Supervisor Mark Lesko Proposes Law to Establish Qualifications for Judicial Hearing Officers
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Town Board sets public hearing for March 29, 2011

Farmingville, NY - At the March 8 Town Board meeting, Brookhaven Supervisor Mark Lesko proposed a local law to establish qualifications for Judicial Hearing Officers, who adjudicate parking violation ticket hearings. Currently, there are no minimum qualifications in Town law for the people who serve in these positions. The Town Board had previously approved seven judicial hearing officers, but only two are now active. When the Town was looking to fill the inactive positions, it was discovered that there were no minimum qualifications for candidates. The Town of Brookhaven currently loses 68% of valid ticket values (including fines and late fees), which equaled approximately $505,000 in lost revenues in 2010. The Town Board voted to set a public hearing for March 29 at 6:30 pm for this proposed law.

"It is important that we have the most qualified people for every job in Town government and the role of Judicial Hearing Officer is certainly no exception," said Supervisor Lesko. "The person who has the responsibility to determine the outcome of parking violations cases must have the knowledge and experience to handle each matter properly and to the letter of the law. These new qualifications will set clear guidelines for the Town Board when seeking the right candidates for appointment."

The amended law would require that Judicial Hearing Officers meet one or more of the following minimum qualifications prior to being appointed:

- Five years experience as a judge, magistrate, hearing officer or court attorney referee in the New York State Unified Court System or in the United States District Court for the Eastern or Southern Districts of New York, or
- Ten years experience as a retired police officer or a peace officer, or
- Five years of experience as a prosecutor and experience as an attorney with the Legal Aid Society of Suffolk County, a member of the Assigned Counsel Defender Plan of Suffolk county or a member of the Federal Defender Panel for the US Districts Courts for the Eastern or Southern Districts of New York.

Judicial Hearing Officers assist the District Court of the County of Suffolk by presiding over parking violation hearings, which are scheduled twice a month at Town Hall. People pleading either guilty or not guilty with an explanation have an opportunity to be heard in the disposition of their offense and the Judicial Hearing Officer adjudicates the matter. In some cases, there are understandable explanations for the violations or why a ticket is being paid late, but the overwhelming majority of tickets get dismissed without explanation.

This is part of an ongoing effort of the Lesko Administration to reform the operations of Town government, raise standards, and save money. Some of these good government reforms include the creation of a standard for Request for Proposals (RFPs) to assure any consultant selected to do work for the Town is the most qualified and the adoption of a strict procurement policy, which has the strongest requirements for written documentation in the town's history. Supervisor Lesko also introduced modifications of the management policy, which applies to management employees not covered by a collective bargaining agreement. The changes, which cover a wide range of employee benefits like sick time and health insurance, are designed to increase accountability while holding management employees to a high standard and saving taxpayer money.