

## **Hon. Hilary Gingold - Candidate for Manhattan Surrogate**

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### **1)What are your qualifications to be NY County Surrogate Judge?**

I have dedicated my entire career to public service – beginning as a social worker working with elderly and mentally/physically disabled adults to find suitable housing and obtain financial benefits. As an attorney I spent 25 years in private practice, specializing in trusts and estates, guardianships and adoptions, the meat and potatoes of Surrogate’s Court. During the mortgage foreclosure crisis, from 2007-2010, I ran a not-for-profit organization dedicated to fighting predatory lenders and keeping families and elderly homeowners in their homes.

Prior to my election as a NY County Civil Court Judge in 2018 I served as Principal Court Attorney/Special Referee for the Chief Judge of the Court of Appeals’ Excellence Initiative, addressing huge backlogs throughout the boroughs, and in particular, Bronx County, where I worked on thousands of matters, bringing resolution to outstanding cases not previously addressed in more than five to ten years in many instances. I spent 6 years prior to working for Chief Judge DiFiore as a Principal Law Clerk to three different Supreme Court Justices, handling matters from Article 81 proceedings to complex litigation in areas such as labor law, matrimonial law, foreclosures, and medical malpractice.

Additionally, I have been heavily involved with participating and directing a wide variety of professional and legal associations in support of the legal profession. Serving as Board Member to many organizations such as Legal Services of New York City, President of the Queens County Bar Association and President of the Network of Bar Leaders, an association representing approximately 50 different affinity bar associations, including local, county and state bar groups. Currently, I am a Fellow with the NYS Bar Association’s Foundation which is a select group of attorneys and judges (it is by invitation only and less than 10% of the entire state bar is eligible) throughout New York State. The Foundation is the charitable arm of the New York State Bar – lending support to not-for-profit programs designed to help serve the indigent and unrepresented individuals. I have worked tirelessly to promote diversity in both the bench and the bar, creating, leading and teaching programs in areas of the law such as litigation practice and in coordinating pro bono efforts in areas such as immigration. I am a Judicial Mentor with NYS’s Williams Commission. I am also a member of the National Association of Women Judges – where I was the immediate past-Co-Chair in establishing a mentorship program between women judges throughout New York State and law students – encouraging diversity and dialogue. I also volunteer with the local New York City Bar Association – taking student interns interested in law, from high school on through college – teaching students how to prepare resumes, writing samples and develop interview skills for employment and college applications.

Both as principal court attorney/special referee, and now, as a Civil Court Judge – I’ve been assigned to the toughest situations. As a newly elected Judge I was assigned to work in Kings County Criminal Court. There, I was the Primary Judge assigned to felony arraignments for two years. I also served as the Back-Up Judge in Drug Court and the Youthful Offender Part.

During the height of Covid I was asked to pioneer a novel conference and appearance part to work with the DA's office and the defense bar to ensure timely and fair disposition of more than 2200 outstanding cases.

Since February of 2021 I have been assigned to sit in Civil Court, New York County. I work every day to ensure cases such as consumer debt, commercial landlord/tenant, pro se litigation, and matters involving disputes amongst family members, all of which have been in a holding pattern due to Covid - get resolved quickly, efficiently and most importantly, fairly.

**2) What programs would you initiate to protect the interests of the parties who require guardians?**

Providing guardians with a uniform approach to reporting their findings would make a huge difference in the lives of the wards and of the intellectually/physically challenged individuals requiring the services of a guardian ad litem. Offering concrete help from trained professionals, both court personnel as well as from seasoned practitioners who offer pro bono services would change the quality of services to the betterment for all.

**3) What issues, if any, do you feel must be addressed by the Surrogate regarding the Administration for Children's Services?**

The Agency is outside the purview of the Surrogate, however, I would want to develop a direct relationship between the Surrogate's Court and ACS so that questions regarding the safety and well-being of minors could be addressed expeditiously.

**4) If elected, what reforms, if any, would you make in Surrogate Court's rules and/or procedures?**

Providing rules and procedures in clear and concise language. All rules and procedure should be uniform and readily accessible with contact information to the appropriate court personnel and Part. Litigants, whether pro se or represented by counsel, should have easy access to whatever forms they need, with assistance from interpreters, if required. Also, an informed help center would transform the court.

**5. Use of discretion, power to sanction?**

As an elected Civil Court Judge, I use discretion every day in the courtroom – whether to excuse a litigant from appearing, giving a litigant more time or in resolving the matter altogether. Sanctions should be rarely imposed. As a Judge, I find that threats do not resolve cases, especially when dealing with pro se litigants. The use of intimidation through sanctions is the antithesis of judicial temperament and demeanor. There are many ways to counteract and limit abuse of the process. I handle these situations on a case by case basis. Oftentimes what initially appears to be someone abusing the process, really is about poor communication. As a Judge, my skills in communicating the needs of the court with the abilities of the litigants, representing themselves or with counsel, rarely if ever, require a sanction.

## **6) Expectations regarding adjournments?**

As a Judge, I understand that life often gets in the way of the best of intentions – Covid has taught us all that getting sick can happen to anyone, and there is no notice. I believe that adjournments should be freely granted provided the litigants and/or attorneys are in agreement, and further, a reasonable explanation for the adjournment is provided the court. Again, I make determinations regarding adjournments on a case by case basis, especially since most if not all court appearances are able to be handled virtually.