





THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: Cultural Education Committee
FROM: Mark Schaming 
SUBJECT: Transfer of court records to the State Archives
DATE: March 23, 2017
AUTHORIZATION(S): 

SUMMARY

Issue for Discussion

In January 2017, the State Archives acquired nearly 2,000 boxes of historical court materials from the New York County Clerk's office. These records date from the 1630's to 1847 and complement nearly 4,000 boxes of historical court records already in the collections of the State Archives. Staff will provide an overview of the records, review the process for the transfer and future plans for making these incredibly rich materials available for research.

Reason(s) for Consideration

For Information.

Background Information

The State Archives acquires, preserves, and provides access to the permanently valuable records of New York State government, including many early court records. The State Archives holds nearly 10,000 cubic feet of pre-1847 trial court records and post-1847 appellate court records, including those of the Court of Appeals, the state's highest court.

In January 2017 nearly 2,000 boxes of pre-1847 trial court records were transferred from the New York County Clerk's office. These records join records from the Supreme Court of Judicature and Court of Chancery, which were transferred to the State Archives in 1982. The records transferred from the New York County Clerk's office include many records of the Supreme Court of Judicature, and all records of the First Circuit of the Court of Chancery. Since 1911 these records were stored in the newly-constructed "Hall of Records" at 31 Chambers Street. After 1942 the records were in the custody of the New York County Clerk. In late 2016 the Unified Court System authorized the transfer of the remaining records of the pre-1847 Supreme Court of Judicature and Court of Chancery from the New York County Clerk's Office to the State Archives facility in Albany. With 2017 the transfer from New York County Clerk's office, the records of New York's early civil courts are now consolidated in one location, 220 years after the regional offices of those courts began to be established in 1797.

From colonial times to the present day, the New York's civil courts have offered judicial proceedings through which debts may be recovered, contracts enforced, commercial disputes resolved, and injuries to person or property compensated. Special civil court proceedings are available to protect the rights and property of persons. Civil court records provide evidence of the effectiveness of judicial institutions. The records frequently document financial or other interactions between persons that resulted in a dispute, disagreement, or injustice. Linked with other types of archival records, such as deeds, mortgages, censuses, and tax assessment rolls, civil court records can help reveal a profile of the business affairs and property of an individual or a corporation. Historical court records provide especially important evidence of New York's economy, society, and government for time periods when other records are scarce.

New York's court system is complex and has had repeated reorganizations over the 240 years since the adoption of the state's first constitution in 1777. New York civil courts before 1848 employed very technical forms of documents closely modeled on those used in the English courts. The complex organization of the courts and the technical nature of the records pose challenges to users. The State Archives has a variety of tools and resources to facilitate access to and understanding of the pre-1847 records of the Supreme Court of Judicature and the Court of Chancery.

Staff from the State Archives will review the transfer of the records, identify highlights from the collection including the many legal transactions associated with notable individuals and will describe the steps the archives is taking to facilitate preservation of and access to these materials.