

STATEMENT OF JOSEPH L. LATWIN, RYE CITY JUDGE and PRESIDENT
OF THE NEW YORK STATE ASSOCIATION OF CITY COURT JUDGES

November 4, 2019

Honorable Members of The New York State Commission on Legislative, Judicial
and Executive Compensation,

I am Joseph L. Latwin, full time judge of the Rye City Court. I am also the President of the New York State Association of City Court Judges representing the over 170 judges that sit in our State's 61 City Courts outside of the City of New York. Our members sit in cities from Long Island to Plattsburgh, from Buffalo to Albany, from big cities like Rochester to small cities like Sherill, from suburbs like White Plains to rural areas like Oneonta and every city in between. We are often the only court most New Yorkers will ever see and because of our close relationship with the people, we are highly customer service oriented.

I am here to ask you recommend two things:

1. Maintain the current parity between the salary of Supreme Court Justices and Federal District Court Judges; and
2. Establish parity between City Court Judges, and New York City Civil Court and Criminal Court Judges and District Court Judges.

In its final report, dated August 29, 2011, the first quadrennial judicial salary commission wrote: "[We have] determined that the appropriate benchmark at this time for the New York State's Judiciary is the compensation level of the Federal Judiciary." (see Final Report, Page 8.) We certainly agreed with that position and we hope that this Commission will retain it going forward. In its final report dated December 14, 2015, the next and most recent quadrennial judicial salary commission wrote: "The Commission has determined that the appropriate benchmark for the New York State Judiciary remains the salary of a Federal District Court Judge, and that pay parity between Supreme Court Justices and Federal District Court Judges shall be restored in two phases." (see Final Report at 9). We believe there is no reason to deviate from these determinations.

City Courts exercise broad jurisdiction. We preside over a full range of criminal matters, including felonies from arraignment through preliminary

hearings, misdemeanors and violations from arraignment through plea or jury trial verdict. We also preside over civil cases involving up to \$15,000 and landlord-tenant cases arising in our cities. We also have County-wide small claims and commercial claims jurisdiction up to \$5,000.

We sit as Acting Family Court Judges when the Family Court is not in session. We also sit as RTA Accessible Magistrates and handle local violations including building code, environmental, and navigation violations, traffic and parking tickets.

We are on call all day, every day to conduct arraignments, set bail, and to issue search warrants. Some of us are assigned to sit as Acting Family Court or County Court Judges and are periodically called upon to perform the duties of those courts when needed; and many of us preside in Specialty/Problem Solving Courts, including Domestic Violence Courts, Drug Courts, Veterans' Courts, Human Trafficking Courts, and Mental Health Courts.

Put simply, our duties, jurisdiction and hours are the same things as those of the Long Island District Courts, and the the combination of New York City Civil, Criminal and Housing Courts do plus we do more. We believe that fairness dictates that we should be paid the same as the judges of those courts.

Judges of the Long Island District Courts, the New York City Civil Court, and the New York City Criminal Court, now earn 93% of a Supreme Court Justice's salary. Despite adjudicating the same cases as those courts, a full-time City Court Judge of City Courts outside New York City earns just 90% of a Supreme Court Justice's salary. Since we City Court Judges do the same things District Courts do, and the combination of what the New York City Civil, Criminal and Housing Courts do, and we do more, we think fairness and equity requires that we receive the same 93% pay as Judges of those courts.

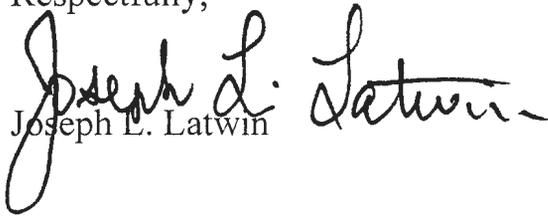
Nowhere can this pay disparity be more evidently unfair than in Nassau County, where the City Courts in Long Beach and Glen Cove have identical jurisdiction and duties as the adjacent District Courts for Nassau County.

Furthermore, Judge DiFiore's Court Merger proposal would combine the City Courts, the District Courts, New York City Civil, and New York City Criminal Courts into a new Municipal Court that would have uniform jurisdiction and duties. Should this proposal be enacted, we believe it would be unjust to have differing salaries among the judges of the Municipal Court depending on from

whence they came. Putting all the judges of these courts at parity now at 93% would eliminate this inexplicable disparity and possibly ease the adoption of Judge DiFiore's Court merger proposal.

We respectfully ask that you adopt our recommendations as your own. We thank you for your service and efforts.

Respectfully,


Joseph L. Latwin