



NEW YORK CITY LAW DEPARTMENT
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, Corporation Counsel

Press Release

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For Immediate Release

**NEW YORK CITY LAW DEPARTMENT ANNOUNCES
CONCLUSION OF WTC EXPEDITED DEATH CERTIFICATE PROGRAM ON APRIL
30TH**

LASTING 19 MONTHS, SPECIALIZED PLAN WILL HAVE AIDED MORE THAN 2,300 NEXT-OF-KIN AND FAMILIES.

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New York, March 26, 2003 -- The New York City Law Department announced today it will be wrapping up its Expedited Death Certificate Program on April 30th. The 19-month plan will have helped more than 2,300 next-of-kin and families receive expedited death certificates following the World Trade Center tragedy. After April 30th, the Law Department will no longer accept these applications for persons missing as a result of the Sept. 11, 2001, attack. Those wishing to obtain regular certificates after April 30th may still do so through standard legal procedures.

Since September 2001, the Law Department processed 2,475 applications for death certificates submitted by families and next-of-kin, with 2,392 certificates being issued. "It was an honor for our office to assist these families and next-of-kin during this difficult time and help them bring closure to an unspeakable tragedy," said Corporation Counsel Michael A. Cardozo. "Many on our staff described this as their proudest moment in public service."

The program began on Sept. 26, 2001, at the Family Assistance Center at Pier 94 in Manhattan. It was specially developed in the days following Sept. 11th to assist family and next-of-kin who otherwise would have faced substantial difficulty in obtaining the basic documentation necessary to receive necessary benefits, administer the estate of the missing person and achieve a sense of closure concerning their loss. In the first three days alone, nearly 1,000 families applied for death certificates.

Cardozo cited the efforts of the Law Department, and over 2,000 other volunteer lawyers from the private and corporate bar, in making the program happen, especially on such an expedited basis. "These lawyers' efforts cannot be highlighted enough," he said. "They worked tirelessly to ensure that everyone who was entitled to a death certificate received one as fast as humanly possible, and those who attempted to defraud the process did not."

Anthony Crowell, formerly an Assistant Corporation Counsel in the Law Department's Legal Counsel Division, was instrumental in establishing the Law Department's death certificate process. Crowell, now the Special Counsel to Mayor Michael R. Bloomberg, noted: "The Law Department's quick and enduring response to the tragic events of Sept. 11th underscores the true meaning of lawyering in the public interest. Indeed, as the program closes, those attorneys involved will look back on it as perhaps the most humane and valuable work of their legal careers."

The Association of the City Bar of New York also saluted the private and public sector lawyers who aided the victims' families, noting the immediate outpouring of support. "Within 24 hours of the process being announced, an attorney training session was held here at the Association," noted Barbara Berger Opatowsky, the City Bar's president. "Over 700 lawyers arrived -- with the line stretching down 44th Street all the way to Sixth Avenue. It was a stunning sight. As Judge Kaye has commented, 'It truly was the shining hour for the New York bar.'"

Under regular State law, if the body of a person has not been found, the relative of such a missing person typically must wait three years before obtaining a death certificate or go through a potentially extended court proceeding to prove that the missing person was in specific peril of death.

To avoid the delay inherent in these procedures, representatives of various agencies and courts worked together to develop this special process, including the Office of the Chief Medical Examiner; the New York Surrogates Court; the Mayor's Office of the Criminal Justice Coordinator, the City's Department of Health; the New York State Office of Court Administration; and the Law Department. This expedited process allowed families to apply for and receive death certificates, which occurred usually within days.

In general, the expedited process required the nearest next-of-kin of the missing person to supply an affidavit setting forth certain personal information of the next-of-kin and missing person and the basis for the next-of-kin's belief that his or her relative was at the World Trade Center on the morning of Sept. 11, 2001. Corroborating affidavits from the employer, airline or other person or entity with knowledge of the missing person's likely whereabouts on Sept. 11th were obtained. The next-of-kin's affidavit, supplemented by the appropriate documentary evidence establishing the relationship between the next-of-kin and the missing person, the corroborating affidavit(s) and/or other documentation, were then independently submitted to the Court once the Law Department was satisfied that the submission was sufficient. If the judge determined that the submission, then the judge would order that an adequate basis existed for the medical examiner to file a death certificate with the Department of Health and for the issuance of certified copies of the death certificate to the next-of-kin.

In the first few months of the process, thousands of volunteer lawyers donated their services to the program, many more than could be accommodated to assist with the Law Department's effort. Volunteer lawyers not only helped family members prepare death certificate affidavits but also lent their expertise in other legal areas, like trusts and estates law, to help the victims' families.

After April 30, 2003, persons with family members missing in the World Trade Center attack may seek the issuance of a death certificate pursuant to the process established by State law for obtaining a death certificate for a person whose remains have not been found and identified. The Law Department no longer is accepting applications from abroad for death certificates. The Law Department will accept, until April 30, 2003, applications from persons who reside overseas in person in New York City, but only if the applicant meets with the New York City Police Department and New York City Law Department officials. Applications no longer will be accepted at U.S. consulates abroad.

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 or via direct link at www.nyc.gov/html/law/home.html.

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