and may be temporarily assigned to [the district] any municipal, town, or village court in [any county] the judicial department of his or her residence. Housing judges of the city-wide court of civil jurisdiction established pursuant to former section fifteen of this article who became judges of the municipal court in the city of New York pursuant to subparagraph C of paragraph (1) of subdivision c of section twenty-seven of this article and their successors in office shall be assigned to the housing division of such municipal court but may preside over any action or proceeding pending in such municipal court and may be temporarily assigned to the same courts as any other municipal court judge. Any other judge of the municipal court in the city of New York may be assigned to such housing division.

[i. Temporary assignments of all the foregoing judges or justices listed in this section, and of judges of the city courts pursuant to paragraph two of subdivision j of this section, shall

be made by the chief administrator of the courts in accordance with standards and administrative policies established pursuant to section twenty-eight of this article.

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

[(2) In addition to any temporary assignments to which a judge of a city court may be subject pursuant to paragraph one of this subdivision, such judge also may be temporarily assigned by the chief administrator of the courts to the county court, the family court or the district court within his or her county of residence or any adjoining county provided he or she is not permitted to practice law.

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

e. While temporarily assigned pursuant to the provisions of this section, any judge or justice shall have the powers, duties, and jurisdiction of a judge or justice of the court to which assigned. After the expiration of any temporary assignment, as provided in this section, the judge or justice assigned shall have all the powers, duties, and jurisdiction of a judge or justice of the court to which he or she was assigned with respect to matters pending before him or her during the term of such temporary assignment.

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

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

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

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

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

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

A. the court of claims shall be abolished;

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

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

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

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

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

(3) Upon abolition of the courts specified in subparagraph A of paragraph (1) and subparagraph A of paragraph (2) of this subdivision, their seals, records, papers, and documents shall be deposited in the offices of the clerks of the supreme court of such counties as may be provided by law. Each of the judges of these courts in office on the date of their abolition shall, for the remainder of the term of office for which he or she was selected to the abolished court, be a justice of the supreme court in and for the judicial district in which he or she was elected to such term or, if appointed, in which he or she resided on such date. Thereafter, his or her office shall be an office of justice of the supreme court, to be filled in the same manner and for the same term as provided by this article on December thirty-first, two thousand twenty-one for his or her office on the abolished court.

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

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

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

C. each judge of a court specified in subparagraph A of this paragraph in office on the date of its abolition shall, for the remainder of the term of office he or she was then serving on the abolished court, be a judge of the municipal court in the city of New York. Thereafter, his or

her office shall be an office of judge of the municipal court in the city of New York, to be filled in the same manner and for the same term as provided by this article on December thirty-first, two thousand twenty-one for the office he or she held on such date. For purposes of this paragraph, housing judges for the city-wide court of civil jurisdiction in office on December thirty-first, two thousand twenty-six shall be deemed judges of such city-wide court of civil jurisdiction on such date; provided, however, the successors in office to each such housing judge shall be residents of the city of New York and, subject to the provisions of subdivision c of section fifteen of this article, shall be appointed for a term of ten years by the mayor of such city from a list of persons found qualified by an advisory council established by law.

(2) A. the district courts heretofore continued or established in Nassau and Suffolk counties pursuant to former section sixteen of this article shall be continued as municipal courts and deemed to have been established pursuant to paragraph (1) of subdivision b of section nine of this article;

B. each action and proceeding pending in a district court on December thirty-first, two thousand twenty-six shall be deemed pending in the municipal court that is the successor to such district court established pursuant to paragraph (1) of subdivision b of section nine of this article; and

C. each judge of a district court in office on December thirty-first, two thousand twenty-six shall, for the remainder of the term for which he or she was selected, be a judge of the municipal court that is the successor to such district court established pursuant to paragraph (1) of subdivision b of section nine of this article.

(3) A. the city courts outside the city of New York, as authorized by former section seventeen of this article, shall be continued as municipal courts for the cities in which they were

located on December thirty-first, two thousand twenty-six and shall be deemed to have been established pursuant to paragraph (2) of subdivision b of section nine of this article;

B. each action and proceeding pending in a city court outside the city of New York on December thirty-first, two thousand twenty-six shall be deemed pending in the municipal court that is the successor to such city court established pursuant to paragraph (2) of subdivision b of section nine of this article; and

C. each judge of a city court in office on December thirty-first, two thousand twenty-six shall, for the remainder of the term for which he or she was selected, be a judge of such municipal court that is the successor to such city court established pursuant to paragraph (2) of subdivision b of section nine of this article.

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

(4) Upon abolition of the courts specified in subparagraph A of paragraph (1) and subparagraph A of paragraph (3) of this subdivision, and continuation of the district courts authorized by former section sixteen of this article as municipal courts, their seals, records,

papers, and documents shall become the seals, records, papers, and documents of the appropriate municipal court as may be provided by law.

e. In the event that an appeal was decided by a county court before January first, two thousand twenty-five and a further appeal could be taken as of right and notice of appeal therefrom is filed after such date, such appeal may be taken to any appellate court to which such an appeal could have been taken prior to such date. Further appeal from a decision of such appellate court shall be governed by the provisions of this article. If a further appeal could not be taken as of right, such appeal shall be governed by the provisions of this article.

f. As may be provided by law, the nonjudicial personnel of the courts abolished or continued by this section in office on the date of abolition shall, to the extent practicable, be continued without decrease in salaries and with the same status and rights in the courts established or continued by this article; and especially skilled, experienced, and trained personnel shall, to the extent practicable, be assigned to like functions in the municipal court or the supreme court, as appropriate. If the abolition or continuation of such courts shall require or make possible a reduction in the number of nonjudicial personnel, or in the number of certain categories of such personnel, such reduction shall be made, to the extent practicable, by provision that the death, resignation, removal, or retirement of an employee shall not create a vacancy until the reduced number of personnel has been reached.

g. Notwithstanding any provision of this article to the contrary, where there is an adjustment in the number of the judicial departments of the state or in the boundaries of such departments pursuant to paragraph (2) of subdivision a of section four of this article:

(1) The legislature shall provide for the transfer of appeals then pending in the appellate division or in an appellate term in each department so adjusted to the appellate division or an

appellate term, respectively, for the department in which such appeals could have been taken had such adjustment been effective on the date such appeal was taken, or if no appellate term has been established therefor, to the supreme court.

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

(3) Where compliance with paragraph (2) of this subdivision is inconsistent with the provisions of section four of this article as to a judicial department affected by such adjustment, until such time as there is compliance with such provisions all subsequent designations of justices by the governor to the appellate division of such department shall be as provided by law.

(4) If a department is abolished, the legislature shall provide for the deposit of the seals, records, papers, and documents of the appellate division thereof, as appropriate.

§20. Resolved (if the _____ concur), That article 6 of the constitution be amended by adding a new section 29 to read as follows:

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

b. The repeal of sections nine, ten, eleven, twelve, thirteen, fourteen, sixteen, thirty-four, thirty-five, thirty-six, thirty-six-a, thirty-six-c, and thirty-seven and subdivision j of section twenty-two of this article, the amendments to sections one, two, four, six, seven, and eight of this article, the renumbering of and, as renumbered, the amendments to sections nine, eleven, thirteen, fourteen, fifteen, seventeen, nineteen, twenty, and twenty-three of this article, the renumbering of sections twelve, sixteen, eighteen, twenty-one, twenty-two, twenty-four, twenty-five, twenty-six, and twenty-eight of this article, and the addition of new sections ten, twenty-seven and twenty-nine to this article, as first proposed by a concurrent resolution passed by the legislature in the year two thousand nineteen, entitled “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 subdivision j of section 22 of article 6 of the constitution relating thereto”, shall become a part of the constitution on the first day of January next after the approval and ratification of such amendments by the people and shall be effective on such date.

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

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