

## Center for Judicial Accountability, Inc. (CJA)

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**From:** foil@nysenate.gov  
**Sent:** Monday, December 10, 2012 11:43 AM  
**To:** Center for Judicial Accountability, Inc. (CJA)  
**Subject:** Re: Senate Violation of Rules VI, XIV and FOIL Request  
**Attachments:** img-Z06152132-0001.pdf

December 10, 2012

Ms. Elena Ruth Sassower, Director  
Center for Judicial Accountability, Inc.  
Post Office Box 8101  
White Plains, NY 10602  
[cja@judgewatch.org](mailto:cja@judgewatch.org)

Dear Ms. Sassower:

This is to acknowledge receipt of your email and fax dated December 3, 2012 pursuant to the Freedom of Information Law.

In compliance with your request, attached please find a pdf file of the New York State Senate Judiciary Committee Annual Report for the year 2011.

Sincerely,

Francis W. Patience  
Secretary of the Senate

From: "Center for Judicial Accountability, Inc. \CJA\  
<[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
To: <[FOIL@senate.state.ny.us](mailto:FOIL@senate.state.ny.us)>

Date: 12/03/2012 03:44 PM

Subject: Senate Violation of Rules VI, XIV and FOIL Request

Attached is the Center for Judicial Accountability's already-faxed letter of today's date to Secretary of the Senate Patience.

Thank you.

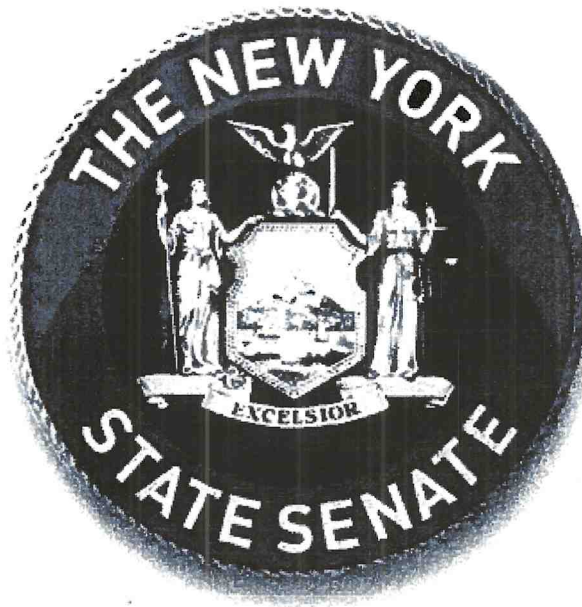
Elena Sassower, Director

Center for Judicial Accountability, Inc. (CJA)

914-455-4373

[attachment "12-3-12-FOIL-senate.pdf" deleted by Senate Foil/senate]

**2011 Annual Report  
New York State Senate  
Judiciary Committee**



**Senator John J. Bonacic, Chairman**

**Senator Ruth Hassell Thompson, Ranking Minority Member**

April 18, 2012

Senator Dean Skelos  
New York State Senate Majority Leader and President Pro-Tempore  
Room 330 Capitol  
Albany, New York 12247

Dear Majority Leader Skelos:

As Chairman of the New York State Senate Judiciary Committee, I am pleased to present to you the Committee's 2011 Annual Report.

The attached report details the New York State Senate Judiciary Committee's activities over the past year. I would like to thank the Ranking Minority Member, Senator Ruth Hassell Thompson for her hard work and attentiveness to this committee. I'd also like to thank the members of the committee for their participation and commitment.

I look forward to working with the members of the Judiciary Committee to ensure that we continue to move in a positive, productive direction in 2012.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Bonacic". The signature is fluid and cursive, with the first name "John" and last name "Bonacic" being the most prominent parts.

Senator John J. Bonacic

### **Committee Members**

Senator John J. Bonacic, Chairman  
Senator Ruth Hassell Thompson, Ranking Minority Member

Senator Eric Adams  
Senator Neil D. Breslin  
Senator John A. DeFrancisco  
Senator Martin Malavé Dilan  
Senator Adriano Espaillat  
Senator John J. Flanagan  
Senator Charles J. Fuschillo, Jr.  
Senator Michael Gianaris  
Senator Liz Krueger  
Senator Andrew J. Lanza  
Senator Kenneth P. Lavallo  
Senator Betty Little  
Senator Michael F. Nozzolio  
Senator Thomas F. O'Mara  
Senator Bill Perkins  
Senator Michael H. Ranzenhofer  
Senator Stephen M. Saland  
Senator José M. Serrano  
Senator Daniel L. Squadron  
Senator Toby Ann Stavisky  
Senator Lee M. Zeldin

### **Committee Staff**

Langdon Chapman, Counsel to the Senate Judiciary Committee  
Jennifer Slagen and David Gruenberg Majority Counsel  
Andrew Winchell, Committee Clerk

**Summary of Judiciary Committee Action on Bills**

|                                                                    |     |
|--------------------------------------------------------------------|-----|
| Total bills referred to Judiciary Committee in 2011                | 284 |
| Total bills reported from Committee in 2011                        | 70  |
| Total number of bills reported by Committee that passed the Senate | 38  |
| Total number of Judiciary bills that became law in 2011            | 18  |
| Total number of Judiciary bills vetoed in 2011                     | 1   |

### **Judiciary Budget for 2011**

The Legislature concurs with the Unified Court System (UCS) Budget request of \$2.55 billion, which reflects a voluntary reduction of \$170 million or 6.3 percent.

UCS saw reductions in the following areas: Civil Legal Services, \$12.5 million, this amount reflects a 50 percent reduction in the additional requested appropriation authority of \$25 million to implement the recommendations of the Chief Judge's Task Force to expand access to civil legal services in New York; Justice Court Assistance Program (JCAP), \$2.5 million, this amount reflects a 50 percent reduction in grants and support to town and village courts; General State Charges, \$10 million to reflect savings on employee benefits that may arise due to downsizing; Judiciary-Wide Maintenance Undistributed reduction of \$54 million, this would allow UCS greater flexibility in the implementation of its containment program.

## **Judiciary Legislation Enacted Into Law in 2011**

### **Chapter 501 of the Laws of 2011 S.2779 Young/A.408 Hoyt**

Provides for the lapse of oil and gas interests located within Allegany state park if unused for 20 years prior to effective date of act.

### **Chapter 367 of the Laws of 2011 S.3179 Defrancisco/A.5022 Cusick**

Allows lien filings for retainage to be filed within 90 days of when the lien was due to be released.

### **Chapter 23 of the Laws of 2011 S.3392 Lanza/A.6534 Abbate**

Expands the residency requirements for New York City marshals to Orange, Westchester, Putnam, Nassau, Suffolk and Rockland.

### **Chapter 309 of the Laws of 2011 S.4302A Savino/A.7632 Rosenthal**

Expands the allegations permitted in family offense petitions to certain new crimes recently enacted, such as criminal obstruction of breathing.

### **Chapter 44 of the Laws of 2011 S.4415 Ritchie/A.7253**

Expands the residency requirements of stenographers for the county of Jefferson to any county within the 5<sup>th</sup> judicial district.

### **Chapter 342 of the Laws of 2011 S.4530B Saland/A.6875B Lentol**

Establishes guidelines for information subpoenas for debt collectors who issue more than 50 information subpoenas each month, requiring certain records be maintained.

### **Chapter 566 of the Laws of 2011 S.4577A Bonacic/A.7519-A Jeffries**

Authorizes attorneys' fees to be awarded to any person that the court finds has acted to benefit the class in a class action suit.

**Chapter 573 of the Laws of 2011 S.4581 Bonacic/A.7466 Zebrowski**

Extends the time of service, time in which defect in form must be raised, copy of proposed amended pleading, and the time of voluntary discontinuances.

**Chapter 285 of the Laws of 2011 S.4585 Bonacic/A.7466 Zebrowski**

Provides that the term "disposition" shall include succession to an interest occurring by operation of law by death of a joint tenant or tenant by entirety.

**Chapter 307 of the Laws of 2011 S.4586A/ Bonacic/A.7465A Zebrowski**

Clarifies, that in the absence of a patients authorization, a trial subpoena duces tecum seeking the production of medical records may be issued by the court.

**Chapter 206 of the Laws of 2011 S.4591A Bonacic/ A.6838A Titone**

Authorizes a beneficiary to be deposed in certain actions, where the beneficiary's disposition under the will is conditioned upon the beneficiary not contesting the will.

**Chapter 284 of the Laws of 2011 S.4594 Bonacic/A.6836 Zebrowski**

Grants city court more powers with respect to an application for relief in aid of an arbitration award.

**Chapter 34 of the Laws of 2011 S.4666 Nozzolio/A.6152 Bronson**

Extends the judicial hearing officer pilot program in the family courts of the seventh and eighth judicial districts for 3 more years.

**Chapter 522 of the Laws of 2011 S.5203A Libous/A.7538A Morelle**

Prohibits private transfer fee obligations; requires disclosure of existing private transfer fee obligations.

**Chapter 179 of the Laws of 2011 S.5449 Defrancisco/A.8007 Weinstein**

Provides that any grant or gift of money to the unified court system shall be disposed of by the chief administrator of the courts without consent from the Senate and Assembly.

**Chapter 529 of the Laws of 2011 S.5519 Bonacic/A.7729 Weinstein**

Modifies certain formulas construed to refer to the federal estate and generation-skipping transfer tax on estates on decedents dying during 2010.

**Chapter 523 of the Laws of 2011 S.5635B Bonacic/A.8368A Weinstein**

Specifies courts and types of actions in which electronic means may be used to commence an action or special proceeding.

**Judiciary Bills Vetoed by the Governor in 2011**

**S.1368A Dilan/A.3127-AO'Donnell**

Authorizes the City of New York to enter into a contract for transportation of children for pre-kindergarten and early intervention students.

**Judiciary Bills Enacted into Law Through Ballot Proposals**

None.

### **Judicial Confirmations**

David A. Weinstein of Glenmont confirmed to the Court of Claims, for a term expiring on March 31, 2020.

Stephen J. Mignano of Cortlandt Manor confirmed to the Court of Claims, for a term expiring on December 31, 2019.

Philip J. Patti of Pittsford confirmed to the Court of Claims, for a term expiring on December 31, 2020.

Daniel P. Fitzgerald of New York confirmed to the Supreme Court of the Eleventh Judicial District, for a term expiring on December 31, 2011.

Ronald A. Zweibel of New York confirmed to the Supreme Court of the First Judicial District, for a term expiring on December 31, 2011.

## **Public Hearing of the New York State Senate Judiciary Committee**

**Joint - Senate Standing Committee on Racing, Gaming and Wagering  
September 7, 2011: Legislative Office Building, Hearing Room B, Albany, NY  
12247; 10:00 AM – 1:00 PM.**

- Randy King, Trustee Chairman, Shinnecock Indian Nation
- James Featherstonough, President, New York Gaming Association along with Michael Wilton, Executive Director, New York Gaming Association; and Timothy Rooney of Yonkers Raceway; and Michael Speller of Resorts World New York
- Jonathan Rouis, Chairman, Sullivan County Legislature, along with Allan Scott, President, Sullivan County Partnership and Roberta Byron Lockwood, President and Chief Executive Officer, Sullivan County Visitors Association
- Joseph D'Amato, Chief Executive Officer, along with Charlie Degliomini, Executive Vice President of Government Relations and Corporate Communication, Empire Resorts, Inc.
- Josh Gold, Director of Political and Strategic Affairs, New York Hotel & Motel Trades Council
- Joseph Faraldo, President, Standardbred Owners Association of New York