

1 **2006 Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #04**

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5 **RESOLUTION CALLING FOR AN AMENDMENT TO STATE LAW TO**
6 **AUTHORIZE COUNTIES TO CONDUCT ELECTRONIC COURT**
7 **APPEARANCES AT LOCAL OPTION**
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9 **WHEREAS**, there are approximately twenty five counties in New York State
10 which currently have the authority to conduct electronic court appearances; and
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12 **WHEREAS**, these counties have begun making investments in 21st century
13 technologies in an effort to create efficiencies and conserve scarce county resources; and
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15 **WHEREAS**, advances in technology have made electronic appearance
16 alternatives a cost effective method for meeting federal and state constitutional
17 requirements of due process; and
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19 **WHEREAS**, alternative methods of court appearance will reduce county
20 transportation expenses such as fuel and vehicle costs and will ease personnel
21 requirements for staffing and compensation; and
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23 **WHEREAS**, electronic appearance streamlines court administration and saves
24 valuable court time by eliminating the ebb and flow of incarcerated defendants in and out
25 of the court room; and
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27 **WHEREAS**, with the ever increasing fiscal demands being placed on county
28 courts, corrections and the entire local criminal justice community, municipalities are
29 pioneering innovative new solutions to emerging problems; and
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31 **WHEREAS**, currently counties must regularly reapply for the authority to
32 conduct these proceedings by appealing to their individual state legislators to introduce
33 and pass enabling legislation; and
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35 **WHEREAS**, granting counties the authority to utilize these cost saving measures
36 at local option will offer counties the flexibility to set up and begin using electronic
37 appearance systems on their own schedule without having to factor in delays for
38 legislative introduction, passage and the eventual signing into law by the Governor; and
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40 **WHEREAS**, over time, electronic means for court appearances has become a
41 generally accepted practice that is appropriate for statewide application at local option:
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43 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State
44 Association of Counties (NYSAC) calls for an amendment to State law authorizing
45 counties to conduct electronic court appearances at local option; and

1 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this
2 Resolution to the Governor, the New York State Legislature and all others deemed
3 necessary and proper.