



**Asian American
Bar Association
of New York**

Post Office Box 3656
Grand Central Station
New York, New York 10163-3656
Phone/Fax (718) 228-7206
Email: main@aabany.org
Website: www.aabany.org

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Contact: Yang Chen, Executive Director
(718) 228-7206

**AABANY SUPPORTS PROPOSITION 6 AND URGES MEMBERS AND THE GREATER
ASIAN PACIFIC AMERICAN COMMUNITY TO VOTE “YES” TO INCREASE THE
RETIREMENT AGE OF NEW YORK STATE JUDGES**

NEW YORK – November 4, 2013 – The Asian American Bar Association of New York (“AABANY”) joins the New York County Lawyers Association (“NYCLA”) in its support of Proposition 6 and encourages all AABANY members and the greater Asian Pacific American community to vote “Yes” in favor of Proposition 6, the proposed amendment to Article VI, Sections 2 and 25 of the New York State Constitution. The Amendment would allow judges of the New York State Court of Appeals to serve until age 80 and would allow judges of the New York state Supreme Court to be certificated from age 76 to 80. Currently, Court of Appeals Judges must retire at age 70 and Supreme Court justices can only be certificated until age 76. Notably, all term extensions would be subject to medical certification of continued fitness, as is the case with current term extensions.

Remarkably, the retirement age for New York state judges has not changed *since 1869*, even though life expectancy and retirement ages in other sectors have increased dramatically. This is the first time during those 144 years that a change in the retirement age for judges has even reached the ballot.

In AABANY’s view it is time to recognize that judicial productivity does not cease at the age of 70 and to follow the lead of the 28 states that allow judges to serve past the age of 70. Of those, 15 have no retirement age at all. Four of the nine justices on the United States Supreme Court are over the age of 70. Twenty-three members of the United States Senate are over the age of 70. No other public office in New York has a retirement age.

AABANY President Mike Huang has urged passage of the amendment, noting that “New York state judges older than the current retirement age can, in many instances, devote their experience, talents and productivity for many more years, to the benefit of the judicial process and the State as a whole.” AABANY Judiciary Committee Co-Chair Vincent Chang stated that “There is no reason for New York to cling to a retirement age that is nothing more than a 144-year old anachronism. New York should follow the lead of the majority of states in enacting a fairer retirement age so that many great judges can continue to serve.”

In addition, AABANY supports Proposition Six because it would allow as many as 28 judges to become eligible for extensions in the next four years. As the New York Times has noted, this “would give court administrators new flexibility to assign judges to family court and other areas where there is a pressing need.” The need for additional Family Court judgeships is particularly acute. As the New York State Bar Association recently noted, there have been no

judges appointed to the Family Court bench *since 1991* even though the Family Court's filings increased 23% during that time.

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The Asian American Bar Association of New York was formed in 1989 as a not-for-profit corporation to represent the interests of New York Asian American attorneys, judges, law professors, legal professionals, paralegals and law students. The mission of AABANY is to improve the study and practice of law, and the fair administration of justice for all by ensuring the meaningful participation of Asian Americans in the legal profession.