



**TOWN OF BLENHEIM  
SCHOHARIE COUNTY, NEW YORK**

**RESOLUTION # 24**



**TITLE: Resolution In Opposition to New York State Senate Bills-00139B and Assembly Bill A-1358B – Town and Village Judges**

Offered by Town Supervisor Don Airey, who moved for its adoption;

Seconded by Anne Mattice-Strauch

**WHEREAS:** New York State Senate Bill Number S-00139B has been passed which, if adopted by the New York State Assembly(A-1358-B) and signed by the Governor, would require all Judges presiding in the 100 largest Town and Village Courts to be licensed to practice law in the State and to have been admitted to the NYS Bar for at least five years; **and**

**WHEREAS:** The Towns and Villages in Schoharie County are among the nearly 1,200 Justice Courts in the State of New York that collectively handle close to 1 million cases each year; **and**

**WHEREAS:** The Town and Village Courts are known as the “Courts Closest to The People” and have broad jurisdiction, presiding over civil and criminal matters, thereby performing a vital role in the New York State Unified Court System; **and**

**WHEREAS:** The Town Court of Blenheim is a vital service to our residents and the Schoharie County community as a whole; **and**

**WHEREAS:** The Justices in Schoharie County’s Town and Village Courts have pledged to be ever mindful of their neutrality and impartiality, and render equal justice to all, while continually adhering to judicial rules of ethics and pronouncements of the New York State Commission on Judicial Conduct; **and**

**WHEREAS:** The Justices are required to be on-call 24 hours a day, 365 days a year to review / sign arrest and search warrants, perform arraignments and issue orders of protection; **and**

**WHEREAS:** The Justices of Town and Village Courts ensure that the rights afforded to defendants of the Constitutions of the United States and the State of New York prided for and protected; **and**

**WHEREAS:** The Justices of Town and Village Courts preside over trials involving misdemeanor and felony level offenses, thereby ensuring that the victims of such offenses can be heard; **and**

**WHEREAS:** The Town and Village Courts provide a venue for Citizens to pursue a low-cost and efficient procedure for individuals to resolve civil disputes and landlord / tenant offenses can be heard; **and**

**WHEREAS:** The Justices also preside nightly and on weekends and holidays, ensuring arrested citizens are promptly afforded legal representation, the opportunity to plead to alleged charges and to be considered for release, bail or incarceration; **and**

**WHEREAS:** The Justices continually strive to improve the administration of justice through participation in mandatory education programs, seminars, meetings of the Schoharie County Magistrates Association and the New York State Magistrates Association; **and**

**WHEREAS:** The New York State Office of Court Administration must certify all as having successfully completed mandatory training both following election and in each subsequent year; **and**

**WHEREAS:** The New York State Commission on Judicial Conduct's most recent annual report (2023) identifies that only 13% of the complaints filed against the judiciary were against Town and Village Judges while the remaining complaints were against either "State-Paid" Judges (constituting approximately 40% of the entire judiciary) who accounted for approximately 67% of the complaints received, or against non-judicial entities (20%); **and**

**WHEREAS:** This Bill attempts to usurp the right of voters to elect those in their communities they believe to be fair and impartial and who would best serve that community, whether they be attorneys or non-attorneys; **and**

**WHEREAS:** This Bill implicitly suggests that members of a community are incapable of making informed decisions regarding who should sit in judgement of matters from the straight-forward to the highly complex as may arise in their local courts; **and**

**WHEREAS:** This legislative body views the intentions of this Bill is not to actually improve the Courts, but instead a blatant and unconscionable attempt by the New York State Bar Association, and organization that represents approximately only 15% of New York State attorneys, to generate increased opportunities for its members and to dictate who voters may choose to serve in our local governments; **and**


**WHEREAS:** This Bill poses yet another clear and present threat to Home Rule and all that it stands for; **and**

**THEREFORE, BE IT RESOLVED:** The Town of Blenheim Town Board strongly and in unequivocal terms calls on both the leadership in the Senate and Assembly, and the Governor to reject this poorly conceived and hastily fashioned seizure of voters' rights to determine, for themselves, who they would democratically choose to sit as their judges as has the case for nearly two-hundred years.

**ROLL CALL VOTE ON RESOLUTION #24**

Supervisor: Don Airey	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent
Councilwoman: Carolee Russel	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent
Councilman: Chester Keyser	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent
Councilwoman: Anne Mattice-Strauch	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent
Councilwoman: Renee Grabowski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent

Date: October 4, 2023

  
Robin Alley, Town Clerk