



**THE VILLAGE REFORM
DEMOCRATIC CLUB**

Questions for 2021 Judicial Candidates for NY City Civil Court

Response from Candidate (name): Elsa Marte Hampton

1. Why are you running for Civil Court Judge, and what experience(s) have prepared you for that office (please list all clerkships, lower court judgeships, and ALJ posts in detail)? Do you meet the *minimum* qualifications to serve on the New York City Civil Court¹?

I am running for Civil Judge because I have dedicated my career to public service and becoming a judge, is a high achievement for a public service lawyer. I chose to become a public defender because I wanted to provide access to quality representation to people who could not afford to pay for an attorney. Throughout my legal career, I have sought out positions where I can be a voice for others and guaranteeing that the process is applied fairly and equally to everyone. I am of the position that every individual who seeks assistance from the courts should have equal access to the court system without regard to race, gender, financial status, or pedigree. I am committed to making a difference and to serving the community with professionalism and integrity.

I am a licensed attorney, who has been admitted to practice in NY for 21 years, am over 18 and under the age of 70. I have practiced criminal, employment and civil rights law. Please see my attached profile statement and resume.

2. Where did you earn your undergraduate degree, when, and in what studies?

I attended SUNY College at Old Westbury, earned a Bachelor of Arts in 1991, my major was Sociology, and my minor was in Criminal Justice. In 1995, I earned a Master of Science from CUNY John Jay College of Criminal Justice in Criminal Justice.

3. When did you receive your law degree(s), where, and in what specialties?

I received my Juris Doctor from North Carolina Central University in 1998.

¹ To serve on this court, a judge must: be a New York City resident; admitted to practice as an attorney for at least 10 years of in-state law practice before taking office; be at least 18 years old; and under the age of 70 (retirement by December 31st of the year one turns 70 is [mandatory](#))

Note: NYC Civil Court consists of 3 parts: General Civil, Housing, and Small Claims. General Civil cases include matters where parties are seeking monetary relief up to \$25,000. The Housing Part hears landlord-tenant matters and cases involving maintenance of housing standards. The Small Claims Part hears cases where parties are seeking monetary relief up to \$10,000.

4. When and in what states are/were you qualified to practice law?

I am licensed to practice law in NYS.

5. Have you ever been disbarred, sanctioned, or disciplined?

No, I have never been disbarred, sanctioned, or disciplined.

6. Have you completed the Bar Association Judicial review process? With what result(s)?

No, I have not completed a review process from any Bar Association. However, I am honored to have been reported out twice from the New York County Independent Judicial Screening Panel (both 2018 and 2019) as one of the “most highly qualified” candidates for Civil Court.

7. List your employment history, and what types of cases/clients you've handled as a lawyer.

See attached resume for the employment history.

For the past 12 years, I have been employed in administrative/supervisory positions and have not spent any time in court. In my role, similar to the role of a judge, I am a fact finder and am responsible for reviewing allegations of discrimination and sexual harassment, by conducting investigations, gathering, and reviewing evidence, making credibility assessments and issuing final determinations and imposing penalties. I supervised a staff of as many as 28 that consisted of both attorneys and non-attorneys. I am the subject matter expert on Title VI, Title VII, Title IX, the American With Disabilities Act, The Equal Pay Act of 1963, Age Discrimination in Employment Act of 1967, The Genetic Information Non-Discrimination Act, New York State Human Rights Law, and the New York City Human Rights Law and other related laws. I also have developed and implemented diversity initiatives, Title VI programs, developed presentation decks and conducted training on EEO laws policies and procedures; certify interview panels to guarantee that recruitment strategies addressed underutilization; develop and conduct training, and review investigative reports. I also created diversity plans, and affirmative action plans, to ensure that vendors who were doing business with the agency complied with EEO mandates. With regard to staffing, I reviewed resumes, interviewed applicants, participated in hiring and termination of employees and conducted staff evaluations. I was also the liaison between the EEO office, the union, internal offices of the agency and external offices.

Prior to the administrative positions, I spent a significant amount of my time in court and litigating matters for 12 years. I regularly appeared in criminal court, Supreme court, Office of Administrative Trials and Hearing as well as conducting arbitration hearings.

Additionally, I have been an adjunct professor for approximately 8 years and teach criminal justice related courses.

8. Please list political party affiliation(s) and activities which bear on your selection for judge.

I am a registered Democrat.

9. Do you understand that, if you become a Civil Court Judge, you may nonetheless be assigned to oversee a Criminal Court or Family Court part, or even assigned as an Acting State Supreme Court judge? Are you willing and/or able to handle those assignments?

Yes, I am willing to serve in any Court to which I am assigned.

10. What are the major issues facing our court system, and how would you address them?

Two major issues that are facing our court system are high caseloads and delays. When cases languish in court for years, justice is delayed for each party who is seeking redress from the court. On some occasions, justice delayed results in justice denied. The long delays lead to crowded court calendars resulting in the parties being unable to resolve their dispute in a timely manner. It is a never-ending cycle especially when you factor in the lack of necessary resources available in the court system. I would address these issues by actively conferencing cases with the attorneys, early and often, to determine whether the matter can be resolved and try to avoid long adjournments without imposing tangible action occurs between adjournments. By forcing all parties involved to really assess their case in the initial stages of the proceeding, requiring deliverables when a matter is adjourned, I will have the opportunity to resolve certain matters, early and quickly, and avoid unnecessary delays for the parties to be ready for trial. Each adjournment will be crafted to be a step towards trial if the matter is not settled.

11. What crimes should be prosecuted as enacted in NY State law, and which decriminalized?

As a prospective judge, I cannot provide an opinion as to which laws should be prosecuted or decriminalized. In my role as a judge, I am tasked with interpreting and applying existing laws when issuing decisions.

12. What if any penalties should be changed (raised or lowered), and with what civil consequences in the long term?

As a prospective judge, I am hesitant to provide an opinion as to which penalties should be changed and the long-term consequences because I may have to decide a related issue. However, it is my belief that the penalties and consequences are often not applied equally to people who are in similar situations but have different personal characteristics. As a judge, I will take a proactive to apply penalties equitably to all parties who appear before me and will take into consideration the long-term consequences of those penalties. In order to do this, it is necessary to take the time to learn and understand the reason for the conduct and acknowledging that the parties are more than just a name and number on the court docket.

13. What is your opinion of the bail reform laws enacted in recent years? Which, if any, would you change, amend, or repeal?

As a prospective judge, I am hesitant to provide an opinion on the validity of the bail reform laws. However, I can state that judges should have some autonomy and discretion

to decide whether bail is warranted based on a set of agreed upon factors, such as whether the defendant is a flight risk and the risk of harm to society. I am aware of the necessity of bail reform and will not use bail in a punitive manner. My analysis of bail will be the law, and will be used for the sole purpose of securing that the person return for scheduled court appearances.

14. Have New York's attempts to eliminate racial and religious hatred and discrimination made us safer and more just as a City? If not, what needs fixing?

New York City government has taken steps to address discrimination by enacting and enforcing regulations prohibiting discrimination in the delivery of services, such as housing, employment and public accommodations, interaction with City employees, and utilizing a restorative justice approach. The events that occurred during the summer of 2020, were a first step in discussing such deep seeded feelings, views and beliefs. We must be willing to acknowledge that there is a problem before you can solve a problem. Due to my extensive experience in ensuring equal opportunity and rooting out discrimination, provides me with the ability to recognize discriminatory practices resulting from unconscious bias. This skill will ensure that my decisions will be fair and to consider the litigant as a person instead of just a case number.

15. Who are the best jurists, and what characterizes true judicial temperament?

The characteristics of a good jurist are humility, compassion, patience and respect. Each of these characteristics are the basis for judicial temperament. I have had to deal with people who were experiencing high levels of anxiety, stress and fear who often had to provide me with intimate and often embarrassing details of their lives. Throughout my career, I practiced humility, compassion, patience and respect when dealing with my clients, victims, witnesses, opposing counsel, assistant district attorneys and judges. It was necessary for negotiating, interviewing, building trust and advocating on behalf of my client or respective position. As a supervisor and administrator, I have practiced and further developed the characteristics of fairness, compassion, respect, tact, objectivity, and respect when managing different personalities, assign tasks, and holding people accountable. A favorite quote that I learned in law school is that we can disagree without be disagreeable. This quote has guided me throughout my legal career.

THE VRDC THANKS YOU FOR YOUR RESPONSES.