

VID Candidate Survey: Civil Court Judge

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Civil Court Judge • Questions

Why do you want to be a judge? *

In a time when the residents of this city suffer from a near total lack of confidence in our institutions, including our schools, courts, and law enforcement, having judges that reflect the diversity, character, and history of our city is of paramount importance as we rebuild a city in shambles. Being a person of color, this campaign presents to me a wonderful opportunity to positively impact the lives of millions of New Yorkers, and help restore the people's confidence in our courts and in our city.

I was born in a tenement building in Williamsburg, Brooklyn and raised in various foster homes and institutions throughout the city after being separated from my mother, a Puerto Rican woman trapped in an abusive relationship. As my mother had six children, her inability to cope resulted in the breakdown of the family. After aging out of foster care, and graduating high school, I decided, because my love of reading, to begin my studies at a local community college.

Escaping harsh surroundings into a world of study, I excelled in my studies and ultimately graduated from New York University with a B.A. in English Literature and philosophy, and went on to study law at the University of Michigan Law School.

I spent many nights as a defense attorney in what was then known as "The Lobster Shift" down on Centre Street representing mostly poor people of color and advocating for their release from jail from 12am to 9am in the morning. Sometimes I began a shift at 5pm and worked until 9am, advocating for the release of those imprisoned who could not afford bail. Often, I fought and prevailed as prosecutors sought to have a judge set bail only to coerce pleas from defendants who could not afford bail and were terrified of remaining incarcerated. Many times, defendants begged me to allow them to plead guilty despite having valid defenses simply because of their fear of remaining in jail, unable to afford bail.

I have practiced law for thirty years representing poor defendants, small businesses, tenants in danger of losing their homes, and incapacitated elderly individuals in danger of losing their property to unscrupulous individuals.

I am active in my community as president of Community Education Council District 2 where I have worked to desegregate the NYC public schools so that all students, regardless of their race or economic status, can learn together with the resources and support they need. I also established a Students in Temporary Housing Committee that reaches out to homeless students and provides them with computer devices and notebooks donated by local businesses. I have also introduced and passed a Resolution calling for the granting to racially segregated poor students from the Lower East Side access to District 2 schools.

As a Civil Court Judge, an individual must possess not only the substantive legal skills, but also the ability to administer justice fairly and equally to all, which is informed by a judge's true life experience. I have the substantive skills, the life experience, and maturity to serve well as a Civil Court Judge, and will provide the residents of this city a judge they can be confident in.

What are some of the ways a civil court judge can advance progressive ideals in their rulings? *

A civil court judge can advance progressive ideals by granting to defense counsel rightful and appropriate discovery in both the criminal and civil context. In the criminal context, a judge can actually hold the prosecution to discovery deadlines, charge time to the people, and can entertain and grant speedy trial motions to dismiss if the prosecution has prevented an action from being ready for trial by discovery delays and omissions. A civil court judge can allow disclosure in proceedings, such as summary proceedings, with no presumption of disclosure, if a lessor-monied party meets the requirements for disclosure. A court can allow disclosure in rent-overcharge cases, and should allow for disclosure when the operative facts are in the possession of the more-monied party. A judge can advance progressive ideals by considering the position of the parties and ordering disclosure from Landlords, more capable of concealing operative facts, when in possession of those operative facts.

What are some of the ways a civil court judge can create a courtroom that reflects progressive ideals? *

A civil court judge can hire, or recommend for hire, more BIPOC and LGBTQ staff and give them substantial responsibility with respect to litigants and interaction with the public. A judge should, indeed, herself interact with the public and make the public feel like it is welcomed. The state of the NYC courts with respect to race relations is horrendous. In fact, it is downright a hostile place for racial minorities. I would hire, or recommend for hire, more BIPOC and LGBTQ individuals and have zero tolerance for racial bias.

What are some concrete ways you would make your courtroom more accessible for pro se plaintiffs and defendants? *

How a litigant feels upon first entering a courtroom and how the litigant is treated by court personnel is very important to how they can and will present their case. As noted below, I will make every effort to explain to litigants the basic procedure for the appearance either individually or with a public announcement. And although a pro se litigant is not entitled to any greater rights than any other party, and a judge cannot get concessions at the expense of another party's rights, I would grant pro se litigants a great deal of leeway during the trial so that they can attempt to make out their case, and, most importantly, I would employ the latest CPLR Amendments regarding Judicial notice of information taking from internet services, such as a web mapping service, a global satellite imaging site or an internet mapping tool, to make it easier for litigants to introduce evidence. These amendments regarding the introduction of evidence and judicial notice should make it easier for all parties, but especially pro se parties, to introduce material and relevant information into evidence.

Each judge is able to create certain personal court rules governing procedure in their courtroom. What are some personal court rules that you plan to adopt, and why? *

I believe that every person entering the courtroom should be treated with respect and not with indifference or hostility which is too often the case today. I would mandate that every person, attorney, and member of the public entering my courtroom be greeted and asked if they had any business with the court or would simply like to remain as a member of the observing public. I would remind everyone that they have a right to remain in the court simply to observe and that all are welcome. The right to a public trial is sacred in my opinion. Every effort should be made to explain to all members of the public, regardless of their race, class, the basic procedures of that court and how the appearance should unfold.

With the change over to electronic filing, much can be accomplished electronically. I would encourage litigants to discuss with each other contemplated motions, short adjournments of motions, or report conferences. Adjournments should be on consent, however I would liberally grant requests not on consent by a party contacting Chambers via any available electronic means possible, including email, and text. My court would have a liberal adjournment policy for motions, unless a party or defendant not represented by counsel would be unduly prejudiced and suffer financial harm.

Is there anything else you would like us to know about you?

Thank you for your kind consideration.

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