



NEW YORK CITY LAW DEPARTMENT
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, Corporation Counsel

Press Release

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For Immediate Release

**CITY FILES MOTION AND A PROPOSED *AMICI CURIAE* BRIEF
SUPPORTING THE PLAINTIFFS/APPELLANTS IN THE CAMPAIGN FOR FISCAL
EQUITY CASE FOR FISCAL EQUITY CASE IN THE NEW YORK COURT OF
APPEALS**

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New York, February 25, 2003 -- Corporation Counsel Michael A. Cardozo announced that the City filed papers today seeking permission to appear as *amici curiae*, together with a proposed 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 City *amici curiae* are: the City of New York; Mayor Michael R. Bloomberg; Chancellor Joel I. Klein; the New York City Council, its Speaker, Gifford Miller; Eva S. Moskowitz, as Chair of the Council's Education Committee; and Borough Presidents Adolph Carrión, Jr., of the Bronx; Marty Markowitz of Brooklyn; C. Virginia Fields of Manhattan; Helen M. Marshall of Queens; and James P. Molinaro of Staten Island.

The plaintiffs are appealing 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 City's public school system is the single largest school district in the nation, with over 1.1 million pupils. The case is scheduled for argument in the New York Court of Appeals on May 8, 2003.

The *amici* brief was 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 New York City Law Department is one of the oldest, largest and most dynamic law offices in the world and is the second-largest public law office in the United States. 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 or via direct link at www.nyc.gov/html/law/home.html

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