

New York State Magistrates Association
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ADOPTED 2026 Legislative Agenda

- 1) *Opposition to Top 100 Bill, Attorney Judges Only.* * Refer to 2025-26 bills: S1409 same as A5787
- 2) *Opposition to* Allowing for justices to reside in any town, village or city contained in whole or in part within the same assembly district as the court such justice serves or in an assembly district contiguous to such municipality where the court is located; authorizes towns and villages to require that any person who serves as a town or village justice be admitted to practice law in the state. *Refer to 2025-26 bills: A964 same as S7676
- 3) *Opposition to any efforts in the creation of District Courts* – Oppose any eliminating of local and convenient access to justice by way of the town and village courts all citizens for judicial resolutions of conflicts, continued public safety and the protection of constitutional guarantees for all.
- 4) *Bail Reform* – Continue to advocate for changes and reform regarding the Bail Reform Act of 2019, including but not limited to taking dangerousness into account as the majority of other States. We object, in the interest of justice, to any reduction in our authority and discretion to require defendants to appear in court on a timely and scheduled basis.
- 5) *Suspensions* – In the interest of justice, we advocate for the restoration of the authority and discretion of the courts to suspend driver's license and registration for failure to comply with court orders including payment of surcharges and fines and failure to appear in court. Under the current system, some defendants flaunt the directives of the court leading to a flagrant disregard for the rule of law.
- 6) *Municipal funding for training* – Amend New York State's Town and Village law and General Municipal law to require all towns and villages to provide funding for members of their respective judiciaries to attend in person, the required annual training necessary to maintain their state certification as a judge. As noted in the Rules of the Chief Judge (Section 17.2; Training and education of town and village justices and court clerks.)
- 7) *Security* – Due to the lack of State funding, the vast majority of courts do not have any security whatsoever. Therefore, we advocate for amendment to the Penal Law to allow all judges **who are duly licensed** to carry firearms permission to carry such firearms in his/her courthouse and courtrooms, and other sensitive locations, not just select judges and clerks as the law currently applies. * Refer to 2025-26 bills: A5599 same as S3536
- 8) *Assault* -Allow Assault 3rd (Penal Law 120.00 [1]) to become a fully bail eligible offense.
- 9) *Wedding Officiating Fees* – Raise the fee for a Town or Village Justice to perform a wedding to a maximum \$300.00.

- 10) *Retirement Benefits for Town and Village Justices and Court Clerks* – Town and Village Justices have given years of dedicated service to their communities and New York State. Considering the nominal pay these local Justices receive, and the fact that they are on call and available 24/7/365, the Committee believes that full retirement benefits would be an appropriate recognition of their service which would not have a significantly negative impact on the state retirement system.
- 11) *Translation Services* – Raise the statutory reimbursement rate for translation services (foreign language and sign language for the deaf) from \$25.00 per day to \$300.00 per day, uniform across the State. Refer to 2025-26 bills A3669 same as S916 **On Gov desk**
- 12) *CPL 730.30* – Amend section 730.30 of the New York State Criminal Procedure Law to allow the Court to remand a defendant pending completion of his/her Psychological Exam under CPL Article 730.
- 13) *Associate Village Justice. Amend the Term of Appointment* – Amend the term for which an associate village justice is appointed from one year to a maximum of four years. *Second associate village justice* – Support legislation which permits the appointment of a second associate village justice directly by the Mayor and Board of Trustees instead of the current requirement of New York State Legislative approval on each separate occasion.
- 14) *Court System Funding* – NYSMA has advocated that the State provide adequate funds to continue implementation of the Action Plan including JCAP for the State’s town and village justice courts. To provide true access, the courts must have well trained personnel and maintain all necessary facilities. As part of this, the State should bring the JCAP amount back up to \$10,000,000.00 per year.
- 15) *Suspend Motor Vehicle Registration* – Mandate that individuals with suspended (SCOFF-Law) vehicle registrations be prohibited from changing their license plates and registration until the fees and surcharges associated with their current suspended license plates and registration is resolved with the suspended issuing court.
- 16) *Mandate Suspension* – Require Department of Motor Vehicles to suspend, upon Court order, the vehicle registration of a defendant up to the re-registration date, and not stop the procedure at 60 days before re- registration date, as is currently the policy.
- 17) *Court Security* – Amend CPL 2.10 Persons designated as Peace Officers to include the title: “court attendant” as a person appointed and designated as peace officers by a city, town, village or sheriff.
- 18) *Article 78-* Include all Town and Village Judges in the Attorney General’s obligation to defend under Article 78.
- 19) *Bail Consideration* - Amd §510.10, CP L: Adds a defendant's identifiable ties to the community, state,

and/or county to judges' considerations of whether to fix a securing order, including residence, employment, enrollment with an educational institution, and immediate family. * Refer to 2025 A05748 No Same As

- 20) *Small Claims Fees* – Increase the filing fee for small claims from \$10 to \$25.00 for up to \$1000.00 claims and from \$15.00 to \$35.00 for up to \$3000.00 claims.

Oppositions

- 1) *Opposition to Top 100 Bill, Attorney Judges Only.* * Refer to 2025-26 bills: S1409 same as A5787
- 2) *Opposition to any efforts in the creation of District Courts* – Oppose any eliminating of local and convenient access to justice by way of the town and village courts all citizens for judicial resolutions of conflicts, continued public safety and the protection of constitutional guarantees for all.
- 3) *Opposition to offer range of dates to Defendants* – Oppose any legislation that requires the court to provide a range of dates for a person pleading not guilty to a traffic infraction to appear. Refer to 2023-24 bill: A4486
- 4) *Opposition to Right to Attorney Justice-* Relates to the right of defendants in misdemeanor or felony cases to have such matter appear before a judge or justice admitted to practice law in New York. Refer to 2025-26 Bills: A4602 same as S7450
- 5) *Opposition to Budget Bill 2024-* Subpart A of Part WW of Chapter 56 of the Laws of 2024 VTL section 402(8) is amended as follows:

Section 402 (8)(b) requires a person convicted of a violation of 402(1)(b)(ii-a) to surrender the glass or plastic covering or material appearing to be a number plate to the court or administrative tribunal for delivery to the Department of Motor Vehicles (DMV). The court or administrative tribunal should retain such covering or material appearing to be a number plate pending the results of any appeal, after which they may be disposed. (Effective September 1, 2024)

- 6) *Opposition to Budget Bill 2024-* Subpart A of Part WW of Chapter 56 of the Laws of 2024 VTL section 402(8) is amended as follows:

Section 402 (8)(b) requires a person convicted of a violation of 402(1)(b)(ii-a) to surrender the glass or plastic covering or material appearing to be a number plate to the court or administrative tribunal for delivery to the Department of Motor Vehicles (DMV). The court or administrative tribunal should retain such covering or material appearing to be a number plate pending the results of any appeal, after which they may be disposed. (Effective September 1, 2024)

