



Legislation Text

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Res. 17

Resolution calling upon the New York State Legislature to amend the New York State Constitution to require that judicial appointments made by the Mayor be subject to City Council confirmation.

By Council Members Weprin, Comrie, Gennaro, Jackson, Jennings, Liu, Martinez, McMahon, Monserrate, Nelson, Perkins, Recchia Jr., Rivera, Sanders Jr., Stewart and Yassky; also Council Members Lopez and Clarke

Whereas, Pursuant to Article VI of the New York State Constitution, the Mayor, the City's chief executive officer, is empowered to appoint individuals to the serve on the City's Family Court and Criminal Court; and

Whereas, The City Council, the City's sole legislative body, plays no role in the selection of our City's judges; and

Whereas, In contrast, the New York State Constitution mandates that appointments made by the Governor, the state's chief executive officer, to the New York State Court of Claims, the New York State Appellate Division, and the New York State Court of Appeals are subject to the advice and consent of the State Senate; and

Whereas, Similarly, Presidential appointments to the Court of Federal Claims, United States District Court, the United States Court of Appeals, and the United States Supreme Court are subject to the advice and consent of the United States Senate; and

Whereas, The Council's 51 Members are representative of the City's diversity, with all its various neighborhoods, ethnic groups, and cultures; and

Whereas, Requiring Council confirmation would incorporate a broad and diverse range of ideas and opinions in determining who is allowed to serve in the City's judicial branch; and

Whereas, It is important that all of the City's communities are provided with an opportunity to contribute to the selection of our City's judges because the judiciary must serve all of the City's residents; and

Whereas, Requiring Council confirmation of the Mayor's judicial appointments would protect the separation of the branches of government by ensuring that those who serve in the judicial branch are truly independent and not indebted to one governmental branch; and

Whereas, For these reasons, it is important that the Council play a role in the City's judicial appointment process; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to amend the New York State Constitution to require that judicial appointments made by the Mayor be subject to City Council confirmation.