



NEW YORK STATE SENATOR

Catharine Young

## Change To The Law Will Allow The Town of Allen To Continue Operating Its Court System

CATHARINE YOUNG September 2, 2016

| ISSUE: **LOCAL GOVERNMENT, JUDGES OR JUDICIAL**

ALBANY – Facing a vacancy on its court, and without a candidate stepping forward, the Town of Allen was confronted with a substantial hurdle to ensure residents’ rights to a fair and speedy trial.

**An amendment to state law**, sponsored by Senator Catharine Young (R,C,I- 57th District) and Assemblyman Joseph Giglio (R,C,I- Gowanda), and signed by Governor Cuomo, will allow the town’s Justice role to be filled by a qualified nonresident.

“With no local resident filling the role of Justice, Judge Tojek stepped forward and was appointed earlier this year, but she could not continue in her role beyond the end of 2016. Concerned local officials reached out to me because there was a need to ensure that court matters could still be decided. With no judicial candidate coming forward from the community, a change need to be made quickly to protect area residents,” said Senator Young.

“Since Judge Tojek resided outside of Allen, the law needed to be modified so that voters can choose a qualified individual from outside of the jurisdiction. As a result, Judge Tojek will be allowed to appear on this year’s ballot, protecting people’s rights as prescribed by the Constitution,” Senator Young said.

Assemblyman Joseph Giglio said, “This law is good for the town because it provides an option to fill this vital position. I am always happy to help my local communities by offering legislative assistance.”

Town of Allen Clerk Jame J. VanDewalker said, “After the yearly appointment of Justice Tojek, the Town Board of the Town of Allen had reached out to the public to have a resident run on the ballot for the position. After no resident had come forward with the interest in the position the Board made the decision to allow for a non resident Town Justice. The Town is pleased to continue working with Justice Tojek and confident in her ability to serve the Town of Allen.”

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#### RELATED LEGISLATION

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### **2015-S7402**

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- Introduced
  
- ◦ In Committee Assembly
  - In Committee Senate
  
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- ◦ Passed Assembly

- Passed Senate

- Delivered to Governor

- Signed By Governor

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Authorizes the town justice of the town of Allen, in the county Allegany, to be a nonresident of such town

April 27, 2016

Signed by Governor

Sponsored by Catharine Young

Do you support this bill?