# A Fair Shot: The County Party and Judicial Elections in Brooklyn

**NEW KINGS DEMOCRATS**

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# Executive Summary

Three courts in New York City have elected judges: the Supreme Court of New York State, Surrogate's Court, and the Civil Court of New York City, while other courts are presided over by appointed judges. The system for electing judges is heavily influenced by political party County Committees, including the Kings County (Brooklyn) Democratic County Committee, through law and custom. The County Committee leadership benefits from their grip on judicial elections in multiple ways: it can give them sway over the employment of court staff and appointment of court-ordered financial guardians and incentivizes judicial candidates to make monetary contributions to their campaign accounts.

In a 2008 Supreme Court ruling that upheld New York's judicial convention system after a challenge from reformers, Justice Antonin Scalia said simply: "None of our cases establishes an individual's constitutional right to have a 'fair shot' at winning the party's

nomination."[1] It falls to the voters and legislators, not the Constitution, to ensure that candidates have a fair shot. We have seen efforts to reform the judicial election process, including the creation of ethics requirements and screening panels, but these efforts have been uneven in efficacy. The underlying issues remain.

The Policy Committee of New Kings Democrats, a political club committed to bringing transparency and accountability to the Kings County Democratic County Committee, put this document together in the Spring of 2019 in an effort to bring awareness and clarity to judicial elections and the role that the County Committee plays. The Committee depended on legal documents, news reports, and interviews with individuals involved in Brooklyn politics.

And finally, a note: Our concerns about the judicial election process do not mean that we believe the candidates in Brooklyn's June 2019 judicial primary are not competent or worthy of the position. In fact, we're excited to see several candidates outlining their vision for how they will build a more democratic Brooklyn if elected to a judicial position.

Please email policy@newkingsdemocrats.com with questions or concerns.

# Introduction

The structure of New York State's judicial system, including much of the process for electing and nominating judges, is defined in the New York State Constitution and law. While Brooklyn's court system is an animal of the state, its judiciary is heavily influenced by local city and borough politics, particularly the elected judgeships of Civil Court, Supreme Court, and Surrogate's Court.

In this document, we explain the jurisdictions of each of these courts, the process for electing their judges, and the formal and informal role the leadership of the Kings (Brooklyn) County Democratic Committee (KCDC or "the Party") plays. KCDC leadership is comprised of Brooklyn's 42 Democratic District Leaders, who make up the Executive Committee of KCDC ("Party leadership").

# Civil Court of the City of New York

**What is the Civil Court?** Civil Court of the City of New York handles lawsuits involving monetary claims for damages up to $25,000. For example, if a dry cleaner destroys $500 worth of your clothes, you can sue them to Civil Court to try to recoup the loss.

**How is Civil Court Organized?** Civil Court is a citywide entity split into five divisions corresponding to each of the boroughs. Each borough division is managed by a Chief Administrative Judge and split into various parts: Housing, Small Claims, Calendar, Trial, Motion, Conference, and Multipurpose. Civil Court Judges often cycle through those distinct parts.

Brooklyn has approximately 38 Civil Court seats; some of the seats are county-wide, while others represent specific Civil Court Judicial Districts within the borough, with several judges elected from each district. These districts are not coterminous with any other electoral boundaries, such as Assembly or Senate districts.

**How are Civil Court Judges Elected?** Civil Court judges are elected directly by the electorate to 10-year terms - meaning they petition in order to appear on the primary election ballot, then run against other Democratic candidates in the primary, and if they are successful in the primary, face off against candidates from other parties in the general election.[2]

In practice, Party leadership tends to limit competition for Civil Court seats and will only support one candidate per seat. Most would-be candidates choose not to run without the support of the Party for reasons that will be discussed later in this document. The end result is that when voters turn up on primary day, they frequently have no choice between Democratic candidates, and simply elect the candidate pre-chosen by Party leadership.

There also tends to be a lack of competition during the general election since many Democratic candidates are cross-endorsed by the other parties – meaning a single candidate will show up on the ballot as the Democratic *and* Republican candidate. This phenomenon appears to be due to back-room trading of favors between the borough's Democratic, Republican, and other parties' leaders and the fact that many other parties cannot muster the candidates to compete in every judicial election in New York City.[3]

**When do Civil Court Elections Happen?** Civil Court positions come up for election frequently due to judges reaching the end of their 10-year term or a judge turning 70 (the mandatory retirement age). When it is known that a judge is going to retire, an election is held in their last year in office to determine their successor. When vacancies occur outside of the election season, the Mayor temporarily (until the next election cycle) fills them from a list of candidates selected by the Mayor's Advisory Committee on the Judiciary.[4]

|  | **NYC Civil Court** |
|---|---|
| **Getting on General ballot?** | Primary |
| **Petition Signature Threshold** | 4,000 for a County-Wide seat; 1,500 for a Municipal District seat |
| **Required Years Admitted to Bar** | 10 |
| **Residency Requirement?** | NYC residence |
| **Term (years)** | 10 |
| **Maximum Age** | 70 |
| **Pay** | $193,500 |

# Supreme Court

**What is the Supreme Court?** The Civil Division of the Supreme Court in New York State has jurisdiction of over civil cases with no limitations on the monetary value. For example, if a construction worker dies on a construction site, their family may sue the contractor for unsafe working conditions in Supreme Court. In New York City, the Supreme Court also has a Criminal Division that hears felony-level criminal cases.[5]

Unlike in other states, New York's Supreme Court is not the highest court in the State; the highest court is the New York State Court of Appeals.

**How is Supreme Court Organized?** The State Supreme Court system is divided into 13 Supreme Court judicial districts. In New York City, each borough is its own numbered district (Brooklyn is the 2nd). The number of Supreme Court justices in each district is fixed in the New York State Judiciary Law. There are 49 Supreme Court justices in Brooklyn.[6]

Supreme Court seats are district-wide – which, in the case of Brooklyn, means county-wide.

**How are Supreme Court Judges Elected?** The State Constitution creates a unique and indirect method for selecting which Democratic candidates for Supreme Court will appear on the general election ballot, using a nominating convention rather than a standard primary election.

- In the primaries, Democratic voters elect a slate of **Judicial Delegates** (and Alternates) to represent their Assembly District; there are 21 Assembly Districts in Brooklyn.
  - Judicial Delegate candidates petition to be on the ballot, but only appear on the ballot if there are more candidates than delegate seats (similar to County Committee elections). If there are not more candidates than delegate seats, then candidates who have successfully petitioned to be on the ballot automatically win.
  - Judicial Delegate candidates do not actually have to reside in the Assembly District they are running to represent.
  - The formula for the number of Delegates and Alternates per Assembly District is a matter of county-level Party rules, but state law requires a Party to apportion Delegates by Assembly District reflecting those Assembly Districts' share of the Party's vote for governor.[7]
  - Judicial Delegates are not the Supreme Court nominees themselves and are not required to be lawyers. They are also not allowed to indicate which potential candidate for Supreme Court they intend to support at the Convention.
- These Judicial Delegates, if elected, then attend a **Judicial Nominating Convention** held between the primary and general elections. If for some reason a Judicial Delegate cannot attend, their Alternate does so in their place. At the Judicial Nominating Convention, delegates vote on which Democratic Party candidates to nominate for any Supreme Court vacancies.

- The successfully nominated Supreme Court candidates will then appear on the General Election ballot as the Democratic candidates.

**When do Supreme Court Elections Happen?** Supreme Court justices serve 14-year terms. A Justice of the Supreme Court must retire from office on the last day of the year in which they reach age 70; however, they may receive permission from the Administrative Board of Courts to serve three additional two-year terms.[8] The opportunity to work beyond the age of 70 makes advancing to Supreme Court attractive to many Civil Court judges, as does the higher pay: Supreme Court judges make $208,000 per year.

The Governor fills mid-term vacancies upon advice of the State Senate.[9]

|  | **NYS Supreme Court** |
| --- | --- |
| **Getting on General ballot?** | Judicial Convention |
| **Required Years Admitted to Bar** | 10 |
| **Residency Requirement?** | New York State residence |
| **Term (years)** | 14 |
| **Maximum Age** | 76 (70 plus three two-year extensions) |
| **Pay** | $208,000 |

**Some Civil Court Judges serve in the Supreme Court:** The number of Supreme Court judges for each judicial district is set out by statute, and the Supreme Court workload often surpasses the capacity of the elected Supreme Court judges. The Chief Administrative Judge is empowered to address this issue by temporarily assigning judges from lower courts to serve as *Acting* Justices of the Supreme Court. These Acting Justices sit alongside the elected Supreme Court judges.

Such an assignment to the Supreme Court lasts one year and may be renewed an indefinite number of times. Judges from the Court of Claims, County Courts, and New York City Civil, Criminal and Family Court who have served for at least two years are eligible to serve as Acting Justices.[10] An Acting Justice of the Supreme Court remains bound by their original term of office (e.g., 10 years for Civil Court judges), but is paid the Supreme Court salary when serving as Acting Supreme Court Justice.[11]

# Surrogate's Court

**What is Surrogate's Court?** Surrogate's Court hears cases involving affairs of the deceased, including the probate of wills – such as transferring a property's title from the person who has

died to the person's heirs, paying of any taxes owed by the deceased person, determining the validity of a will, or settling any disputes related to a will. The court also handles family trusts, adoptions, and guardianships. A judge of the Surrogate's Court is referred to as their respective county's surrogate.

**How are Surrogate's Courts Organized?** Each county in New York has one surrogate, except for Kings (Brooklyn) and New York (Manhattan) counties, which each have two (more on that later). In New York City, the surrogate(s) of each borough also interacts with that borough's Office of the Public Administrator, which is responsible for gathering and disbursing the assets of the deceased when their heirs are unknown.

**How are Surrogates Elected?** Surrogates are elected directly by the electorate through a primary, then general election.

**When do Surrogate Elections Happen?** Surrogates serve 14-year terms.

One of Brooklyn's surrogates, Judge Harriet Thompson, was elected to her seat in 2018, effective January 1, 2019. Her seat will not become open again until 2032.

Brooklyn's second surrogate, Judge Margarita Lopez Torres, was elected to that position in 2005; her term ends in 2019, and she is currently running for re-election as of the publication of this document.[12] Judge Lopez will turn 70 before her term is up (if she is reelected) and an election to determine her successor will be held during her last year in office.

**How Did Brooklyn Get Two Surrogates?** There used to be only one Surrogate seat in Kings County. In 2005, the State Commission on Judicial Conduct removed then-Surrogate Michael Feinberg, finding he improperly awarded nearly $9 million in fees to a longtime political ally.[13] In the ensuing election to replace Feinberg, a candidate whom the Party did not support, Margarita Lopez Torres, beat the Party-backed candidate.

Simultaneously, outgoing Governor George Pataki was looking to expand the State Court of Claims (which deals with cases brought against the state or a state-controlled entity; the Governor holds appointment power over these judges), which required legislation to be passed. Pataki made a deal with Brooklyn-based legislators (including then-Kings County boss Clarence Norman): Pataki would get his additional Court of Claims judges in exchange for one additional Surrogate in Brooklyn.[14] Current County Chair Frank Seddio was elected to fill that position.

# KCDC and Judges

KCDC plays a significant – but often unclear – role in who runs to be a judge and who succeeds in a race. The following explains how KCDC exerts its control over judicial elections and how it benefits from doing so.

# How does KCDC leadership exert power over judicial elections?

**KCDC provides manpower to endorsed Civil Court Candidates.** The Party itself is not officially allowed to provide resources to candidates in the primary, but District Leaders (and other elected officials) can help judicial candidates collect the required number of signatures in order to be eligible for nomination. Petitioning help is crucial: while candidates are required by law to collect 4,000 signatures for a county-wide seat and 1,500 for a district-wide seat, they must actually obtain two or three times the requirement as a cushion to protect against potential challenges.[15]

Help can come in other forms as well. For example, County Chair Frank Seddio directed members of his political club to review petitions submitted by a challenger to a Party-endorsed candidate for Civil Court (Judge Michael Gerstein) to find invalid signatures so that those petitions could be challenged in court.[16] District Leaders can also provide judicial candidates with access to election lawyers (typically law clerks who want to eventually become judges).[17]

Judicial candidates are more dependent on this kind of institutional support to run their campaigns than are candidates for other offices such as State Senate or City Council. While a candidate for State Assembly can indicate the policy positions they intend to take when in office, judicial candidates cannot speak to how they might rule in any matter. Further, sitting judges are forbidden to participate in political activities, and therefore lack the political base that candidates for other legislative or executive positions often do. These rules are intended to depoliticize the judiciary, but their unintended side effect is that judicial candidates therefore depend on buy-in from the political establishment.

**KCDC exercises complete control over the Supreme Court Judicial Convention.** In theory, Judicial Delegates are free to nominate any Democratic Supreme Court candidate at the nominating convention to compete in the general election. However, Judicial Conventions are described as perfunctory affairs where judicial delegates "rubber stamp" candidates already chosen by the Party's Executive Committee. Frequently, delegates are given no choice of candidates at the Convention itself (one review found that 96% of judicial nominating conventions were uncontested).[18] Other reports explain that delegates choose to not exert independence as they are frequently political insiders or family members of District Leaders who can run year after year unopposed.[19]

Within the Executive Committee, there is alleged horse-trading in picking which candidates will be presented to judicial delegates: for example, in 2015, the "reform" faction of the Executive Committee dropped its opposition to Noach Dear, who was backed by the Orthodox community, in exchange for Orthodox District Leaders' support for the reform faction's candidate, Debra Silber.[20]

Someone who might be able to win a Civil Court seat without Party support because of its more open election process would have a difficult time then convincing Party leadership to allow them

to rise to Supreme Court – where most Civil Court judges would like to end up. They would therefore face the fairly impossible task of wresting control of the Democratic Supreme Court nominating convention away from Party leaders by running sympathetic Judicial Delegates in enough delegate races to have a majority at the convention. There is no record of this ever having happened. As a result, many candidates do not even attempt to run for Civil Court without Party support.

**KCDC exercises formal power over filling candidate vacancies.** Civil Court judges running for reelection who win the party's nomination in the primary election can be subsequently nominated to be the Party's Supreme Court candidate at the nominating convention. This move creates a vacancy on the Democratic ballot line for Civil Court in the general election. According to KCDC rules, such vacancies are filled by a vote of the County Committee members residing in the relevant judicial district *or* if the newly vacant seat is a borough-wide Civil Court seat, the vacancy is filled by a vote of the KCDC Executive Committee. This in effect gives Party leadership complete control over who becomes the Democratic candidate in the Civil Court race. This happened in three races in September 2018.

In one case, sitting Civil Court Judge Devin Cohen, campaigning for reelection, won in his Civil Court primary election in September 2018. He was subsequently nominated as a Supreme Court candidate at the Judicial Convention shortly thereafter, vacating his position on the Civil Court general election ballot. Since the Civil Court seat was not county-wide, the resulting vacancy was filled by a vote of the County Committee members from in the 1st Municipal Court District. They elected Anne Swern, the only candidate presented to them, who went on to win the general election.

**KCDC provides opportunities for cross-endorsement.** KCDC's Executive Committee typically coordinates with other parties so that the candidates it has endorsed for judgeships may run on other party lines (i.e., cross-nomination) with minimal competition.

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**A note on the 2018 Supreme Court election:** In 2018, there were several Working Families Party (WFP) candidates on the ballot for Supreme Court seats who were not cross-nominated on the Democratic line. These individuals were <u>not</u> intentionally running for Supreme Court. Rather, the WFP used those individuals as 'placeholders' for State Senate races in the primary to give WFP time to decide who it wanted to run in those races in the general election. After the primary, once the WFP had decided who it wanted to be their State Senate candidates, the WFP needed the placeholder candidates to vacate the ballot. One way to do this (besides having the candidate move out of state or die) is to have them run in another race, and so at the WFP Judicial Nominating Convention, delegates nominated the placeholder candidates to be the WFP Supreme Court candidates, thereby vacating the Senate ballot lines, which the chosen candidates could them be nominated to fill.

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## How does KCDC leadership benefit from its control over judicial elections?

**Judicial Candidates as Donors.** By law, sitting judges and declared candidates for judgeships may not donate directly to any political campaign or political entity. However, the rules for judicial conduct do allow them to buy two tickets to political fundraising events, and there is no limit on the number of events a judicial candidate can attend.[21] As a result, judicial candidates often attend a slew of fundraising parties held by District Leaders and political clubs. Judicial candidates' names are often among District Leader campaign account donors[22]; and tickets for club fundraiser dinners are commonly found on judicial candidates' campaign disclosures.[23]

Patently illegal fundraising activity has also been documented. In 2007, Former Brooklyn Civil Court Judge Karen Yellen alleged that Party boss Clarence Norman demanded that she donate $1,000 to a political ally (then-Assembly Member Adele Cohen) or risk losing the Party's support. The charge became the basis of Norman's conviction for extortion.[24]

**Judicial Campaigns as Source of Work.** Along with accusations of steering donations, it was widely alleged that Clarence Norman and Party staff pressured judicial candidates to hire affiliated campaign consultants, election lawyers, and other vendors.[25]

More recently, a Civil Court candidate paid current Party Chair Frank Seddio $15,000 directly in "wages," though no coercion was alleged.[26] This candidate was then chosen at the Judicial Nominating Convention to be a Supreme Court candidate.

**Favors From the Bench.** KCDC's control over the judicial election process gives Party leaders leverage in determining who gets hired in Brooklyn's courts. This has long been considered a key spoil that comes along with control of the Democratic Party. Addressing patronage hiring in the courts in an interview with the *Village Voice's* Jack Newfield in 1972*,* then-Brooklyn Party Boss Meade Esposito was candid: "What's wrong with the party appointing the law secretaries? You gotta reward the faithful."[27] Decades later, the practice persisted, as witnesses described how then-Boss Clarence Norman and Vito Lopez pressured a judge to hire a relative of Lopez.[28]

Along with regular court staff, judges have discretion when appointing third parties as fiduciaries to assist in financial affairs on behalf of the court or parties before the court for a commission or percentage of assets.[29] Patronage has been repeatedly alleged in judges' appointments of fiduciaries, with complaints that judges use such appointments in a corrupt manner, choosing party insiders or relatives. Once assigned to an estate, a fiduciary can levy fees directly on to the state, but the fees must be approved by the presiding judge. This has allowed fiduciaries to enrich themselves through plundering the estates and businesses they were charged with preserving, with a friendly judge rubberstamping their fees.

# Past Reform Efforts

**Screening Panels**

KCDC established a judicial screening panel in 1975 in order to introduce some objectivity into its endorsement process and to immunize against charges of nepotism or favoritism. The Panel's history has been checkered: in 1975, the Kings County Democratic machine under Boss Meade Esposito set up a screening panel in partnership with the Republican County leaders.[30] Esposito publicly told *The New York Times* in 1977 that he trusted the panel, and "I don't want anyone pointing a finger at me – I made this one, I made that one."[31] And yet, Esposito later boasted in 1985 (in private phone conversations captured on wiretap) he had personally "made" 42 judges.[32] At least one judge from the Esposito era detailed how County's nomination was won with a $35,000 bribe funneled through a Democratic District Leader.[33]

Over time, various issues with the Screening Panel and judicial nomination process emerged as scandals with judicial misconduct tied to the machine erupted. These scandals reached their height in 2003 when multiple Brooklyn judges were found guilty of corruption and panelists quit the panel in protest.[34] This led to a revamp of practices, including a requirement that names of the nominees before the Panel be disclosed publicly before the screening takes place.[35]

Currently, the panel itself, whose membership changes year to year, is comprised of nominated members of various bar associations. The Party's Panel publishes its composition and reports on a dedicated page on the KCDC site.[36] The Judicial Screening Panel's current practice is to provide candidates with a questionnaire[37], interview them, and then determine whether they are "qualified" or "not qualified at this time" to hold judicial office. The Screening Panel then refers "qualified" candidates to the KCDC Executive Committee for consideration for endorsement. According to the Judicial Screening Panel's rules,[38] the Panel should refer approximately five "qualified" candidates per open position to be considered. It is unclear whether that actually happens. The Party's Executive Committee cannot endorse any candidate not found to be qualified.

Having an objective panel review the qualification of candidates and limiting the Party to only endorsing qualified candidates is an important step towards reform, but there is still a great deal of politics that occurs after the screening phase.

Who else reviews the qualifications for candidates for Civil Court and other Judgeships? Various bar associations and other entities set up their own screening panels to assess judicial candidates' qualifications and determine whether they are 'qualified.' These are advisory opinions, meaning 'unqualified' candidates are still able to run and candidates can choose to be reviewed by these entities or not.

**KCDC Rules Reform**

In 2014, several political clubs successfully advocated for the following language to be added to the Party rules:

*No member of the Executive Committee may nominate or cast a vote at such Executive Committee meeting with regard to a judicial endorsement in which a member of his or her immediate family is a candidate in such contest. For purposes of this Section, immediate family shall be defined to include, spouse, domestic partner, child, parent or sibling.*

These groups were unsuccessful in advocating that the rules require that KCDC Executive Committee meetings held for the purpose of endorsing judicial candidates be open to the public. Instead, there was a compromise: these meetings "may be held in public session only upon a majority vote of the Executive Committee."[39] In 2014, the Executive Committee held the meeting in private but then publicly announced the results. The meetings have subsequently been held in private.

**Legal Efforts**

In 2007, Judge Margarita Lopez Torres filed a lawsuit against the New York State Board of Elections that tested the constitutionality of the Judicial Convention system by arguing that the system violated the associational rights of voters and candidates.[40] Her case ultimately made it to the Supreme Court, which in 2008 found the Judicial Convention system to be constitutional, but provoked the following statement from Justice John Paul Stevens:

*"I think it appropriate to emphasize the distinction between constitutionality and wise policy. Our holding with respect to the former should not be misread as endorsement of the electoral system under review [···] I recall my esteemed former colleague, Thurgood Marshall, remarking on numerous occasions: 'The Constitution does not prohibit legislatures from enacting stupid laws.'"[41]*

**Part 36: Addressing Patronage in Fiduciary Appointments**

In 1985, the Chief Judge of New York created Part 36 as the first effort to outline an application process for fiduciary appointments to document and professionalize the process, similar to civil service testing.[42] Today, Part 36 includes an enrollment process and explicitly bars judges from making appointments that present a conflict of interest or appearance of nepotism.

Today, a judge is explicitly barred from appointing:
- Relatives (including relatives through marriage);
- Certain employees of the Unified Court System;
- Disbarred lawyers and those disciplined by the courts with just cause; and
- Those filling the role of campaign staff or staff of the Party.

The most current Part 36 rules are published online[43] along with explanatory notes.[44] Publicly searchable data, including lists of attorneys eligible for appointment and approved compensation rates, has also been made available by the courts.[45]

**Running Independent Campaigns**

Some candidates, like Judge Margarita Lopez Torres, have challenged the system by running for a judicial seat against the wishes of Party bosses (Judge Torres is currently running for re-election to Surrogate's Court with Party support). Political strategist Gary Tilzer has made a name for himself supporting candidates in running these independent bids. Given the nature of the Judicial Convention, these independent races can really only be successful in Civil and Surrogate's Court races. In 2017, two independent candidates won election to Civil Court in an election that saw 6 women elected – including one who had been deemed unqualified by the KCDC screening panel.[46] In 2003, the Working Families Party ran multiple candidates for Supreme and Civil Court against the Democratic Party, but lost those races by a wide margin.[47]

# Conclusion

Whether or not judges should be appointed or elected – and if elected, elected directly or through a convention process – deserves further study. What is clear is that within New York's current system, work should be done to increase the transparency of judicial elections and reduce the undemocratic control KCDC's leadership enjoys.

# Selected Reading

- "Who Really Picks New York's Judges?" November 2011, https://www.brennancenter.org/blog/who-really-picks-new-yorks-judges
- "How the politically connected control the New York Court System" June 2017. https://nypost.com/2017/06/07/how-the-politically-connected-control-the-new-york-court-system/
- "Voters Pick Women Over men in Primary for All Six Brooklyn Judicial Seats", September 2017 http://www.gothamgazette.com/state/7207-voters-pick-women-over-men-in-primary-for-all-six-brooklyn-judicial-seats
- "New York Takes Step in Money In Judicial Elections" February 2011 https://www.nytimes.com/2011/02/14/nyregion/14judges.html
- "How are Judges Made in New York? Like Sausage" September 2016, http://www.crainsnewyork.com/article/20160921/expert/160929979/how-to-become-a-supreme-court-judge-in-nyc-you-gotta-know-a-guy-like-noach-dear-a-controversial-former-brooklyn-city-councilman-who-became-a-civil-court-judge-who-relentlessly-courted-brooklyn-democratic-district-leaders
- "A Court, Not Votes, Sustains a Political Machine in Queens" November 2011 https://www.nytimes.com/2011/11/29/nyregion/in-queens-political-center-is-in-surrogates-court.html?mtrref=observer.com

- "Battle of the Grifters" June 2018. https://indypendent.org/2018/06/battle-of-the-grifters/
- "How to vote smart in judicial elections" City & State, https://www.cityandstateny.com/articles/politics/news-politics/how-to-vote-in-smart-judicial-elections.html
- "The Lonely Death of George Bell" *NY Times.* October 2015. https://www.nytimes.com/2015/10/18/nyregion/dying-alone-in-new-york-city.html

# Resources

- New York City Bar, How to Become a Judge (2014)
- New York City Bar, Recommendations on the Selection of Judges and the Improvement of the Judicial Selection System in New York State, (2006)
- Fund for Modern Courts, Final Report to the Chief Judge of the State of New York (2006)
- New York State Unified Court System. Annual Reports of the Chief Administrator
- Judicial Campaign Ethics Center. Judicial Campaign Ethics Handbook
- NYS Unified Court System FY 2018-19 Budget

[1] *New York Times,* "Justices Uphold New York's Judge System" (January 17, 2008), Judgehttps://www.nytimes.com/2008/01/17/nyregion/17scotus.html.

[2] Candidates for borough wide seat must collect 4,000 signatures. Candidates for a judicial district seat must collect 1,500 signatures.

[3] Judicial Selection Task Force of The Association of the Bar of the City of New York. "Recommendations on the Selection of Judges and the Improvement of the Judicial System in New York" (October 2003), p.10, https://www.nycbar.org/pdf/Judicial%20selection%20task%20force.pdf.

[4] 102-83

[5] Misdemeanor criminal cases are heard in the NYC Criminal Court - Judges in this court are appointed by the Mayor to ten-year terms.

[6] New York Consolidated Laws, Judiciary Law - JUD § 140-a. Number of Supreme Court justices in each judicial district. https://codes.findlaw.com/ny/judiciary-law/jud-sect-140-a.html

[7] The number of delegates per AD is determined by party rules, but is required by state law to be proportional to the AD's share of the vote cast for the governor on the party's line in the immediately preceding election: https://www.nycbar.org/pdf/Judicial%20selection%20task%20force.pdf ; NY Election Law Section 6-124. Judicial Delegate Alternates stand in for the Judicial Delegate if he/she is unable to attend the Judicial District Convention.

[8] "NYS Unified Court System Budget, Fiscal Year 2018-19" p. 58, http://ww2.nycourts.gov/sites/default/files/document/files/2018-05/2018-19-UCS-Budget.PDF

[9] New York State Constitution Article VI 21(a)

[10] "Rules of the Chief Administrative Judge - PART 121. Temporary Assignment Of Judges To The Supreme Court," http://ww2.nycourts.gov/rules/chiefadmin/121.shtml

[11] "NYS Unified Court System Budget, Fiscal Year 2018-19," p. 58, http://ww2.nycourts.gov/sites/default/files/document/files/2018-05/2018-19-UCS-Budget.PDF

[12] https://ballotpedia.org/Margarita_Lopez_Torres

[13] "In the Matter of the Proceeding Pursuant to Section 44, subdivision 4, of the Judiciary Law in Relation to MICHAEL H. FEINBERG, Surrogate, Kings County." http://cjc.ny.gov/Determinations/F/Feinberg.Michael.H.2005.02.10.DET.pdf;

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[15] Association of the Bar of the City of New York Special Committee to Encourage Judicial Service, "How to Become a Judge" (2018), p. 4, https://www.nycbar.org/pdf/report/become_a_judge.pdf.

[16] *City and State,* "Being Frank: How Seddio Transformed the Brooklyn Democratic Party." (July 28, 2015), https://cityandstateny.com/articles/politics/new-york-city/being-frank-how-seddios-style-transformed-the-brooklyn-democratic-party.html.

[17] Judicial Selection Task Force of The Association of the Bar of the City of New York. "Recommendations on the Selection of Judges and the Improvement of the Judicial System in New York" (October 2003), p. 18 https://www.nycbar.org/pdf/Judicial%20selection%20task%20force.pdf

[1818] *New York Times,* "EDITORIAL: Real Judicial Elections," (October 2, 2007), https://www.nytimes.com/2007/10/02/opinion/02tue1.html.

[19] *New York Times,* "Picking Judges: Party Machines, Rubber Stamps," (July 20, 2003), https://www.nytimes.com/2003/07/20/nyregion/picking-judges-party-machines-rubber-stamps.html.

[20] *New York Post,* "Judge in line for NY Supreme Court post amid 'back-room deal'" (September 27, 2015), https://nypost.com/2015/09/27/judge-in-line-for-ny-supreme-court-post-amid-back-room-deal/.

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