

State of the Judiciary  
Chief Judge Solomon Wachtler, New York Court of Appeals  
Written message  
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Democracy, Lincoln once observed, is a living thing.

He was right, of course. It was then, it is now, and it always will be, our great and never quite fulfilled aspiration.

What Lincoln said of our democracy is equally true of our system of justice. We strive to be fair, to be right, to be just, and to reconcile great aspirations with inevitable human inadequacies. In the end, we are certain only that complete justice has never been quite fully achieved and that the work must continue.

Our courts, like all courts, feel the initial impact of society's failures.

In recent years, many segments of society in our State have suffered unremittingly from a rising tide of drug abuse. Perhaps nowhere in our country is the size of that rising tide, or the extent of that suffering, more clearly seen than in the New York City Criminal Court. In the last five years, that Court has experienced a 53% increase in arraignments, with the greatest acceleration, 20%, in the last two years. These dramatic increases are marked most strikingly by a 65% increase in drug cases since the end of 1985.

The response of the judges and non-judicial personnel of the court has been, perhaps, most dramatic of all: in the last five years, they have increased dispositions in their court by over 60%. This was accomplished, for the most part, without a significant increase in personnel or resources. Still, despite these extraordinary efforts, and the uncommon dedication behind them, the Court is losing ground. There are now 36,000 cases pending in the Criminal Court, 35% more than two years ago.

The rising tide of cases drawn on by society's failure to deal with drug abuse has left its mark on other courts as well. In New York City, the Supreme Court has absorbed 35 % more indictments than were filed just two years ago; in Queens, the increase has been 47%; in the Bronx 75%, since 1984. The courts have responded with a 37% increase in dispositions, though they had few extra resources to help them. This represents the largest two year increase in filings, and the largest two year increase in dispositions, on record in New York's history.

Criminal courts are not the only ones to feel this society's trauma. Since 1985, the Family Courts of our State have seen a 73% increase in neglect and abuse cases, a startling and troubling figure that may be largely attributed to drug abuse. The result is that filings overall in the Family Courts have increased 16%. Like their colleagues in the criminal courts, however, the judges and non-judicial personnel of the Family Courts have responded by disposing of 15 % more cases, ensuring a continuously high quality of justice in the sensitive cases that come before them.

The experience of the men and women of these courts reflects the true state of Judiciary in New York. Every day they are asked to bear more and more of society's burdens; every day they comply. They deserve a high measure of public gratitude, and they deserve help.

As I have said before, improvement of the courts of New York will be accomplished only by degrees, only by attention to detail and only with the consent and cooperation of the Legislative and Executive Branches. Together we must be concerned with matters of broad significance, like those described in this report that remain to be accomplished, as well as many matters of lesser sweep but of no less importance. I am grateful to Governor Cuomo, Senator Anderson, Speaker Miller, Senator Ohrenstein, and Assemblyman Rappelyea for their past efforts to assist the Judiciary, particularly in improving court facilities and in increasing our complement of judges. I look forward to their continued good will, and, in setting forth the accomplishments and goals of the Judiciary, I look forward to a vigorous and progressive future for the courts of New York.

## **CONCLUSION**

Each year our laws increase in number and complexity. Each year more and more is resolved in our Courts. We have done much to make justice accessible to our people, but a great deal still remains to be accomplished. It is a process which does not belong to the judges and lawyers alone, but rather is an enterprise which will take the effort and commitment of every citizen. There must be a consistent willingness to analyze what we have and to retain the best of the past and to improve it for the future, if we can. That is our challenge and responsibility.