

## THE JUDICIARY

§2. (a) The several amounts named in this section, or so much thereof as shall be sufficient to accomplish the purposes designated by the appropriations, are hereby appropriated and authorized to be paid as hereinafter provided, to the respective public officers and for the several purposes specified, which amounts shall be available for the fiscal year beginning April 1, 2009.

(b) Notwithstanding any other provision of law, the compensation of state-paid judges and justices of the unified court system and of housing judges of the New York city civil court shall be adjusted in accordance with the following and such adjustments shall be funded from available appropriations named in this act:

(1) A justice of the supreme court shall receive an annual salary of one hundred sixty-two thousand, one hundred dollars, effective April first, two thousand five; an annual salary of one hundred sixty-five thousand, two hundred dollars effective April first, two thousand six; an annual salary of one hundred sixty-nine thousand, three hundred dollars, effective April first, two thousand eight; and an annual salary equaling that of a judge of the United States district court, effective April first, two thousand nine.

(2) Commencing April first, two thousand five, the following judges and justices shall receive an annual salary equaling that of a justice of the supreme court plus a percentage thereof, as set forth herein;

(i) chief judge of the court of appeals, fourteen and twelve one hundredths percent;  
(ii) associate judges and justices of the court of appeals, ten and sixty-one one hundredths percent;  
(iii) presiding justices of the appellate division, seven and ninety-seven one hundredths percent;  
(iv) associate justices of the appellate division, the presiding judge of the court of claims and judges and justices who are designated deputy chief administrative judges, five and thirty-four one hundredths percent;

(v) presiding justices of the appellate term, judges who are designated deputy or assistant administrative judges within the city of New York and judges or justices who are designated administrative judges for a judicial district or county outside the city of New York, three and fifty-one one hundredths percent;

(vi) associate justices of the appellate term, two and nineteen one hundredths percent; and  
(vii) judges of the court of claims, no additional percentage.

(3) Commencing April first, two thousand five, the following judges shall receive an annual salary equaling a percentage of that of a justice of the supreme court, as set forth herein:

(i) judges of the county court, judges of the family court and judges of the surrogate's court, ninety-five percent;

(ii) judges of the New York city civil court, judges of the New York city criminal court and judges of the district court, ninety-three percent; and

(iii) judges of the city court outside the city of New York who are not permitted to practice law, ninety percent.

Notwithstanding the foregoing, any judge specified in subparagraph (i) of this paragraph, in an office that on March thirty-first, two thousand five was paid an annual salary that was more than ninety-five percent of the annual salary paid a justice of the supreme court on such date, shall receive an annual salary equaling an amount bearing the same proportion to the salary of a justice of the supreme court as the annual salary of his or her office bore to the salary of a justice of the supreme court on March thirty-first, two thousand five. In the event a new judgeship is established for a county court, family court or surrogate's court on a date after March thirty-first, two thousand five, the annual salary for such office shall equal the annual salary for each other judgeship already established for such court on such date.

(4)(i) Commencing April first, two thousand five, each judge of a city court who is permitted to practice law shall receive an annual salary equaling an amount bearing the same proportion to the salary of the lowest-paid judge of a city court who is not permitted to practice law as the salary of his or her office on March thirty-first, two thousand five bore to the salary of such lowest-paid judge on such day; except that, effective April first, two thousand seven, each judge of a city court outside the city of New York who is permitted to practice law shall receive an annual salary equaling an amount bearing the same proportion

to the salary of the lowest-paid judge of a city court who is not permitted to practice law as the salary of his or her office on April first, two thousand seven bears to the salary for such lowest-paid judge on such date pursuant to the provisions of chapter four hundred ninety-three of the laws of two thousand six.

(ii) In the event a new judgeship is established for a city court outside the city of New York after March thirty-first, two thousand seven, and the person who holds such office is permitted to practice law, the annual salary for such office on the date of its establishment shall be as provided by law. Thereafter, the annual salary of such office shall be as provided in subparagraph (i) of this paragraph except that, for purposes of such subparagraph (i), the date on which such office was established shall be substituted for the date specified therein.

(5) Commencing April first, two thousand five and notwithstanding any other provision of this section, the annual salaries of each of the following judges, as specified in paragraph three of this subdivision, shall be increased by the amounts specified in this subparagraph:

(i) each chief judge of a city court outside the city of New York who is not permitted to practice law, an amount equal to one and five one hundredths percent of his or her annual salary as provided by law; and

(ii) each president of the board of judges of a district court, an amount equal to three and forty-two one hundredths percent of his or her annual salary as provided by law.

(6) Commencing April first, two thousand five, the annual salary of a housing judge of the New York city civil court shall equal an amount representing ninety-five percent of the annual salary of a judge of such court as provided in subparagraph (ii) of paragraph three hereof.

For services and expenses including travel outside the state and the payment of liabilities incurred prior to April 1, 2009 in accordance with the following schedule.

STATE OPERATIONS AND AID TO LOCALITIES 2009-2010

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local.....	2,269,057,771	61,800,000
Special Revenue Funds - Federal .....	9,100,000	20,050,000
Special Revenue Funds - Other .....	247,599,690	22,000,000
All Funds .....	<u>2,525,757,461</u>	<u>103,850,000</u>

JUDICIARY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
- State / Local	2,264,339,071	4,718,700	0	2,269,057,771
SR - Federal	9,100,000	0	0	9,100,000
SR - Other	124,046,406	123,553,284	0	247,599,690
All Funds	<u>2,397,485,477</u>	<u>128,271,984</u>	<u>0</u>	<u>2,525,757,461</u>

SCHEDULE

COURTS OF ORIGINAL JURISDICTION ..... 1,594,151,980

General Fund / State Operations  
State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular .....	1,267,117,501
Personal service - temporary .....	17,039,929
Personal service - holiday / overtime compensation .....	40,025,196
Amount available for personal service .....	1,324,182,626

NONPERSONAL SERVICE

Supplies and Materials .....	28,780,031
Travel .....	6,351,924
Contractual Services .....	166,586,122
Equipment .....	8,997,954
Amount available for nonpersonal service .....	210,716,031

MAINTENANCE UNDISTRIBUTED

For services and expenses including travel outside the state and the payment of liabilities incurred prior to April 1, 2009 .....	5,781,300
Program account subtotal .....	1,540,679,957

Special Revenue Funds - Other / State Operations  
New York City County Clerks'  
Operations Offset Fund - 368

For services and expenses as provided by section 94-a of the  
State Finance Law.

PERSONAL SERVICE

Personal service - regular .....	18,982,725
Personal service - temporary .....	1,553,959
Personal service - holiday / overtime compensation .....	37,300
Amount available for personal service .....	20,573,984

NONPERSONAL SERVICE

Supplies and Materials .....	218,009
Travel .....	7,500
Contractual Services .....	3,294,864

Amount available for nonpersonal service .....	3,520,373
Program account subtotal .....	24,094,357

Special Revenue Funds - Other / State Operations  
Judiciary Data Processing Offset Fund - 369

For services and expenses as provided by section 94-b of the  
State Finance Law.

PERSONAL SERVICE

Personal service - regular .....	16,922,881
Personal service - temporary .....	1,026,549
Personal service - holiday / overtime compensation .....	115,565
Program fund subtotal .....	18,064,995

Special Revenue Funds - Other / State Operations  
Court Facilities Incentive Aid Fund - 340

PERSONAL SERVICE

Personal service - regular .....	709,732
Personal service - holiday / overtime compensation .....	2,939
Program fund subtotal .....	712,671

Special Revenue Funds - Federal / State Operations  
Federal Operating Grants Fund - 290  
Federal Miscellaneous Grants (Operating) Account

MAINTENANCE UNDISTRIBUTED

For services and expenses including travel outside the state and the payment of liabilities incurred prior to April 1, 2009 .....	6,500,000
Program account subtotal .....	6,500,000

Special Revenue Funds - Federal / State Operations  
Federal Grants - Health and Human Services - 265

MAINTENANCE UNDISTRIBUTED

For services and expenses including travel outside the state and the payment of liabilities incurred prior to April 1, 2009 .....	2,600,000
Program account subtotal .....	2,600,000

Special Revenue Funds - Other / State Operations  
Miscellaneous Special Revenue Funds - 339

MAINTENANCE UNDISTRIBUTED

For services and expenses including travel outside the state and the payment of liabilities incurred prior to April 1, 2009 .....	1,500,000
Program fund subtotal .....	1,500,000

COURT OF APPEALS AND LAW REPORTING BUREAU ..... 16,308,446

General Fund / State Operations  
State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular .....	13,040,666
Personal service - temporary .....	155,382
Personal service - holiday / overtime compensation .....	80,960
Amount available for personal service .....	13,277,008

NONPERSONAL SERVICE

Supplies and Materials .....	995,200
Travel .....	438,029
Contractual Services .....	1,548,209
Equipment .....	50,000
Amount available for nonpersonal service .....	3,031,438
Program account subtotal .....	16,308,446

COURT OPERATIONS ..... 76,936,614

General Fund / State Operations  
State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular .....	69,437,837
Personal service - temporary .....	1,208,464
Personal service - holiday / overtime compensation .....	247,525
Amount available for personal service .....	70,893,826

NONPERSONAL SERVICE

Supplies and Materials .....	2,466,604
Travel .....	638,675
Contractual Services .....	2,587,509
Equipment .....	350,000
Amount available for nonpersonal service .....	6,042,788
Program account subtotal .....	76,936,614

APPELLATE AUXILIARY OPERATIONS ..... 167,021,028

General Fund / State Operations  
State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular .....	24,972,786
Personal service - temporary .....	1,879,743
Personal service - holiday / overtime compensation .....	1,000
Amount available for personal service .....	26,853,529

NONPERSONAL SERVICE

Supplies and Materials .....	377,830
Travel .....	506,704
Contractual Services .....	91,855,744
Amount available for nonpersonal service .....	92,740,278
Program account subtotal .....	119,593,807

Special Revenue Funds - State / State Operations  
Attorney Licensing Fund

For services and expenses funded from fees required pursuant  
to section 468-a of the Judiciary Law

PERSONAL SERVICE

Personal service - regular .....	15,947,399
Personal service - temporary .....	596,748
Personal service - holiday / overtime compensation .....	1,300
Amount available for personal service .....	16,545,447

NONPERSONAL SERVICE

Supplies and Materials .....	359,211
Travel .....	157,794
Contractual Services .....	5,364,769
Amount available for nonpersonal service .....	5,881,774
Program fund subtotal .....	22,427,221
Special Revenue Funds - State / State Operations Indigent Legal Services Fund - 390	

For services and expenses as provided by  
section 98-b of the State Finance Law.

NONPERSONAL SERVICE

Contractual Services .....	25,000,000
Program fund subtotal .....	25,000,000

ADMINISTRATION AND GENERAL SUPPORT ..... 27,637,037

General Fund / State Operations  
State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular .....	17,063,117
Personal service - temporary .....	3,895,044
Personal service - holiday / overtime compensation .....	356,850
Amount available for personal service .....	21,315,011

NONPERSONAL SERVICE

Supplies and Materials .....	547,412
Travel .....	556,895
Contractual Services .....	2,251,380
Amount available for nonpersonal service .....	3,355,687
Program account subtotal .....	24,670,698
Special Revenue Funds - Other / State Operations Court Facilities Incentive Aid Fund - 340	

PERSONAL SERVICE

Personal service - regular .....	571,031
Personal service - temporary .....	455,524
Amount available for personal service .....	1,026,555

NONPERSONAL SERVICE

Supplies and Materials .....	1,500
Travel .....	10,000
Contractual Services .....	601,250
Amount available for nonpersonal service .....	612,750

Program account subtotal .....	1,639,305
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Special Revenue Funds - Other / State Operations  
Attorney Licensing Fund

For services and expenses funded from fees required pursuant  
to section 468-a of the Judiciary Law

PERSONAL SERVICE

Personal service - regular .....	507,978
Personal service - temporary .....	206,925
Personal service - holiday / overtime compensation .....	28,000
Amount available for personal service .....	742,903

NONPERSONAL SERVICE

Supplies and Materials .....	24,087
Travel .....	3,240
Contractual Services .....	556,804
Amount available for nonpersonal service .....	584,131

Program account subtotal .....	1,327,034
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JUDICIARY-WIDE MAINTENANCE UNDISTRIBUTED .....	8,677,744
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General Fund / State Operations  
State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular .....	4,901,472
Personal service - temporary .....	471,046

Amount available for personal service ..... 5,372,518

NONPERSONAL SERVICE

Supplies and Materials ..... 7,000  
Travel ..... 15,000  
Contractual Services ..... 1,422,446

Amount available for nonpersonal service ..... 1,444,446

Program account subtotal ..... 6,816,964

Special Revenue Funds - Other / State Operations  
Attorney Licensing Fund

For services and expenses funded from fees required pursuant  
to section 468-a of the Judiciary Law.

PERSONAL SERVICE

Personal service - regular ..... 545,584  
Personal service - temporary ..... 826,037

Amount available for personal service ..... 1,371,621

NONPERSONAL SERVICE

Supplies and Materials ..... 16,403  
Travel ..... 49,250  
Contractual Services ..... 423,506

Amount available for nonpersonal service ..... 489,159

Program account subtotal ..... 1,860,780

GENERAL STATE CHARGES

EMPLOYEE FRINGE BENEFITS ..... 493,851,051

General Fund / State Operations  
State Purposes Account - 003

NONPERSONAL SERVICE

For Fringe Benefits ..... 479,332,585

Program account subtotal ..... 479,332,585

Special Revenue Funds - Other / State Operations  
Attorney Licensing Fund

NONPERSONAL SERVICE

For Fringe Benefits .....	4,525,020
Program fund subtotal .....	4,525,020

Special Revenue Funds - Other / State Operations  
Court Facilities Incentive Aid Fund - 340

NONPERSONAL SERVICE

For Fringe Benefits .....	465,192
Program fund subtotal .....	465,192

Special Revenue Funds - Other / State Operations  
Lawyers' Fund for Client Protection of the State of New York- 306

NONPERSONAL SERVICE

For Fringe Benefits .....	98,000
Program fund subtotal .....	98,000

Special Revenue Funds - Other / State Operations  
New York City County Clerks'  
Operations Offset Fund - 368

NONPERSONAL SERVICE

For Fringe Benefits .....	5,539,579
Program fund subtotal .....	5,539,579

Special Revenue Funds - Other / State Operations  
Judiciary Data Processing Offset Fund - 369

NONPERSONAL SERVICE

For Fringe Benefits .....	3,890,675
Program fund subtotal .....	3,890,675

CLIENT PROTECTION

LAWYERS' CLIENT PROTECTION ..... 12,901,577

Special Revenue Funds - Other/State Operations  
 Lawyers' Fund for Client Protection of the State of New York - 306

For expenses associated with the operation of the Lawyers' Fund for Client Protection of the State of New York; provided that, notwithstanding any other provision of law to the contrary, and in accordance with section 4 of the State Finance Law, the State Comptroller is hereby authorized and directed to transfer, upon the request of the chief administrator of the courts, up to \$3,750,000 from the Special Revenue Funds - Other/State Operations Attorney Licensing Fund to the Lawyers' Fund for Client Protection of the State of New York on or before March 31, 2010.

PERSONAL SERVICE

Personal service - regular .....	691,777
Personal service - temporary .....	10,000
Amount available for personal service .....	701,777

NONPERSONAL SERVICE

Supplies and Materials .....	14,800
Travel .....	25,000
Contractual Services .....	12,155,000
Equipment .....	5,000
Amount available for nonpersonal service .....	12,199,800
Program fund subtotal.....	12,901,577

AID TO LOCALITIES

General Fund .....	4,718,700
Special Revenue Funds - Other .....	123,553,284
All Funds .....	128,271,984

COURTS OF ORIGINAL JURISDICTION ..... 4,718,700

General Fund / State Operations  
 Local Assistance Account - 001

MAINTENANCE UNDISTRIBUTED

For services and expenses including travel outside the state and the payment of liabilities incurred prior to April 1, 2009 .....	4,718,700
Program account subtotal .....	4,718,700

COURT FACILITIES INCENTIVE AID ..... 123,553,284

Special Revenue Funds - Other / Aid to Localities  
Court Facilities Incentive Aid Fund - 340

For expenses necessary to implement the provisions of law relating to the furnishing of court facilities and the provisions of section 219-a of the Judiciary Law; provided that, notwithstanding any other provision of law to the contrary, and in accordance with section 4 of the State Finance Law, where moneys in the court facilities incentive aid fund, including such moneys as may be transferred thereto pursuant to subdivision 6 of section 94 of the state finance law, are insufficient to meet vouchers presented for payment charged to this appropriation or for transfers made pursuant to paragraph (b) of subdivision 2 of such section, the State Comptroller is hereby authorized and directed to transfer, upon the request of the chief administrator of the courts, sufficient moneys to meet such vouchers or to permit such transfers, not exceeding \$50,000,000 from the General Fund to the Court Facilities Incentive Aid Fund on or before March 31, 2010.

NONPERSONAL SERVICE

Grants .....	123,553,284
Program fund subtotal .....	123,553,284

REAPPROPRIATIONS

§3. The several amounts named in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, being the unexpended balances of a prior year's appropriation, are hereby reappropriated from the same funds and made available for the same purposes as the prior year's appropriation, unless amended herein, for the state fiscal year beginning April 1, 2009.

THE JUDICIARY

STATE OPERATIONS

SCHEDULE

COURTS OF ORIGINAL JURISDICTION

Special Revenue Funds - Federal / State Operations  
Federal Operating Grants Fund - 290  
Federal Miscellaneous Grants (Operating) Account

MAINTENANCE UNDISTRIBUTED

By chapter 51, section 2, of the laws of 2008: For services and expenses including travel outside the state and the payment of liabilities incurred prior to April 1, 2008 .....	8,000,000 .....	(re.	8,000,000 )
By chapter 51, section 2, of the laws of 2007, as reappropriated by chapter 51, section 3, of the laws of 2008: For services and expenses of drug court operations .....	3,000,000 .....	(re.	2,000,000 )
Maintenance Undistributed .....	4,800,000 .....	(re.	4,000,000 )
By chapter 51, section 2, of the laws of 2006, as reappropriated by chapter 51, section 3, of the laws of 2008: For services and expenses of drug court operations .....	3,000,000 .....	(re.	600,000 )
Maintenance Undistributed .....	3,500,000 .....	(re.	1,800,000 )
By chapter 51, section 2, of the laws of 2005, as reappropriated by chapter 51, section 3, of the laws of 2008: For services and expenses of drug court operations .....	4,000,000 .....	(re.	700,000 )
Maintenance Undistributed .....	3,500,000 .....	(re.	200,000 )
By chapter 51, section 2, of the laws of 2004, as reappropriated by chapter 51, section 3, of the laws of 2008: For services and expenses of drug court operations .....	6,000,000 .....	(re.	350,000 )
By chapter 51, section 2, of the laws of 2003, as reappropriated by chapter 51, section 3, of the laws of 2008: For services and expenses of drug court operations .....	4,000,000 .....	(re.	400,000 )
Special Revenue Funds - Federal / State Operations Federal Health and Humans Services - 265			

MAINTENANCE UNDISTRIBUTED

By chapter 51, section 2, of the laws of 2008:  
For services and expenses including travel  
outside the state and the payment of  
liabilities incurred prior to April 1, 2008 ..... 1,100,000 .....(re. 1,100,000 )

By chapter 51, section 2, of the laws of 2007 as reappropriated  
by chapter 51, section 3, of the laws of 2008:  
For services and expenses of drug court operations ..... 500,000 .....(re. 500,000 )

Maintenance Undistributed ..... 500,000 ..... (re. 400,000 )

Special Revenue Funds - Other / State Operations  
Miscellaneous Special Revenue Fund - 339

MAINTENANCE UNDISTRIBUTED

By chapter 51, section 2, of the laws of 2008:  
For services and expenses including travel  
outside the state and the payment of  
liabilities incurred prior to April 1, 2008 ..... 1,500,000 ..... (re. 1,500,000 )

By chapter 51, section 2, of the laws of 2007, as reappropriated  
by chapter 51, section 3, of the laws of 2008:  
Maintenance Undistributed ..... 1,250,000 ..... (re. 500,000 )

APPELLATE AUXILIARY OPERATIONS

General Fund / State Operations  
State Purposes Account - 003

By chapter 51, section 2, of the laws of 2008:

NONPERSONAL SERVICE

Contractual Services .....87,326,647.....(re. 2,000,000 )

JUDICIARY-WIDE MAINTENANCE UNDISTRIBUTED

General Fund / State Operations  
State Purposes Account - 003

By chapter 51, section 2, of the laws of 2008:  
For expenses necessary to fund adjustments in the compensation  
of state-paid judges and justices of the unified court system and  
housing judges of the New York city civil court, [pursuant to a  
subsequent chapter of law specifying such salary levels]

and for such other services and expenses specified in section two of this act.

PERSONAL SERVICE

Personal Service - regular ..... 51,006,759 ..... (re. 48,000,000 )

COURT FACILITIES INCENTIVE AID

Special Revenue Funds - Other / Aid to Localities  
Court Facilities Incentive Aid Fund - 340

By chapter 51, section 2, of the laws of 2008:  
For expenses necessary to implement provisions of law relating to the furnishing of court facilities and the provisions of section 219-a of the judiciary law; provided that, notwithstanding any other provision of law to the contrary, and in accordance with section 4 of the state finance law, where monies in the court facilities incentive aid fund, including such monies as may be transferred thereto pursuant to subdivision 6 of section 94 of the state finance law, are insufficient to meet vouchers presented for payment charged to this appropriation or for transfers made pursuant to paragraph (b) of subdivision 2 of such section, the state comptroller is hereby authorized and directed to transfer, upon the request of the chief administrator of the courts, sufficient moneys to meet such vouchers or to permit such transfers, not exceeding \$50,000,000 from the General Fund to the Court Facilities Incentive Aid Fund on or before March 31, 2009.

NONPERSONAL SERVICE

Grants ..... 123,553,284 ..... (re. 20,000,000 )

CAPITAL PROJECTS

COURTHOUSE IMPROVEMENTS (CCP)

Preservation of Facilities Purpose

By chapter 51, section 2, of the laws of 2007 as reappropriated by chapter 51, section 3, of the laws of 2008:  
For expenses associated with improvements in the Court of Appeals Centennial Hall Annex  
(52JT0707) ..... 20,000,000 ..... (re. 20,000,000 )

For expenses associated with the acquisition of and improvements to a training academy in Kings County for the training of court security personnel  
(52JT0707) ..... 33,700,000 ..... (re. 33,700,000 )

For expenses associated with the acquisition of and improvements to a training academy in [Saratoga County having multiple purposes including] Kings County for the training of court security personnel and for improvements in the Court of Appeals Centennial Hall Annex and the Justice Building quarters of the Appellate Division, Third Judicial Department

(52JT0707) ..... 24,200,000 ..... (re. 14,200,000 )

General Fund / State Operations  
State Purposes Account - 003

By chapter 276, section 10, of the Laws of 2008:

The sum of one hundred sixty-three million dollars (\$163,000,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury in the general fund to the credit of the state purposes account, not otherwise appropriated, and made immediately available to the administrative office of the courts for payment pursuant to the provisions of this act; provided, however, where the provisions of this act require expenditures that must be paid from appropriations from funds of the state other than the general fund or that, by established administrative practice, are paid from such funds, the chief administrator of the courts shall so certify to the comptroller, and thereupon the appropriation provided in this section shall be available for such expenditures..... \$163,000,000 ..... (re.

11,800,000 )