

FY 2025 NEW YORK STATE EXECUTIVE BUDGET

**REMOVE THE CAP ON SUPREME COURT JUSTICES
CONCURRENT RESOLUTION**

MEMORANDUM IN SUPPORT

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A BUDGET BILL submitted by the Governor in
Accordance with Article VII of the Constitution

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

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SENATE AND ASSEMBLY proposing
amendments to article 6 of the constitution, in
relation to the number of supreme court justices
in any judicial district

Purpose:

This concurrent resolution would amend the New York State Constitution to remove the existing provision providing for a maximum number of supreme court justices in each judicial district.

Summary of Provisions and Statement in Support:

This concurrent resolution would remove the language in Article VI, Section 6, paragraph d of the New York State Constitution limiting the maximum number of supreme court justices in each judicial district to one per 50,000 residents or fraction over 30,000 residents.

This population-based formula is grossly outdated, fails to account for the growing demands on the courts in each judicial district and, despite the obvious need as evidenced by the backlog in cases and decline in jury trials, constrains the Legislature from authorizing a sufficient number of judges in certain counties. The current limitation in the Constitution has exacerbated delays in the system and deferred justice for too many New Yorkers.

Effective Date:

This concurrent resolution becomes effective following passage by the Legislature over two successive legislative sessions and upon approval by voters. The earliest this amendment could be on the ballot would be in the general election in 2025.