

From: Judge Garry Huddle, Town of Danby

Q: How well do the local Justice Courts protect the due process rights of defendants in criminal proceedings?

A: I feel that in the town courts, now that the defendants are almost always represented by an attorney at the first arraignment, the defendants rights are always protected.

Q: What are the benefits/disadvantages of local Justice Courts being presided over by non-lawyer Justices?

A: I don't see any disadvantages. Both sides are represented by an attorney and the judge makes a decision based on the law.

Q: Do the Justice Courts provide consistent and quality administration of the criminal and civil law, operating in an independent, public and transparent manner?

A: I don't know about other courts, but our court is consistent with our decisions on criminal and civil cases. We operate independently from both sides, plaintiff and defendant, and almost everything is open to the public. I don't understand why transparency is part of this question.

Q: What is your opinion about a plan which would create one or two strategically located municipal courts presided over by a lawyer-Judge, to replace the 13 local town/village courts where non-lawyer Justices may preside?

A: Since 75-80% or more of the cases before the town courts are V&T why would you want to funnel all of those case from all over the county to one or two locations. The fines and penalties for these cases are already set by the State. Would you also want these one or two locations to handle all the small claims, evictions and local town violations of all the towns in the county? I don't see any advantage for judges handling these types of cases to be lawyer-judges.

Q: What is your opinion about a plan which would eliminate all village courts (Cayuga Heights and Freeville) and let the towns absorb those caseloads?

A: I don't know what their case loads are or how the town and village interact with each other and I have no opinion on this.

Q: What is your opinion about a plan which would eliminate the second Justice in town courts and thereby increase the remaining Justice's time/responsibility?

A: There would be questions of who would take over the court if the one judge were on vacation or sick for a period of time. How would the one judge be compensated for the increased work load.

Q: What is your opinion about a plan which would move all criminal cases to one or two District Courts (presided over by lawyer-Judges), or to the Ithaca City Court, and leave the town and village courts otherwise intact?

A: I guess I don't see the advantage of this. All felony cases already go to County Court. The misdemeanor cases that stay in the Town Courts most generally are agreed to under a plea agreement or follow state statute.

Q: What is your opinion about a plan which would move all after-hours arraignments to a central booking area?

A: You don't go into how you would do this, so I have no opinion on this.

What suggestions do you have for improving the local justice court system?

I think the way the Justice Courts are set up now work very nice. I would be interested to hear what other Town Justices have for improving the system, our court seems to run very smoothly.