Buffalo Commons Student Perspectives

A District Court Model to Better Serve Justice

By a University at Buffalo Law Student

November 9, 2026

About the Series
The Buffalo Commons Student Perspectives Series gives students an opportunity to share original research and analysis on issues of importance to Partnership for the Public Good and its partners. This paper was prepared in Fall 2026 for the **Lawyers as Change Agents course at the University at Buffalo School of Law**. Thank you to Professor Sam Magavern for facilitating this student research.

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Executive Summary

New York State, and Erie County in particular, should study whether to replace its separated, town-and-village justice court system with a unified district court system. Currently, a wide variety of local courts decide matters that may determine a person's freedom, financial situation and housing. Despite this, the local courts' staff and resources are heavily dependent on their municipality, their justices may lack legal training, their hours may be minimal, and their fragmentation lends itself to inefficiency and inequity. A district court, by contrast, requires legally trained judges and staffing which meets state standards. A district court model could provide efficiencies and consistent funding, allowing for dependable staffing, coordinating calendars and open, consistent recordkeeping across several municipalities.

The state constitution already provides a process for establishing district courts. Nassau and part of Suffolk County have already used that process to establish them. Erie County should determine caseload, staffing needs, travel distance and cost in defining the area over which each district would have jurisdiction. Our goal should be to increase the quality of service residents can expect, while preserving and improving rural access to legal resources.

Recommendation

It's ironic that New York claims to possess a unified court system, when in fact there are roughly 1200 town and village courts, each of which can determine a person's criminal, financial and legal future.[1] These courts, funded on local budgets, can vary greatly in their staffing, hours and facilities.[2] To create an equal opportunity for all New Yorkers, the state should help counties to offer a practical path towards replacing these distinct and disunified courts with a district court system. This new court system could have standardized hiring and scheduling practices, require legal education for its judges and have a shared record and scheduling system. However, a shared administration does not mean that there should be a single, distant courthouse. Local hearing locations, likely using already existing locations, can preserve convenient access while the district supplies professional and administrative support.

This proposal is realistic because there is already a constitutional route in place to convert to a district court system, a fact which Suffolk and Nassau County have taken advantage of to make their own district systems. Under this route, the county must petition the state legislation to draft an enabling statute, and then the voters within that county must approve the statute through a local vote.[3]

Stuck in a Time and Place

Imagine a hypothetical resident of a lovely village in rural New York. Unfortunately, this resident has been charged with a misdemeanor after allegedly shoplifting from a local store. The charge is less serious than a felony, but the resident still requires a lawyer, they still require a dependable schedule, and they would like to have some confidence in what their future may hold. This village holds court sessions every second Wednesday of the month, from 6PM until 9PM. They employ a single clerk and judge to staff these sessions, as well as some limited hours outside of

them. Our resident gives the court a call to have a question answered, but the clerk isn't in that day. Their attorney calls to ask if their motion is filed correctly, but she does not eceive an answer in time for the next court date.

At the next session, the attorney attempts to bring up the motion they filed, but the court never received it; as a result the court adjourns the matter until the next month. Our resident must be available, possibly taking time away from work or family. If they don't have a vehicle they may have to arrange for another ride, inconveniencing another person. To the resident, a guilty plea may seem more and more reasonable simply to have the situation remedied. At all stages of this process, no one's rights have been violated, and nothing "wrong" has been done, but the scenario showcases how the limited resources and time of justice courts can result in even ordinary cases becoming difficult to manage.

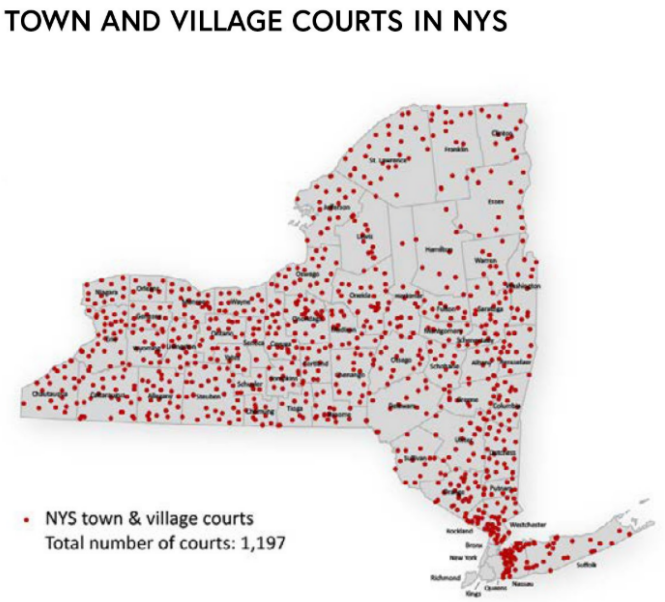
In reality, the current system yields some results much worse than that in the hypothetical. A 2021 Brooklyn Law School Journal article features several stories which highlight dangerous, racist, and corrupt behavior found in the justice courts. In one example, a black soldier was arrested in Jefferson County and charged with a misdemeanor following a bar fight. During the proceedings, the accusers used racially charged language against him, and when he objected, he was overruled. In another case, a woman was denied an order of protection against her husband after he had beaten her because the town justice believed that "every woman needs a good pounding every now and then."[4]

> ***"[T]he problem is not simply a matter of a few bad justices. Instead, the problem is structural and systemic, and no reform effort will be complete until the State Legislature takes responsibility for ensuring that every court in the State is adequately funded, that every court is a court of record with a public docket, that there are enforceable standards of justice and meaningful oversight by centralized authorities, and that justices receive the training they need to effectively administer justice in their courts.***
> *— Corey Stoughton, NYCLU staff attorney, March 5, 2007.*

What Do Justice Courts Do?

Town and village courts, collectively referred to as justice courts, are often a person's introduction into the legal system. These courts may hear misdemeanors, violations, and traffic cases, as well as arraign felonies and help conduct preliminary proceedings before the felonies are transferred to a higher court. These courts may also hear small claims up to $3,000 in value and landlord/tenant cases, including evictions.[5]

These courts formally operate under the state's "unified" court system, but town and villages pay and operate for them, and, in reality, they hold a great amount of independence. Hours and frequency of court sessions differ from jurisdiction to jurisdiction. Busy, well-populated suburban courts often have more staff and regular weekly sessions; but many rural villages only have one evening a month during which they operate. While the state may offer guidance, training, technology and grants, the local government still provide the majority of the support which these courts require.[6]



The District Court Model

The main difference between the justice court model and the district court model is that instead of each jurisdiction maintaining a separate court, multiple smaller jurisdictions can be served under a single district, enabling them to share funding, resources, staff, paperwork, and more, while their expenses are paid through the state judiciary budget.[7] Although local government still provide court facilities, this helps to shift the cost of operations away from financially challenged jurisdictions. Nassau County and five towns in western Suffolk County have already adopted the system. At its core, the district court is a trial court which serves a given area of a county. When establishing district court system, the legislature can decide if the court covers the entire county, or only a portion of that county. The areas covered by the court can then be divided into smaller judicial districts, each of which has at least one judge, though more can be assigned depending on population and caseload of a given district.[8] In Suffolk, a hybrid system exists. The first district covers all of the towns, while the second through sixth courts then serve each town individually.[9] These districts assist in determining which voters are eligible to elect the judge of that district. Voters elect judges in their district for six year terms, and these judges must live in the district and have been admitted to practice law in New York for at least five years.[10]

District courts handle most of the work which we now typically see in justice courts: misdemeanors, violations, and felony arraignments. In addition, district courts may hear civil claims up to $15,000 and small claims up to $5,000.[11]

Training and Its Limits

Judges for our justice courts are elected locally and are usually required to live within the jurisdiction in which they preside over. An oddity of the system is that these judges need not be lawyers or meet any education requirement, except for a brief, state-provisioned course in legal education each year. Judges who are lawyers also have continuing education and training duties imposed upon them.[12]

A brief course in legal education, however, cannot give a judge who may only sit once a month the wealth of knowledge and experience which years of legal practice does. The New York State Commission on Judicial Conduct has reported that the majority of the non-lawyer judges they surveyed performed their jobs competently and ably, but that they were far more likely to make fundamental legal mistakes than their legally trained counterparts.[13]

This was not limited to mere administrative mistakes; non-lawyer judges consistently failed to advise defendants of their right to counsel, did not hear both sides before rendering a decision, and delayed deciding a motion due to their unfamiliarity with the law or procedure. Of the complaints received by the Commission, town and village courts were responsible for 70% of complaints resulting in a disciplinary decision, and 80% of those complaints were directed towards non-lawyer judges.

TABLE 1: TOWN & VILLAGE JUSTICES – 2,000* ALL PART-TIME

	Lawyers	*Non-Lawyers*	*Total*
Complaints Received	164	194	358
Complaints Investigated	23	56	79
Judges Cautioned After Investigation	5	10	15
Formal Written Complaints Authorized	0	11	11
Judges Cautioned After Formal Complaint	0	0	0
Judges Publicly Disciplined	0	4	4
Judges Vacating Office by Public Stipulation	3	7	10
Formal Complaints Dismissed or Closed	0	1	1

NOTE: Approximately 700 town and village justices are lawyers.

*Refers to the approximate number of such judges in the state unified court system.

New York State Commission on Judicial Conduct

Available Resources and Their Limits

New York State's Justice Court Assistance Program helps justice courts pay for their equipment, facilities and training, as well as any other improvements required for the courtroom. This is not meant to replace or reduce the funding given by the local jurisdiction, but only to pay for certain upgrades and state requirements. The Program does not pay the wages of judges or any of the support staff required to run a functional court.[14] This represents a real deadlock in the proper administration of justice. Often one of the largest issues faced by these courts is not the education or ability of the judges, but the ability of the jurisdiction to support a functional court staff. In rural villages, positions of court clerk may be covered by a single part-time employee who handles scheduling, financial matters, training, and recordkeeping for the court.[15] If this individual is sick or on vacation, it severely hampers the ability of the court to operate effectively.



WKBW

To find an example of the lack in trained staff and adequate supervision for the existing justice court system, one only needs to examine the State Comptroller's audit of the Town of Dix in 2022. In this audit, the state found that various recording and reporting errors had left the court there severely in debt. In total, it owed $439 to defendants, $1701 to victims and $2,1204 to the Justice Court fund.[16] Such mistakes could have been avoided with a more centralized accounting system, a more intensive hiring and training system, as well as a more robust management system.

Lessons from Other States

Other states clearly indicate that a shared greater administration can coexist with local integration. Vermont, for example, has one superior court, organized into fourteen county units, each of which has five distinct subject divisions.[17] North Carolina also organizes along the county line, having forty-one districts, one for each county, with each county then subdivided into additional locations as authorized and established by the state legislature.[18] Clearly, a broad court structure, with local presence in the small towns and villages that need it the most can work.

Sharing Resources while Preserving Local Access

An ideal district court model would operate with a shared administrative office, with enough funding and employees to cover absences and divide responsibilities among staff. Some workers could handle calendars, filing and data entry, while others could manage financial aspects of the court. The standardized hiring requirements of the state judiciary and training would give each district court their own basic support system.

Sharing a calendar system would also assist prosecutors and defense attorneys in coordinating their appearances. A 2018 State Bar Association report saw many issues which could be solved or mitigated by a district court system. The report called for a centralized arraignment system, which would ensure that anyone who was arrested was properly charged with their crime within a short period of time. It also called for a centralized Counsel at First Appearance program, as well as interpreters.[19] Although these improvements should be made regardless of a district court model, they would be far easier to coordinate and control effectively if they were under a centralized bureaucracy rather than the more feudal justice courts. Any proposed local outposts should have easily accessible schedules, with accessible facilities, available interpreters and confidential spaces for attorney consultations with clients. The common administration should support these outposts, allowing further flung communities to keep access to their local courtrooms and not requiring somebody from Eden to drive downtown to handle a cheap civil matter. In essence, we should be able to maintain the availability of a court, while improving the quality of its services.

Creating a District Court in Erie County

Erie County offers a more concrete setting for our proposal. The County Legislature would first need to ask the State for legislation to establish the district court. This law would define what area the new court had jurisdiction over, the topics it would have jurisdiction over and the subdivided districts within. The County proposal would then need to be approved during a general election. It would need to be approved by two separate majorities: the first would be the voters within the County's cities considered together, and the second would be the voters outside the cities, considered together. Even if the majority of the county approves overall, if one of these majorities is not met, the proposal cannot pass.[20]

Prior to any proposal actually being sent to the state, the county should perform a full audit of its legal systems and requirements. It should determine the various caseloads of jurisdictions, the staffing and facilities available within them, distance and expenses. With the input of municipal officials, prosecutors, defense attorneys and voters, the county could determine the exact are and jurisdiction the district court requires, as well as any subdivisions required to better serve the community.

The County should also identify what matters the district court should retain jurisdiction over. In Nassau County, the village courts still exist, but they only maintain jurisdiction over village ordinances and local traffic matters.[21] Especially important to address would be the city courts. There exist multiple large city courts, including the city of Buffalo which currently has jurisdiction over criminal matters which occur within city borders.

Transferring jurisdiction and abolishing a court are distinct decisions. Article VI, section 17 requires approval in each affected town before discontinuing its town court. The implementation plan must account for that requirement as well as the district court referendum. It should also specify how pending cases, records, payments, and court orders transfer, so a change in administration does not leave people unsure where to appear or who to contact.[22]

Carefully Transitioning

Any financial plan must follow the existing distinction between the state court operation and local facilities. New York State's Judicial Law states that the state will pay for the actual district court expenses, while the local jurisdictions must still provide and maintain any facilities that are used. [23]Both the state and county should work together to identify where the lines are drawn so the voting public can have a better idea of what they are actually voting for and if it may increase or decrease their total taxes.

Current court employees of the various jurisdictions should be granted the ability to join the new court system, provided that they are able to meet the hiring standards of the state judiciary. Their knowledge of their jurisdictions, records, practices and systems would help to smooth the transition between the systems. Current judges with legal education could continue in their posts in a temporary manner until new elections could be held.

The largest and most legitimate concern of those opposed to this system would be prohibitive travel and a lack of local control.[24] To address this, current existing courtrooms should continue in their role as district court outposts, ensuring that the community would still have their applicable court nearby and available to them.

Conclusion

Our local courts handle matters which although minor in the legal sense can still affect a person's liberty, house or financial security. A state supported district court transition should be made available to counties that wish to go through with the required legislative and voting process. Erie County should begin to plan out the framework of what would be required to go with this transition even without state support. With more qualified judges, dedicated, effective staff and a branching outpost system, we could preserve the local power and distinctness of our courts while improving the quality of court services and reducing the strain on our municipalities.

[1] New York State Unified Court System, 'Introduction to Town and Village Courts,' New York Courts, accessed September 29, 2026, https://www.nycourts.gov/town-and-village-justice-courts/introduction-town-and-village-courts.

[2] New York State Commission on Judicial Conduct, "Town & Village Courts," excerpt from 2019 Annual Report, 26–29, https://cjc.ny.gov/Policy.Statements/town_%26_village_courts.html.

[3] New York State Constitution, article VI, §§ 16–17, New York State Senate Open Legislation, accessed September 29, 2026, https://www.nysenate.gov/legislation/laws/CNS/A6S16 and https://www.nysenate.gov/legislation/laws/CNS/A6S17.

[4] Noah Sexton, "A Firm Pillar of Local Justice: The Failures of the New York Town and Village Justice Courts Supporting Statewide Adoption of the District Court Model," Journal of Law and Policy 29, no. 2 (2021), 569–70, discussing William Glaberson, "In Tiny Courts of N.Y., Abuses of Law and Power," New York Times, September 25, 2006, https://brooklynworks.brooklaw.edu/jlp/vol29/iss2/6/.

[5] New York State Unified Court System, 'Introduction to Town and Village Courts.

[6] New York State Commission on Judicial Conduct, 'Town & Village Courts,' excerpt from 2019 Annual Report, 26–29, https://cjc.ny.gov/Policy.Statements/town_%26_village_courts.html; New York State Unified Court System, 'Town and Village Justice Courts,' New York Courts, accessed September 29, 2026, https://www.nycourts.gov/town-and-village-justice-courts.

[7] New York State Unified Court System, *Judiciary Budget: Fiscal Year 2026* (budget request, November 27, 2024), 1, 20, 43; New York State Unified Court System, "Part 138. Justice Court Assistance Program," *New York Courts*, accessed October 6, 2026.

[8] New York State Constitution, art. VI, § 16(a), (e)–(g), accessed October 6, 2026, https://www.nysenate.gov/legislation/laws/CNS/A6S16.

[9] New York State Unified Court System, 'Suffolk County District Courts,' New York Courts, accessed September 29, 2026, https://www.nycourts.gov/courts/10th-jd-suffolk/suffolk-county-district-courts; New York State Unified Court System, 'Nassau County District Court.'

[10] . New York State, Uniform District Court Act § 103, New York State Senate Open Legislation, accessed September 29, 2026, https://www.nysenate.gov/legislation/laws/UDC/103.

[11] New York State Unified Court System, 'Nassau County District Court,' New York Courts, accessed September 29, 2026, https://www.nycourts.gov/courts/10th-jd-nassau/nassau-county-district-court; New York State Unified Court System, 'Structure of the Courts,' New York Courts, accessed September 29, 2026, https://www.nycourts.gov/courts/10th-jd-suffolk/structure-courts.

[12] New York State Unified Court System, 'Section 17.2 Training and Education of Town and Village Justices and Court Clerks,' New York Courts, accessed September 29, 2026, https://www.nycourts.gov/rules/rule/section-172-training-and-education-town-and-village-justices-and-court-clerks.

[13] New York State Commission on Judicial Conduct, 'Town & Village Courts,' 26–29.

[14] New York State Unified Court System, 'Part 138 Justice Court Assistance Program,' New York Courts, accessed September 29, 2026, https://www.nycourts.gov/rules/part-138-justice-court-assistance-program.

[15] New York State Commission on Judicial Conduct, "Town & Village Courts," *2019 Annual Report*, 26–29, https://cjc.ny.gov/Policy.Statements/town_%26_village_courts.html

[16] Office of the New York State Comptroller, "Town of Dix—Justice Court Operations," audit 2022M-06, April 22, 2022, "Key Findings" and "Key Recommendations," https://www.osc.ny.gov/local-government/audits/justice-court/2022/04/22/town-dix-justice-court-operations-2022m-06.

[17] Vermont Judiciary, "About the Vermont Judiciary," accessed October 6, 2026, https://www.vtcourts.gov/about-vermont-judiciary.

[18] North Carolina Judicial Branch, "District Court," accessed October 6, 2026, https://www.nccourts.gov/courts/district-court;

[19] New York State Bar Association, Criminal Justice Section, Town & Village Justice Courts Report: Update Regarding Counsel at First Appearance, Training & Education, and Centralization (report and recommendations approved April 14, 2018), 179–83, https://nysba.org/wp-content/uploads/2020/01/FINAL-Updated-Report-Recommendations-2018-Edited-post-HOD-6.pdf

[20] New York State Constitution, article VI, § 16(a)–(c), (e)–(h), New York State Senate Open Legislation, accessed October 6, 2026, https://www.nysenate.gov/legislation/laws/CNS/A6S16.

[21] New York State, Uniform District Court Act § 2402 (Nassau County supplemental provision), https://www.nysenate.gov/legislation/laws/UDC/2402; Uniform Justice Court Act § 2300(d)(2), https://www.nysenate.gov/legislation/laws/UJC/2300, both accessed October 6, 2026.

[22] New York State Constitution, article VI, § 17(a)–(b), New York State Senate Open Legislation, accessed October 6, 2026, https://www.nysenate.gov/legislation/laws/CNS/A6S17

[23] New York State, Judiciary Law § 39(1), (3)(a)–(c), New York State Senate Open Legislation, accessed October 6, 2026, https://www.nysenate.gov/legislation/laws/JUD/39.

[24] Special Commission on the Future of the New York State Courts, Justice Most Local, 56–58.