



NEW YORK CITY LAW DEPARTMENT  
OFFICE OF THE CORPORATION COUNSEL

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Press Release

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For Immediate Release

**CITY PLANS TO FILE *AMICI* BRIEF SUPPORTING OF THE  
PLAINTIFFS/APPELLANTS  
IN CAMPAIGN FOR FISCAL EQUITY, INC. V. STATE OF NEW YORK  
IN THE NEW YORK COURT OF APPEALS**

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New York, January 17, 2003 -- Corporation Counsel Michael A. Cardozo, at the direction of Mayor Michael R. Bloomberg and with the support of Schools Chancellor Joel I. Klein, announced that the City intends to file an *amicus* brief on behalf of the City and its School District in support of the plaintiffs/appellants in the case of Campaign for Fiscal Equity, Inc. v. State of New York.

The case involves the plaintiffs appeal from the order of the Appellate Division, First Department, seeking to have the Court of Appeals reinstate the order of Supreme Court Justice Leland DeGrasse, which recognized that the State does not fulfill its obligation to provide sufficient resources to the City to enable it to provide a sound basic education to all City students. The case is scheduled for argument in the New York Court of Appeals in May. The brief is expected to be filed around mid-February.

The City's public school system is the single largest school district in the nation, with over 1.1 million pupils. As the Mayor stated in his recent address at the New York Urban League, "No job in our city is more important than giving all our young people the guidance, education and opportunity they need." The City's brief argues that while the Governor and Legislature have enacted important school governance provisions, that does not negate the State's failure to meet its constitutional educational obligation and address the chronic, decades-long problem of underfunding.

The *amicus* brief is being prepared by Leonard Koerner, the Chief of the Appeals Division, New York City Law Department, and Elizabeth S. Natrella, a Senior Counsel in Appeals. "We are hopeful that the Court of Appeals will recognize that, on the extensive record presented here, the State has violated its constitutional obligation to provide a sound basic education by chronically underfunding City schools to the detriment of the City's children, particularly the large concentrated population of at-risk children," said Koerner.

The City will argue that the matter should be remanded back to the lower court, so that it may enforce its order consistent with the decision of the Court of Appeals. In its original order, the lower court had provided, among other things, that the Legislature reform the system and that a study be done by the State defendants, which would ascertain, to the extent possible, the actual costs of providing a sound basic education in districts around the State.

The New York City Law Department is one of the oldest, largest and most dynamic law offices in the world, ranking among the top three largest law offices in New York City and the top three largest public law offices in the country. Tracing its roots back to the 1600's, the Department's 650-plus lawyers handle more than 100,000 cases and transactions each year in 17 separate legal divisions. The Corporation Counsel heads the Law Department and acts as legal counsel for the Mayor, elected officials, the City and all its agencies. The Department's attorneys represent the City on a vast array of civil litigation, legislative and legal issues and in the criminal prosecution of juveniles. Its web site can be accessed through the City government home page at [www.nyc.gov](http://www.nyc.gov) or via direct link at [www.nyc.gov/html/law/home.html](http://www.nyc.gov/html/law/home.html).

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