

STATE OF NEW YORK
JUDICIARY BUDGET
FY 2011-12

SECTION

2

**2011-12 JUDICIARY
BUDGET REQUEST**

Table of Contents

	Page
Introduction	1
All Funds	6
General Fund	7
Special Revenue Funds	8
 <u>Court and Agency Operations</u>	
Courts of Original Jurisdiction	9
Budget Summary	20
 Supreme and County Courts	38
Budget Summary	43
 Family Courts	78
Budget Summary	87
 Surrogate's Courts	110
Budget Summary	112
 Multi-Bench Courts	135
Budget Summary	136
 City and District Courts	153
Budget Summary	159
 New York City Housing Court	185
Budget Summary	187
 Community Courts	190
Budget Summary	193
 Drug Treatment Courts	196
Budget Summary	198
 Court of Claims	223
Budget Summary	224
 Jury Operations	227
Budget Summary	230

Courts of Original Jurisdiction (cont'd)**Page**

New York City County Clerks (Non-Jury Operations)	253
Budget Summary	254
Supreme and County Court Law Libraries	257
Budget Summary	259
Alternative Dispute Resolution and Court Improvement Programs	275
Budget Summary	279
Court Support Services	282
Budget Summary	289
Town and Village - State Operations	294
Budget Summary	297
Public Safety	311
Budget Summary	314
Maintenance Undistributed	347
Budget Summary	349
Administration	355
Budget Summary	359
Court of Appeals	373
Budget Summary	375
Appellate Court Operations	378
Budget Summary	381
Appellate Auxiliary Operations	395
Budget Summary	397
Assigned Counsel	402
Budget Summary	404
Attorney for the Child	412
Budget Summary	423
Mental Hygiene Legal Service	438
Budget Summary	445
Candidate Examination	452
Budget Summary	454

Appellate Operations (cont'd)	Page
Candidate Fitness	457
Budget Summary	458
Attorney Discipline	465
Budget Summary	467
Administration and General Support	477
Budget Summary	481
Judiciary-Wide Maintenance Undistributed	485
Court Appointed Special Advocates	
Ethics Commission	
National Center for State Courts	
Commission on Minorities	
Health Maintenance Program	
Continuing Legal Education	
Lawyer Assistance Trust	
Civil Legal Services	
Budget Summary	487
Lawyers' Fund for Client Protection	490
Budget Summary	493
Aid to Localities	
Court Facilities Incentive Aid Fund	495
General Fund Local Assistance	497
Budget Summary	498
Capital Projects	501

Judiciary
2011-12 Budget Request

Introduction

The Unified Court System

The Judiciary is one of the three branches of New York State Government. Article VI of the State Constitution establishes a Unified Court System (UCS), defines the organization and jurisdiction of the courts and provides for the administrative supervision of the courts by a Chief Administrator on behalf of the Chief Judge of the State of New York.

The objectives of the Judiciary are to: (1) provide a forum for the peaceful, fair and prompt resolution of civil claims and family disputes, criminal charges and charges of juvenile delinquency, disputes between citizens and their government, and challenges to government actions; (2) supervise the administration of estates of decedents, consider adoption petitions, and preside over matters involving the dissolution of marriages; (3) provide legal protection for children, mentally ill persons and others entitled by law to the special protection of the courts; and, (4) regulate the admission of lawyers to the Bar and their conduct and discipline.

The New York State court system is one of the largest and busiest in the Western World. It consists of nearly 1,300 state-paid judges, 2,300 town and village justices and approximately 17,000 nonjudicial employees. Pursuant to the Unified Court Budget Act, the cost of operating the UCS, excluding town and village courts, is borne by the State.

Structure and Jurisdiction of the Courts

The Unified Court System is structured as follows:

APPELLATE COURTS

Court of Appeals
Appellate Divisions
of the Supreme Court
Appellate Terms of the
Supreme Court
County Courts (acting as
appellate courts)

Statewide:

Supreme Court
Court of Claims
Family Court
Surrogate's Court

Outside New York City:
County Court

New York City:

Criminal Court
Civil Court

Outside New York City:
City Courts
District Courts
Town Courts*
Village Courts*

***TRIAL COURTS
OF SUPERIOR
JURISDICTION***

***TRIAL COURTS
OF LIMITED
JURISDICTION***

*Locally funded courts

The jurisdiction of each court is established by Article VI of the Constitution or by statute. The Courts of Original Jurisdiction, or trial courts, hear cases in the first instance, and the appellate courts hear and determine appeals from the decisions of the trial courts.

The Court of Appeals, the State's highest court, hears cases on appeal from the other appellate courts and, in some instances, from the Courts of Original Jurisdiction. The jurisdiction of the Court is established in section 3 of Article VI of the Constitution. In most cases, its review is limited to questions of law. The Court also reviews determinations of the Commission on Judicial Conduct.

There are four Appellate Divisions of the Supreme Court, one in each of the State's four judicial departments. The Appellate Divisions hear appeals from judgements or orders in civil and criminal cases. In the 1st and 2nd Departments, Appellate Terms have been established to hear appeals in criminal and civil cases determined in the Criminal and Civil Courts of the City of New York and civil and criminal cases determined in district, city, town, and village courts outside the City. In the 3rd and 4th Departments, appeals from city, town and village courts are heard initially in the appropriate county court.

The Supreme Court, which functions in each of the State's thirteen judicial districts, is a trial court of unlimited, original jurisdiction, but it generally hears cases outside the jurisdiction of other courts. It exercises its civil jurisdiction statewide; in the City of New York and some other parts of the State, it also exercises jurisdiction over felony charges.

The Court of Claims is a statewide court having jurisdiction over claims for money damages against the State. Certain judges of the Court of Claims; i.e., judges appointed pursuant to paragraphs (b), (d), and (e) of subdivision 2 of section 2 of the Court of Claims Act, are assigned temporarily to the Supreme Court.

There are three county-level superior courts. The County Court is established in each county outside the City of New York. It is authorized to handle the prosecution of crimes committed within the county. In practice, however, arraignments and other preliminary proceedings on felonies, misdemeanors and minor offenses are handled by courts of limited jurisdiction, while the County Court presides over felony trials and supervises the Grand Jury. The County Court also has limited jurisdiction in civil cases with authority to entertain those involving contested amounts of up to \$25,000.

The Family Court is established in each county and in the City of New York. It has jurisdiction over matters involving children and families. Its caseload consists largely of proceedings involving support of dependent relatives, juvenile delinquency, child protection, persons in need of supervision, review and approval of foster-care placements, paternity determinations, and family offenses.

The Surrogate's Court is established in every county and hears cases involving the affairs of decedents, including the probate of wills and the administration of estates. Family Court and Surrogate's Court have concurrent jurisdiction in adoption proceedings.

The Civil Court of the City of New York tries civil cases involving amounts up to \$25,000 and other civil matters referred to it by the Supreme Court (pursuant to section 325 of the CPLR). It includes a Housing Part for landlord-tenant matters and housing code violations. It also includes a Small Claims Part and a Commercial Small Claims Part for matters not exceeding \$5,000.

The Criminal Court of the City of New York has jurisdiction over all violations, infractions and misdemeanor offenses committed within the City of New York, as well as pre-indictment processing in felony matters. Judges of the Criminal Court also act as arraigning magistrates and conduct preliminary hearings in felony cases.

There are four kinds of courts of limited jurisdiction outside the City of New York: District (established in Nassau County and in the five western towns of Suffolk County), City, Town and Village Courts. All have jurisdiction over minor criminal matters. They also have jurisdiction over minor civil matters, including small claims and summary proceedings, although their monetary ceilings vary: \$15,000 in District and City Courts, and \$3,000 in Town and Village Courts.

The civil courts of limited jurisdiction in 31 counties are making use of compulsory arbitration with lawyer arbitrators to resolve minor civil disputes, that is, civil actions where the amount sought is \$6,000 or less in courts outside the City of New York and \$10,000 or less in courts in the City.

To address significant delays in the processing and resolution of criminal cases, the UCS has undertaken an experimental reorganization of the courts of criminal jurisdiction within Bronx County. This initiative, commenced during 2004, consolidated the judicial and nonjudicial personnel resources of both the Criminal Court and the Supreme Court, Criminal Term to address both felony and misdemeanor caseloads. This reorganization has significantly reduced the backlog of misdemeanor matters in the Bronx and has shortened the time required to resolve cases. This consolidation of court parts has also resulted in various operating efficiencies with corresponding financial savings.

Over the past decade, the court system has been incorporating a variety of problem-solving strategies into mainstream court operations such as Drug Treatment Courts, Integrated Domestic Violence Courts, Community Courts, Mental Health Courts and Sex Offense Courts. These problem-solving courts feature the active involvement of judges in collaboration with criminal justice, treatment and social services agencies. By addressing and seeking to resolve the underlying problems that bring people into the justice system, the courts have demonstrated that they can provide significant savings to state and local governments with regard to incarceration, public assistance and other societal costs.

Administrative Structure of the Unified Court System

Section 28 of Article VI of the State Constitution provides that the Chief Judge of the Court of Appeals is the Chief Judge of the State and its chief judicial officer. The Chief Judge appoints a Chief Administrator of the Courts (who is called the Chief Administrative Judge of the Courts if the appointee is a judge) with the advice and consent of the Administrative Board of the Courts. The Administrative Board consists of the Chief Judge, as chair, and the Presiding Justices of the four Appellate Divisions of the Supreme Court.

The Chief Judge establishes statewide standards and administrative policies after consultation with the Administrative Board of the Courts and promulgates them after approval by the Court of Appeals.

The Chief Administrative Judge, on behalf of the Chief Judge, is responsible for supervising the administration and operation of the trial courts and for establishing and directing an administrative office for the courts, called the Office of Court Administration (OCA). In this task, the Chief Administrative Judge is assisted by an Administrative Director, Chief of Operations and a Chief of Policy and Planning; two Deputy Chief Administrative Judges, who supervise the day-to-day operations of the trial courts in New York City and in the rest of the State, respectively; and a Counsel, who directs the legal and legislative work of the Counsel's Office.

OCA consists of operational divisions, with overall policy guidance and management directed by the Chief Administrative Judge, assisted by the Chief of Operations and the Administrative Director of the Courts. The Division of Human Resources is responsible for the administration of the UCS's workforce diversity programs; labor management relations; career development services; employee benefits administration; and a broad range of personnel services dealing with job classification, compensation and examination issues. The Division of Financial Management coordinates the preparation and implementation of the Judiciary Budget and is responsible for payroll processing, as well as for promulgation of fiscal policies and procedures; revenue and expenditure monitoring, control and reporting; and the coordination of the fiscal aspects of the Court Facilities Aid Program. The Division of Technology is responsible for the development, implementation and oversight of all central and local automation and telecommunication services which support court operations and administrative functions. The Division of Court Operations provides centralized support for day-to-day court operations through its oversight of streamlining initiatives, procedural manual development and training programs, alternative dispute resolution programs and oversight of legal and records management services. The Division of Administrative Services provides a broad range of general support services to the courts including, but not limited to: central accounting and revenue management; attorney registration administration; centralized procurement; supply and printing and professional development. The Division of Grants and Program Development supports the UCS in the design, development, funding and evaluation of innovative, collaborative justice initiatives.

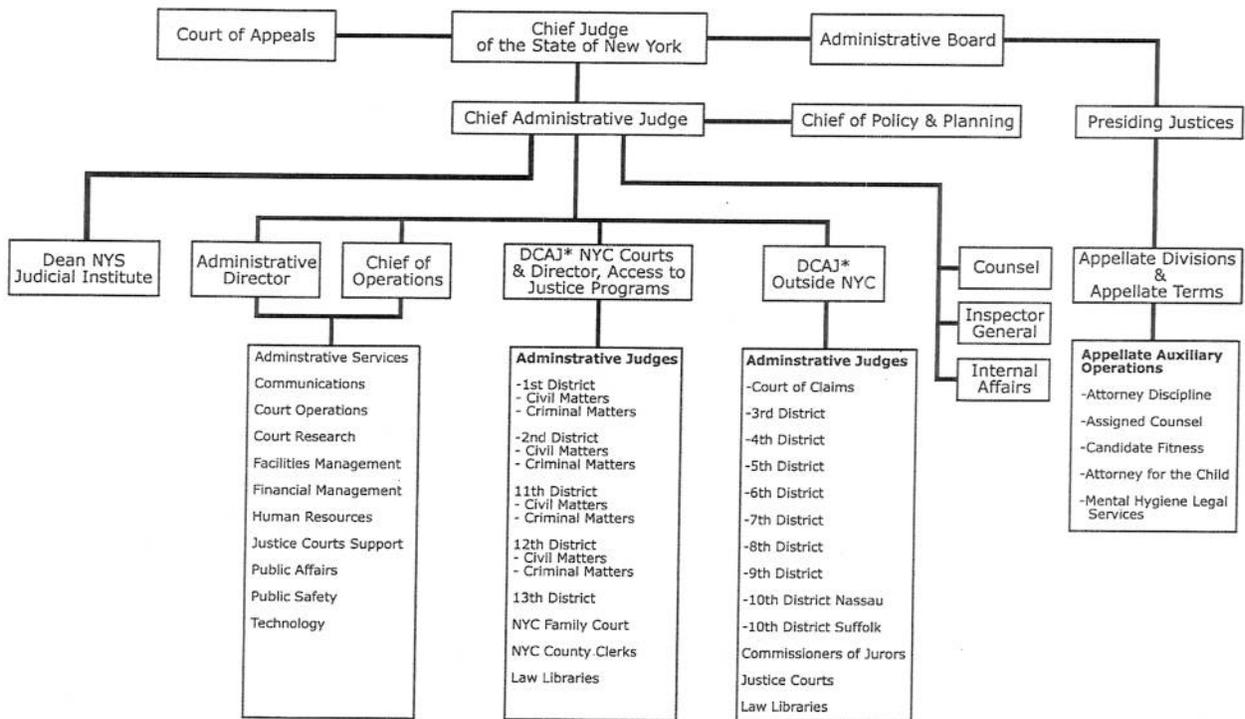
The services provided by these operational divisions are further supplemented by a Public Affairs Office which coordinates communications with other governmental entities, the press, public and Bar. The Office of Court Research compiles UCS workload statistics for the courts, management, and the public and conducts operational improvement studies. The Office of Justice Courts Support provides oversight of local Town and Village Courts. The Dean of the NYS Judicial Institute oversees the Education and Training Office which administers educational programs and the operation of the Judicial Training Institute at Pace University. The Office of Public Safety administers the Judiciary's court security and disaster preparedness activities. The Inspector General's Office is responsible for the investigation and elimination of infractions of discipline standards, conflicts of interest, and criminal activities on the part of nonjudicial employees and persons or corporations doing business with the court system. Finally, an Office of Internal Affairs, reporting directly to the Chief Administrative Judge, conducts internal audits and investigations to support the attainment of management's long-term goals and priorities.

Counsel's Office prepares and analyzes legislation, represents the UCS in litigation, and provides various other forms of legal assistance to the Chief Administrative Judge.

Responsibility for on-site management of the trial courts and agencies is vested with the Administrative Judges. Upstate, in each of the eight judicial districts established outside the City of New York, there is a District Administrative Judge who is responsible for all the courts and agencies operating within their respective districts except in the Tenth Judicial District, where a separate Administrative Judge is appointed for Nassau and Suffolk Counties. In the City of New York, the day-to-day management of Civil and Criminal Courts has been incorporated into a new county-based system. Each county, except for Richmond, has a separate Administrative Judge for civil and criminal matters. New York City Family Court continues to have a citywide Administrative Judge overseeing supervising judges in each of the five counties. A Deputy Chief Administrative Judge coordinates citywide policies and initiatives for the Civil and Criminal Courts and provides general oversight of all the courts in New York City.

The Appellate Divisions are responsible for the administration and management of their respective courts, and of the several Appellate Auxiliary Operations: Candidate Fitness, Attorney Discipline, Assigned Counsel, Attorney for the Child, and Mental Hygiene Legal Service.

Unified Court System Administrative Structure



*DCAJ - Deputy Chief Administrative Judge

STATE OF NEW YORK - JUDICIARY BUDGET
SUMMARY FOR FISCAL YEAR 2011-12

COURT & AGENCY OPERATIONS AND AID TO LOCALITIES - ALL FUNDS

SUMMARY

	<u>CURR. APPROP. AS ADJUSTED</u>	<u>UCS RECOMMENDED</u>	<u>CHANGES TO CURR. APPROP.</u>
<u>PERSONAL SERVICE</u>			
PERSONAL SERVICE REGULAR	1,505,962,676	1,467,174,713	(38,787,963)
PERSONAL SERVICE TEMPORARY	25,289,778	20,454,744	(4,835,034)
PERSONAL SERVICE OVERTIME	38,109,425	37,610,634	(498,791)
***TOTAL PERSONAL SERVICE	1,569,361,879	1,525,240,091	(44,121,788)
<u>NONPERSONAL SERVICE</u>			
LEGAL REFERENCE/CALR	28,490,924	28,571,309	80,385
TRAVEL	7,426,165	6,491,304	(934,861)
LEGAL SERVICES	138,798,033	156,440,770	17,642,737
IN-PART SERVICES	7,713,517	8,358,057	644,540
JUDICIAL HEARING OFFICERS	6,208,100	6,427,500	219,400
PROFESSIONAL SERVICES - OTHER	61,296,047	63,916,600	2,620,553
JURY FEES	23,777,116	23,336,978	(440,138)
SECURITY SERVICES	29,805,375	32,307,645	2,502,270
TRANSCRIPT COSTS	6,541,005	6,662,048	121,043
EQUIPMENT	7,353,851	5,822,151	(1,531,700)
OTHER NONPERSONAL SERVICE	70,817,409	70,739,292	(78,117)
***TOTAL NONPERSONAL SERVICE	388,227,542	409,073,654	20,846,112
<u>MAINTENANCE UNDISTRIBUTED</u>			
COURT FACILITIES INCENTIVE AID	123,377,787	123,377,787	0
TOWN & VILLAGE COURTS	8,389,082	5,945,584	(2,443,498)
CIVIL LEGAL SERVICES	0	25,000,000	25,000,000
***TOTAL MAINTENANCE UNDISTRIBUTED	131,766,869	154,323,371	22,556,502
GRAND TOTAL	<u>2,089,356,290</u>	<u>2,088,637,116</u>	<u>(719,174)</u>
POSITIONS JUDICIAL	1,255	1,261	6
POSITIONS NONJUDICIAL	17,600	17,612	12
***TOTAL NUMBER OF POSITIONS	18,855	18,873	18

**STATE OF NEW YORK - JUDICIARY BUDGET
SUMMARY FOR FISCAL YEAR 2011-12**

COURT & AGENCY OPERATIONS AND AID TO LOCALITIES - GENERAL FUND

SUMMARY

	<u>CURR. APPROP. AS ADJUSTED</u>	<u>UCS RECOMMENDED</u>	<u>CHANGES TO CURR. APPROP.</u>
<u>PERSONAL SERVICE</u>			
PERSONAL SERVICE REGULAR	1,449,078,014	1,411,322,980	(37,755,034)
PERSONAL SERVICE TEMPORARY	19,953,658	16,068,257	(3,885,401)
PERSONAL SERVICE OVERTIME	37,906,110	37,392,785	(513,325)
***TOTAL PERSONAL SERVICE	1,506,937,782	1,464,784,022	(42,153,760)
<u>NONPERSONAL SERVICE</u>			
LEGAL REFERENCE/CALR	28,359,516	28,437,278	77,762
TRAVEL	7,204,519	6,280,778	(923,741)
LEGAL SERVICES	113,733,143	131,375,130	17,641,987
IN-PART SERVICES	7,707,717	8,353,257	645,540
JUDICIAL HEARING OFFICERS	6,190,100	6,409,500	219,400
PROFESSIONAL SERVICES - OTHER	32,022,743	32,980,911	958,168
JURY FEES	23,777,116	23,336,978	(440,138)
SECURITY SERVICES	29,805,375	32,307,645	2,502,270
TRANSCRIPT COSTS	6,337,755	6,456,298	118,543
EQUIPMENT	7,349,851	5,822,151	(1,527,700)
OTHER NONPERSONAL SERVICE	66,305,902	66,275,050	(30,852)
***TOTAL NONPERSONAL SERVICE	328,793,737	348,034,976	19,241,239
<u>MAINTENANCE UNDISTRIBUTED</u>			
COURT FACILITIES INCENTIVE AID	0	0	0
TOWN & VILLAGE COURTS	8,389,082	5,945,584	(2,443,498)
CIVIL LEGAL SERVICES	<u>0</u>	<u>25,000,000</u>	<u>25,000,000</u>
***TOTAL MAINTENANCE UNDISTRIBUTED	8,389,082	30,945,584	22,556,502
GRAND TOTAL	<u>1,844,120,601</u>	<u>1,843,764,582</u>	<u>(356,019)</u>
POSITIONS JUDICIAL	1,255	1,261	6
POSITIONS NONJUDICIAL	16,853	16,865	12
***TOTAL NUMBER OF POSITIONS	18,108	18,126	18

STATE OF NEW YORK - JUDICIARY BUDGET
SUMMARY FOR FISCAL YEAR 2011-12

COURT & AGENCY OPERATIONS AND AID TO LOCALITIES - SPECIAL REVENUE FUNDS

SUMMARY

	<u>CURR. APPROP. AS ADJUSTED</u>	<u>UCS RECOMMENDED</u>	<u>CHANGES TO CURR. APPROP.</u>
<u>PERSONAL SERVICE</u>			
PERSONAL SERVICE REGULAR	56,884,662	55,851,733	(1,032,929)
PERSONAL SERVICE TEMPORARY	5,336,120	4,386,487	(949,633)
PERSONAL SERVICE OVERTIME	203,315	217,849	14,534
***TOTAL PERSONAL SERVICE	62,424,097	60,456,069	(1,968,028)
<u>NONPERSONAL SERVICE</u>			
LEGAL REFERENCE/CALR	131,408	134,031	2,623
TRAVEL	221,646	210,526	(11,120)
LEGAL SERVICES	25,064,890	25,065,640	750
IN-PART SERVICES	5,800	4,800	(1,000)
JUDICIAL HEARING OFFICERS	18,000	18,000	0
PROFESSIONAL SERVICES - OTHER	29,273,304	30,935,689	1,662,385
JURY FEES	0	0	0
SECURITY SERVICES	0	0	0
TRANSCRIPT COSTS	203,250	205,750	2,500
EQUIPMENT	4,000	0	(4,000)
OTHER NONPERSONAL SERVICE	4,511,507	4,464,242	(47,265)
***TOTAL NONPERSONAL SERVICE	59,433,805	61,038,678	1,604,873
<u>MAINTENANCE UNDISTRIBUTED</u>			
COURT FACILITIES INCENTIVE AID	123,377,787	123,377,787	0
TOWN & VILLAGE COURTS	0	0	0
***TOTAL MAINTENANCE UNDISTRIBUTED	123,377,787	123,377,787	0
GRAND TOTAL	<u>245,235,689</u>	<u>244,872,534</u>	<u>(363,155)</u>
POSITIONS JUDICIAL	0	0	0
POSITIONS NONJUDICIAL	747	747	0
***TOTAL NUMBER OF POSITIONS	747	747	0

STATE OF NEW YORK
JUDICIARY BUDGET
FY 2011-12

Part I

State Operations
Court and Court-Related Agency Operations

SECTION

2

Major Purpose Summary
COURTS OF ORIGINAL
JURISDICTION

2011-12 All Funds Budget Request: \$1,599,543,648	
<i>General Fund:</i>	1,543,573,556
<i>Special State Revenue Funds:</i>	45,470,092
<i>Special Revenue Federal Funds:</i>	10,500,000

Funding for this major purpose provides for operation of the trial courts of general and limited jurisdiction (with the exception of Town and Village Courts) and for certain programs administered centrally in support of their operation. For 2011-12, an All-Funds budget request of \$1.60 billion, a decrease of \$41.8 million, is proposed for trial court operations, including \$1.54 billion from the State Operations General Fund, \$45.5 million from State Operations Special Revenue Funds and \$10.5 million from Special Revenue Federal Funds.

Trial Court Workload

Nearly 4.7 million cases were filed and more than 4.1 million were disposed in 2009 in the trial courts.

Caseload Activity by Type of Court: 2009 Statewide

	<u>Filings</u>	<u>Dispositions</u>
<u>CRIMINAL:</u>		
Supreme and County Courts	80,837	87,683
NYC Criminal Court		
Arrest Cases	370,420	381,723
Summons Cases ^a	517,761	392,660
City and District Courts Outside NYC		
Arrest Cases	302,914	289,888
Uniform Traffic Tickets ^a	469,262	450,661
Parking Tickets ^a	156,173	126,901
<u>CIVIL:</u>		
Supreme Courts:		
New Cases	197,030	178,387
Ex Parte Applications	225,716	225,716
Uncontested Matrimonials	43,724	43,268
NYC Civil Court		
Civil Actions	563,177	347,542 ^b
Housing Cases	307,331	297,714
Small Claims	28,693	33,152
Commercial Claims	9,863	11,246

	<u>Filings</u>	<u>Dispositions</u>
City and District Courts Outside NYC		
Civil Actions	240,714	219,649 ^b
Housing Cases	77,062	79,806
Civil Small Claims	28,831	29,039
Commercial Small Claims	11,922	12,027
County Courts ^c	42,178	42,058
Court of Claims	1,696	1,506
Arbitration Program	17,128 ^d	18,897
Small Claims Assessment Review Program	85,265	75,189
Family Courts ^e	742,365	730,620
Surrogate's Courts	138,182	106,531 ^f
<u>2009 TOTAL</u>	<u>4,641,116</u>	<u>4,181,863</u>

^a Includes both answered and unanswered cases.

^b Does not include dispositions in the Arbitration Program.

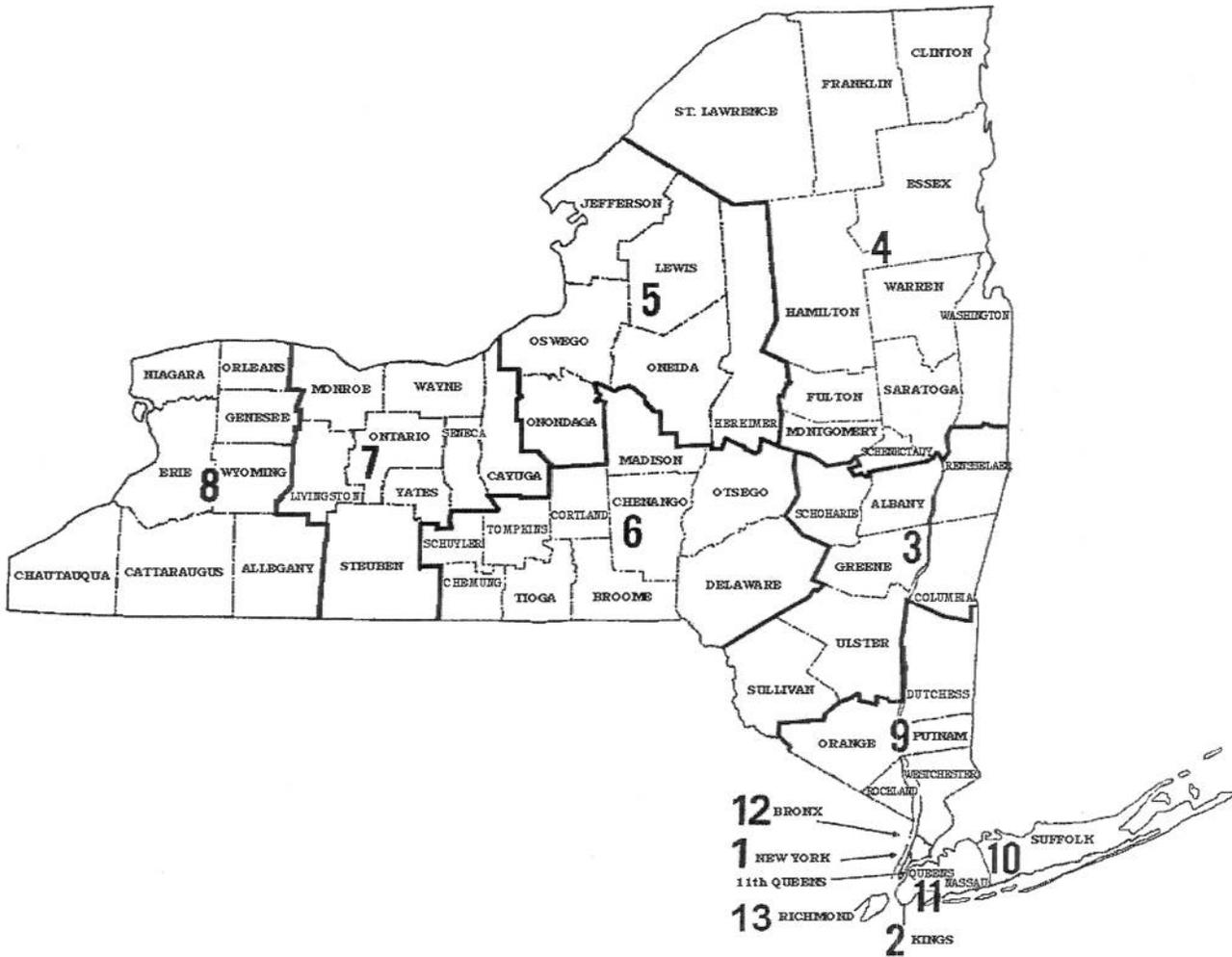
^c Includes new cases and ex-parte applications.

^d Shown here for reference only and not included in totals. Included as intake in the civil court listed above.

^e Includes Permanency Hearings held.

^f Surrogate's Court dispositions include orders and decrees signed.

New York State
Trial Courts
Judicial Districts



COJ Major Purpose Budget Programs

The Courts of Original Jurisdiction (COJ) Major Purpose is comprised of the following program components: Supreme and County Courts, Family Courts, Surrogate's Courts, Multi-Bench Courts, City and District Courts, New York City Housing Court, Community Courts, Drug Treatment Courts, Court of Claims, Jury Operations, New York City County Clerks, Law Libraries, the Office of Alternative Dispute Resolution and Court Improvement Programs, Court Support Services, Town and Village Courts, Public Safety, COJ Maintenance Undistributed and Administration.

Supreme and County Courts

The Supreme Court is the trial court of unlimited, original jurisdiction, but generally hears cases outside the jurisdiction of other courts. It exercises its civil jurisdiction statewide; in New York City and some other parts of the state, it also exercises jurisdiction over felony charges.

The County Court is established in each county outside New York City. It is authorized to handle the prosecution of crimes committed within the county, although in practice arraignments and other preliminary proceedings on felonies, misdemeanors and minor offenses are handled by courts of limited jurisdiction. The County Court also has limited jurisdiction in civil cases, generally involving amounts up to \$25,000.

The Supreme and County Courts Program funding also provides for the Judicial Hearing Officer Program, certificated justices and the Small Claims Assessment Review (SCAR) Program.

Family Courts

The Family Court is established in each county and in the City of New York. It has jurisdiction over matters involving children and families. Its caseload consists largely of proceedings involving support of dependent relatives, juvenile delinquency, child protection, persons in need of supervision, review and approval of foster care placements, paternity determinations and family offenses.

Within the Family Courts Program is funding for the Family Court Support Magistrate Program. Established in 1985, this program provides an expedited process, as required by federal law, for the handling of paternity and child support matters to ensure timely and continuing financial support by absent parents. Certain eligible State costs of the Family Court Support Magistrate Program are reimbursed by the federal government under Title IV-D of the Social Security Act.

Surrogate's Courts

The Surrogate's Court is established in every county and exercises jurisdiction over the probate of wills and granting of letters testamentary; exercises control over executors, administrators, trustees and guardians; serves to pass upon and settle accounts of fiduciaries; maintains concurrent jurisdiction with the Family Court in administration and guardianship of infants and approval of adoptions; and, maintains concurrent jurisdiction with the Supreme Court in matters pertaining to conservatorship.

Multi-Bench Courts

In the State's less populated counties, a judge may sit in more than one of the county-level courts (County, Family, Surrogate's). The COJ budget contains a separate program for these "multi-bench" courts.

City and District Courts

City and District Courts process misdemeanors, violations, traffic infractions and minor civil matters, including small claims. These courts are also responsible for arraignments and other preliminary proceedings in felony cases.

The Civil Court of the City of New York tries civil cases involving amounts up to \$25,000 and other civil matters referred to it by the Supreme Court. The Housing Parts of Civil Court handle landlord-tenant matters and housing code violations.

The Criminal Court of the City of New York has jurisdiction over misdemeanors and violations. Judges of the Criminal Court also act as arraigning magistrates and conduct preliminary hearings in felony cases. Outside New York City, City Courts handle minor civil and criminal matters. In Nassau and Suffolk Counties, District Courts have been established in place of town courts.

The City and District Courts Program also includes the Alternative Dispute Resolution by Arbitration Program. The Arbitration Program was established to reduce case backlogs in civil parts. All civil actions that are filed in a county where the Arbitration Program is operational and in which the monetary damages sought are \$6,000 or less, or \$10,000 or less in the New York City Civil Court, are to be heard and decided by an arbitrator. The Arbitration Program has been established in 31 counties of the state.

New York City Housing Court

The Housing Court, a division within the New York City Civil Court, operates in the five boroughs of New York City and hears and determines matters relating to nonpayment of rent, housing code violations and other proceedings related to real property located within the City of New York. The Housing Court handles only residential landlord and tenant cases.

Community Courts

Community Courts combine conventional punishments with alternative sanctions and on-site treatment and training in an effort to break the revolving door cycle of crime. They are a collaboration between traditionally separate entities, including citizens, criminal justice agencies, businesses, local civic organizations, government entities, and social service providers which results in neighborhood-focused problem solving.

Many Community Courts house an array of nontraditional programs, such as community mediation, job training and placement, drug treatment and homeless outreach, all of which are rigorously monitored by the court in order to address problems that often underlie criminal behavior. Services specifically targeted for youth include job readiness, substance abuse and HIV prevention and tutoring and mentor programs.

Drug Treatment Courts

The Drug Treatment Courts Program is targeted to provide court-mandated substance abuse treatment to nonviolent offenders. The basic concept behind drug courts involves a dramatic intervention by the court in cooperation with an entire team including the defense, prosecution, treatment, education, and law enforcement. In return for a promise of a reduced sentence, appropriate nonviolent addicted offenders are given the option of entering voluntarily into court-supervised treatment. The rules and conditions of participation are clearly stated in a contract entered into by the defendant, the defense attorney, the district

attorney, and the court. The results have been overwhelmingly positive, and drug courts are now in operation all over the country.

The budget for this program supports the operations of drug court parts in criminal and family courts that are funded from a combination of General Fund and Federal and State Special Revenue Funds.

Court of Claims

The Court of Claims is a statewide court having jurisdiction over claims for money damages against the State. In addition, judges appointed pursuant to section 2(2)(b)(c)(d) and (e) of the Court of Claims Act are assigned temporarily to the Supreme Court, primarily as trial justices in the criminal division. Chapter 240 of the Laws of 2005 significantly changed the composition of this Court by adding 14 Court of Claims judges. Nine of these are "Part D" Court of Claims Judges who sit in the Supreme Courts.

Jury Operations

The primary mission of Jury System Operations is to supply the trial courts with sufficient numbers of prospective jurors, drawn from a representative cross-section of the citizenry, from which trial and grand jurors can be chosen to render civil and criminal verdicts and to return criminal indictments. The Unified Court System (UCS) administers the jury system in coordination with the commissioners of jurors in each of the 57 counties outside New York City and the Jury Divisions of the 5 New York City County Clerks' offices.

County Clerks

The County Clerk Program provides funding for the New York City County Clerks' offices in New York, Bronx, Kings, Queens and Richmond Counties. Each county clerk acts as the Commissioner of Jurors and Clerk of the Supreme Court. In their capacity as Clerks of the Supreme Court, the county clerks must receive, index, and file all Supreme Court documents and miscellaneous papers, and collect all associated filing fees, fines and revenues. The County Clerks' offices also enter all judgements and liens, maintain and preserve all county clerk records, certify filed documents, qualify notary publics and Commissioners of Deeds, issue hunting and fishing licenses and process applications for passports. The Richmond County Clerk's Office also functions as the Register of Deeds.

Law Libraries

Funding is provided within this major purpose to support the operation of 39 Supreme Court law libraries and 13 county-level law libraries. These law libraries provide legal reference services and materials in support of case resolution to judges and court personnel. In many cases, services and materials are also provided to attorneys and the general public.

Alternative Dispute Resolution and Court Improvement Programs

The COJ major purpose provides funding for the functions of the Office of Alternative Dispute Resolution (ADR) and Court Improvement Programs (CIP) which have greatly expanded in recent years. This office now operates four main units that administer a wide array of programs and services in furtherance of the mission of the UCS. The Court-connected ADR programs provide training and program development for court sponsored ADR programs. The longstanding Community Dispute Resolution Centers Program supports mediation, arbitration and other dispute resolution programs. The Children's Centers Program provides a

safe haven for children when in court. The Court Improvement Project is a federal grant program that supports permanency planning. The Court Improvement Project unit also operates the Court Appointed Special Advocates Assistance Program.

Court Support Services

Centralized court support services are provided to support the court system in the areas of technology, human resources, administrative services, court operations, payroll, training, legal information and records management services.

- Division of Technology (DOT)

DOT provides automation and telecommunications services to all courts and agencies in the UCS. These services primarily include software applications support, electronic recording support, security web camera installation and support, network support, technology procurement, and the provision of statewide telecommunications, e-mail and internet services. These services allow the court system to more efficiently perform a wide range of case management and administrative functions and also provide information and communication capabilities both within the court system and to other state departments, agencies, local government units and the public. In addition, DOT operates the Statewide Domestic Violence Registry and a Technical Support Center.

- Division of Court Operations

The Division of Court Operations is responsible for providing statewide direction, coordination and support to the trial courts in order to assist them in meeting their goals and objectives. The office accomplishes this by making site visits to ascertain how courts are meeting their responsibilities. This process allows them to identify strong or successful practices and then act as a network by sharing these practices with similar courts to help improve their operations. The office also acts as a liaison between the courts and the Office of Court Administration (OCA) regarding operational issues.

- Office of Legal Information

The Office of Legal Information provides professional support and assistance to courts, law libraries and the public in the areas of legal research, library operations, and information management. The Office develops and coordinates new programs to insure that court law libraries implement procedures which keep law libraries current with trends in technology in order to efficiently manage information in new formats and disseminate information to court legal researchers and the public.

- Office of Records Management

The Office of Records Management assists the courts and agencies of the UCS in managing the volumes of records produced each day by providing guidance, technical assistance and training. The office maintains guidelines for the preservation and use of records in paper or micrographics formats, as well as records maintained in electronic mediums. In addition, this office has established a records storage facility at the Brooklyn Army Terminal in New York City.

- Payroll Operations

The Payroll Operations Office is responsible for biweekly payroll processing and related functions for judges, justices and nonjudicial employees in the UCS.

- Regional Central Services

The Regional Central Services unit provides centralized purchasing, printing and high-volume photocopying services to courts, district offices, and OCA units. The unit is also responsible for the oversight and operation of a storage center in Albany.

- Division of Human Resources: Court Support Units

The Division of Human Resources court support units contain funding for the staff and operation of the Human Resources Administrative Office, the Judicial Benefits Unit, the Career Services Unit and the Workforce Diversity Office.

The Human Resources Administrative Office is responsible for managing and providing support services for all units within the Division. The Judicial Benefits Unit provides comprehensive benefits assistance to judges, justices, and court employees. The Career Services Unit is responsible for career development, training and educational programs for nonjudicial employees. The Workforce Diversity Office oversees implementation of the UCS's Workforce Diversity Program.

- Education and Training

Education and Training provides continuing legal education and program offerings for state-paid judges, town and village justices, Family Court Support Magistrates, and employees in the legal series. The Judicial Institute at Pace University operates in conjunction with the Education and Training Office.

- Administrative Services

The Division of Administrative Services provides support to UCS administrative divisions and offices and trial courts across a broad range of activities in order to allow them to perform their day-to-day operations. This unit's activities also include: information management functions involving a variety of registrations, certifications, and applications processes such as attorney registration, continuing legal education, fiduciaries, retainer and closing statements, judicial certifications, and judicial hearing officers. The Division of Administrative Services is also charged with the management of a criminal history search operation which serves the public, private businesses and government agencies.

- Office of Inspector General

The Office of the Inspector General investigates allegations of misconduct within the UCS and allegations of work-related bias involving court system employees. The Office also investigates compliance with court rules governing judicial appointment of guardians, guardians ad litem, receivers, referees and others who assist the courts in resolving cases.

- New York State Courts Access to Justice Program

The New York State Courts Access to Justice Program seeks to ensure access to justice in civil and criminal matters for New Yorkers of all income, backgrounds and those with special needs by utilizing self-help services, pro bono programs and innovative technology. The Program's priorities are to secure stable and adequate permanent funding for civil legal services, increase the provision of pro bono services and address the needs and challenges of self-represented litigants.

- Office of Policy and Planning

The Office of Policy and Planning is responsible for working with judges throughout New York State to study and develop strategies to improve the delivery of justice. The office is also responsible for providing support for problem-solving courts statewide.

Town and Village Courts

New York State has more than 1,300 town and village courts, presided over by more than 2,000 judges. These courts operate in all areas of the State except New York City and hear civil and criminal cases, adjudicate misdemeanors, minor offenses and traffic violations, and arraign all criminal matters. These courts process an estimated two million cases annually.

In recent years, these courts have received a great deal of attention from the press, the public and the legal community. In the fall of 2006, a series of articles in The New York Times reported alleged failings and abuses by a number of judges in the Justice Courts. Additionally, a report issued by the State Comptroller identified areas of financial mismanagement in a significant number of the town and village courts audited. Shortly after these issues were reviewed, the UCS issued an "Action Plan for the Justice Courts" which announced first-time, statewide initiatives for increased training and supervision of town and village justices and other new support to improve the efficiency and quality of the Justice Courts.

Public Safety

The UCS is dedicated to meeting the safety and security needs of the judges and nonjudicial personnel who work in the courts and the public who rely on the courts to meet their judicial needs. This Program contains funding for all of the administrative and operational functions associated with meeting these security needs.

The Department of Public Safety advises the Deputy Chief Administrative Judge on security operations and public safety policies including emergency management plans and safety education for the UCS. The Department of Public Safety develops safety protocols and emergency action plans for local courts and agencies and is responsible for the monitoring of uniform standards, policies, regulations and practices, and training.

The Court Officer Training Academy provides a 14-week training program to all New York State court officer candidates. The training curriculum includes civil and criminal procedural law, basic firearm training, defensive tactics, first aid and CPR training and gang intelligence. There are currently two UCS training academies, one located in Cohoes and the other in New York City.

Operational security needs are met through a combination of state-paid security personnel and, in several upstate districts, through contracts with local municipalities.

COJ Maintenance Undistributed

This program includes funding for the Permanent Commission on Justice for Children, the Center for Court Innovation, the Criminal Disposition Reconciliation Project, grants to support problem-solving courts and initiatives, and equipment associated with new or renovated court facilities. Funding is also reflected to meet anticipated operational needs for additional court reporters and peace officer training.

Trial Court Administration

The trial courts are divided for administrative purposes into 13 judicial districts. Administrative judges within each district are charged with responsibility for managing operations within the policy guidelines of the Chief Judge and Chief Administrative Judge. Also, the Court of Claims and the New York City Family Court each operate under the auspices of an administrative judge.

Summary of 2011-12 Funding and Position Request: Courts of Original Jurisdiction

The COJ major purpose State Operations All Funds budget request of \$1.60 billion reflects a decrease of \$41.8 million over the current year adjusted appropriation. This request consists of \$1.37 billion for personal service, \$226.4 million for nonpersonal service and \$1.0 million for other resources.

Personal Service

The personal service request of \$1.37 billion supports existing judicial and nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The personal service funding recommendation reflects adjustments within the Supreme and County Courts Program for the addition and/or deletion of certificated justices and staff expected to take place on January 1, 2011 and January 1, 2012. A net increase of 6 certificated justices and 12 support staff is reflected by these changes.

Temporary Service and Overtime

The request for temporary service is \$13.8 million for the trial courts. This request reflects a decrease of \$3.8 million from current year appropriations partially attributable to approved temporary service conversions in the current year. The 2011-12 budget also includes overtime funding totaling \$37.2 million for the trial courts. This request is a decrease of \$0.5 million from the current year. Decreases in these personal service objects reflect savings that have resulted from administrative controls undertaken by the Unified Court System.

Nonpersonal Service

The 2011-12 nonpersonal service request is \$226.4 million, an increase of \$2.6 million over the current year adjusted appropriation. This request supports usual and necessary expenses associated with trial court operations, support and administration.

Expenses in these categories include: legal reference materials and on-line services; rentals of equipment; maintenance agreements for hardware, software and office equipment; payments for jury per diems, lodging and meals; per diem interpreter and court reporter costs; judicial hearing officers; ADR contracts; transcript payments; and, contractual security services provided in upstate communities by local law enforcement units. Costs associated with technology administration and education and training programs are also reflected.

Increasing costs in nonpersonal service for this major purpose are reflected in repairs of equipment, real estate rentals, information technology services, other general services, per diem interpreters, contractual security services and computer assisted legal research.

The increase in repairs of equipment is attributable to equipment that is coming off warranty that will now need to be covered by maintenance agreements. The increase in real estate rentals covers contractually obligated increases pursuant to lease agreements. The increase in information technology services covers additional software licenses and hardware requirements needed for technology upgrades. The increase in other general services covers anticipated Special Revenue grants that will support projects in problem-solving courts, foster care and adoption cases, and technology. Also reflected in the increase in this object is start-up funding for a new community court in Brownsville which covers a Truancy Court and a Youth Court. Increases for per diem interpreters are driven by the increasing diversity among courtroom participants. Finally, increases for contractual security services and computer assisted legal research are pursuant to contractual agreements.

Decreases in nonpersonal service are reflected in supplies and materials, travel, conferences and training, EDP telecommunication charges, assigned counsel, jury per diems and equipment. A decrease is also reflected in the maintenance undistributed request for Town and Village courts.

The decreases in supplies and materials, travel, conferences and training, EDP telecommunication charges, equipment and the town and village court's maintenance undistributed request are related to cost saving measures undertaken by the Unified Court System. The decrease in jury per diems reflects the fact that undistributed funds appropriated in the current year to cover statewide increases have not been budgeted in 2011-12. In the current year, these funds were requested to cover statewide increases in per diems that were being experienced due to higher unemployment rates. For 2011-12, a portion of these funds have been distributed to the locations where the increases have been identified. The decrease in assigned counsel is due to the fact that these charges are now being processed and paid through the Appellate Divisions; hence, a corresponding increase is reflected in the Assigned Counsel Program.

The nonpersonal service request for the trial courts includes \$31.7 million for contractual security services in the 3rd, 4th, 5th, 6th, 7th and 8th Judicial Districts. This request reflects an increase over the current adjusted appropriation which is primarily attributable to collective bargaining increases, but also includes funding for enhanced coverage in Allegany County. This is necessitated by the anticipated completion of a courthouse expansion project early in the next fiscal year.

To meet the equipment needs of the courts, \$5.8 million is requested. This includes \$3.5 million in the Division of Technology for the replacement of computers, printers, digital senders, laptops, network servers and UPS batteries; \$1.8 million for furnishings and equipment needed for the opening of new or renovated facilities; and \$0.5 million for essential security equipment.

Other Resources

For fiscal 2011-12, State Operations undistributed funding in the amount of \$1.0 million is requested for the Town and Village Courts to continue current-year efforts to provide technology, security and facility equipment, and to continue development of a case management system. This request reflects a decrease of \$3.3 million which is attributable to cost control efforts. In addition to this request, \$4.9 million is requested separately as Local Assistance funding for Town and Village Courts.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURTS OF ORIGINAL JURISDICTION

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,358,748,688	1,321,132,443	(37,616,245)
PS Overtime	37,737,781	37,223,988	(513,793)
PS Temporary	17,636,086	13,788,321	(3,847,765)
Total Personal Service	<u>1,414,122,555</u>	<u>1,372,144,752</u>	<u>(41,977,803)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	25,281,066	25,386,267	105,201
Travel	5,195,319	4,379,952	(815,367)
Prof Services Other	42,329,568	44,816,049	2,486,481
Legal Services	11,873,848	11,336,289	(537,559)
In-Part Services	5,325,117	5,753,297	428,180
JHO's	5,882,100	6,101,500	219,400
Jury Fees	23,777,116	23,336,978	(440,138)
Security Services	29,201,625	31,665,645	2,464,020
Transcripts	6,022,757	6,143,433	120,676
Equipment	7,349,851	5,822,151	(1,527,700)
Other NPS	61,523,207	61,657,335	134,128
Total Nonpersonal Service	<u>223,761,574</u>	<u>226,398,896</u>	<u>2,637,322</u>
<u>Maintenance Undistributed</u>			
Town & Village Court	3,443,498	1,000,000	(2,443,498)
Total Maintenance Undistributed	<u>3,443,498</u>	<u>1,000,000</u>	<u>(2,443,498)</u>
 Grand Total	 1,641,327,627	 1,599,543,648	 (41,783,979)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURTS OF ORIGINAL JURISDICTION
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,320,379,376	1,283,277,095	(37,102,281)
PS Overtime	37,580,216	37,052,439	(527,777)
PS Temporary	14,625,886	11,699,254	(2,926,632)
Total Personal Service	<u>1,372,585,478</u>	<u>1,332,028,788</u>	<u>(40,556,690)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	25,280,466	25,385,144	104,678
Travel	5,187,819	4,372,452	(815,367)
Prof Services Other	28,794,764	29,675,747	880,983
Legal Services	11,873,848	11,336,289	(537,559)
In-Part Services	5,325,117	5,753,297	428,180
JHO's	5,882,100	6,101,500	219,400
Jury Fees	23,777,116	23,336,978	(440,138)
Security Services	29,201,625	31,665,645	2,464,020
Transcripts	6,022,757	6,143,433	120,676
Equipment	7,349,851	5,822,151	(1,527,700)
Other NPS	60,752,847	60,952,132	199,285
Total Nonpersonal Service	<u>209,448,310</u>	<u>210,544,768</u>	<u>1,096,458</u>
<u>Maintenance Undistributed</u>			
Town & Village Court	3,443,498	1,000,000	(2,443,498)
Total Maintenance Undistributed	<u>3,443,498</u>	<u>1,000,000</u>	<u>(2,443,498)</u>
Grand Total	1,585,477,286	1,543,573,556	(41,903,730)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURTS OF ORIGINAL JURISDICTION
FED SPEC REVENUE OPERATING

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Prof Services Other	6,500,000	5,500,000	(1,000,000)
Total Nonpersonal Service	<u>6,500,000</u>	<u>5,500,000</u>	<u>(1,000,000)</u>
Grand Total	6,500,000	5,500,000	(1,000,000)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURTS OF ORIGINAL JURISDICTION
STATE SPECIAL REVENUE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Prof Services Other	1,500,000	1,500,000	0
Total Nonpersonal Service	1,500,000	1,500,000	0
Grand Total	1,500,000	1,500,000	0

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURTS OF ORIGINAL JURISDICTION
COURT FACILITIES INCENTIVE AID
FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	770,521	786,295	15,774
PS Overtime	2,772	100	(2,672)
Total Personal Service	<u>773,293</u>	<u>786,395</u>	<u>13,102</u>
Grand Total	773,293	786,395	13,102

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURTS OF ORIGINAL JURISDICTION
NYC CO CLERKS' OPERATIONS OFFSET
FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	19,818,877	19,029,472	(789,405)
PS Overtime	45,067	61,723	16,656
PS Temporary	1,732,143	1,870,936	138,793
Total Personal Service	<u>21,596,087</u>	<u>20,962,131</u>	<u>(633,956)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	600	1,123	523
Travel	7,500	7,500	0
Prof Services Other	2,934,804	3,140,302	205,498
Other NPS	770,360	705,203	(65,157)
Total Nonpersonal Service	<u>3,713,264</u>	<u>3,854,128</u>	<u>140,864</u>
Grand Total	25,309,351	24,816,259	(493,092)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURTS OF ORIGINAL JURISDICTION
JUDICIARY DATA PROCESSING OFFSET
FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	17,779,914	18,039,581	259,667
PS Overtime	109,726	109,726	0
PS Temporary	1,278,057	218,131	(1,059,926)
Total Personal Service	<u>19,167,697</u>	<u>18,367,438</u>	<u>(800,259)</u>
Grand Total	19,167,697	18,367,438	(800,259)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURTS OF ORIGINAL JURISDICTION
FEDERAL DHHS GRANT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Prof Services Other	2,600,000	5,000,000	2,400,000
Total Nonpersonal Service	2,600,000	5,000,000	2,400,000
Grand Total	2,600,000	5,000,000	2,400,000

Courts of Original Jurisdiction

2011-12

Financial and Position Summary

By Program

Supreme and County Courts

NYC Courts	2011-12 Request	Scheduled Judicial Positions	Scheduled Nonjudicial Positions	Total Positions
1 st Supreme Civil	\$43,310,228	26	425	451
1 st Supreme Criminal	26,170,310	19	281	300
Supreme Kings	61,775,930	58	599	657
Supreme Queens	46,496,215	47	432	479
Supreme Bronx	51,843,485	31	520	551
Supreme Richmond	11,198,407	9	107	116
NYC Subtotal	\$240,794,575	190	2,364	2,554

Upstate Courts	2011-12 Request	Scheduled Judicial Positions	Scheduled Nonjudicial Positions	Total Positions
Third	\$11,875,797	19	108	127
Fourth	9,991,081	17	84	101
Fifth	16,457,693	26	152	178
Sixth	5,968,727	12	46	58
Seventh	14,805,756	25	138	163
Eighth	25,140,849	39	226	265
Ninth	36,254,914	48	316	364
Nassau	41,365,446	47	360	407
Suffolk	33,116,622	34	306	340
Undistributed	0	0	21	21
Upstate Subtotal	\$194,976,885	267	1,757	2,024

	2011-12 Request	Scheduled Judicial Positions	Scheduled Nonjudicial Positions	Total Positions
Program Total	\$435,771,460	457	4,121	4,578

Courts of Original Jurisdiction

2011-12

Financial and Position Summary

By Program

Family Courts

	2011-12 Request	Scheduled Judicial Positions	Scheduled Nonjudicial Positions	Total Positions
New York City	\$75,421,773	47	773	820
Third	8,321,461	8	98	106
Fourth	8,783,646	9	100	109
Fifth	12,421,142	11	153	164
Sixth	5,120,643	4	62	66
Seventh	8,544,754	6	101	107
Eighth	13,293,583	10	166	176
Ninth	16,270,403	15	184	199
Nassau	9,584,766	8	109	117
Suffolk	11,796,818	10	133	143
Undistributed	0	0	38	38
Total	\$169,558,989	128	1,917	2,045

Surrogate's Courts

	2011-12 Request	Scheduled Judicial Position	Scheduled Nonjudicial Positions	Total Positions
New York City	\$20,574,881	7	241	248
Third	2,089,229	3	19	22
Fourth	2,750,869	5	27	32
Fifth	2,373,178	4	27	31
Sixth	606,648	1	7	8
Seventh	3,102,224	4	30	34
Eighth	4,391,095	3	52	55
Ninth	4,832,893	4	55	59
Nassau	3,914,974	1	46	47
Suffolk	2,917,321	1	35	36
Undistributed	0	0	12	12
Total	\$47,553,312	33	551	584

Courts of Original Jurisdiction

2011-12

Financial and Position Summary

By Program

Multi-Bench Courts

	2011-12 Request	Scheduled Judicial Positions	Scheduled Nonjudicial Positions	Total Positions
Third	\$5,414,884	7	58	65
Fourth	6,856,087	9	78	87
Fifth	1,607,319	2	18	20
Sixth	11,501,512	14	127	141
Seventh	11,070,620	12	124	136
Eighth	6,328,389	8	74	82
Ninth	1,755,323	2	18	20
Undistributed	0	0	5	5
Total	\$44,534,134	54	502	556

City and District Courts

	2011-12 Request	Scheduled Judicial Positions	Scheduled Nonjudicial Positions	Total Positions
NYC Civil	\$59,355,006	120	510	630
NYC Criminal	70,399,161	107	691	798
Third	5,368,305	17	70	87
Fourth	4,708,457	19	58	77
Fifth	8,616,558	22	110	132
Sixth	4,361,694	15	56	71
Seventh	7,779,030	20	96	116
Eighth	13,844,089	35	164	199
Ninth	15,499,539	31	187	218
Nassau	20,317,765	30	231	261
Suffolk	20,034,032	24	229	253
Undistributed	0	0	6	6
Total	\$230,283,636	440	2,408	2,848

Courts of Original Jurisdiction

2011-12

Financial and Position Summary

By Program

NYC Housing Court

	2011-12 Request	Scheduled Judicial Positions	Scheduled Nonjudicial Positions	Total Positions
Housing Court	\$33,855,048	50	333	383

Community Courts

	2011-12 Request	Scheduled Nonjudicial Positions
Community Courts	\$5,987,935	30

Drug Treatment Courts

	2011-12 Request	Scheduled Nonjudicial Positions
New York City	\$7,666,053	102
Third	960,839	18
Fourth	993,646	17
Fifth	1,093,130	16
Sixth	808,063	14
Seventh	1,449,356	21
Eighth	2,048,221	34
Ninth	1,402,033	23
Nassau	259,777	4
Suffolk	822,253	14
Administration	504,968	2
Undistributed	0	7
Total	\$18,008,339	272

Courts of Original Jurisdiction

2011-12

Financial and Position Summary

By Program

Court of Claims

	2011-12 Request	Scheduled Judicial Positions	Scheduled Nonjudicial Positions	Total Positions
Court of Claims	\$18,542,007	27	143	170

Jury Systems Operations

	2011-12 Request	Scheduled Nonjudicial Positions
New York City	\$23,903,022	148
Third	1,963,012	21
Fourth	2,065,114	20
Fifth	1,991,471	19
Sixth	1,088,251	7
Seventh	2,526,032	21
Eighth	2,485,409	23
Ninth	3,800,245	30
Nassau	2,716,438	24
Suffolk	2,435,836	20
Undistributed	4,084,000	0
Total	\$49,058,830	333

Courts of Original Jurisdiction
2011-12
Financial and Position Summary
By Program

**NYC County Clerks
(Non-Jury Operations)**

	2011-12 Request	Scheduled Nonjudicial Positions
New York City County Clerks (Non-Jury Operations)	\$24,344,046	319

Law Libraries

	2011-12 Request	Scheduled Nonjudicial Positions
New York City	\$2,540,867	26
Third	638,708	10
Fourth	407,075	6
Fifth	1,308,778	17
Sixth	610,756	9
Seventh	340,533	4
Eighth	672,438	7
Ninth	678,903	9
Nassau	603,170	8
Suffolk	987,879	13
Total	\$8,789,107	109

Courts of Original Jurisdiction

2011-12

Financial and Position Summary

By Program

Alternative Dispute Resolution and Court Improvement Programs

	2011-12 Request	Scheduled Nonjudicial Positions
Alternative Dispute and Court Improvement Programs	\$10,541,191	16

Court Support Services

	2011-12 Request	Scheduled Nonjudicial Positions
Court Support	\$115,802,529	541

Courts of Original Jurisdiction
2011-12
Financial and Position Summary
By Program

Town and Village - State Operations

	2011-12 Request	Scheduled Nonjudicial Positions
Third	\$188,160	2
Fourth	141,606	2
Fifth	285,563	3
Sixth	144,757	2
Seventh	265,590	3
Eighth	147,793	2
Ninth	155,821	2
Nassau	281,479	3
Suffolk	133,217	2
Court Support	4,294,031	35
Undistributed	1,000,000	0
Total	\$7,038,017	56

Courts of Original Jurisdiction

2011-12

Financial and Position Summary
By Program

Public Safety

NYC Courts	2011-12 Request	Scheduled Nonjudicial Positions
1 st Supreme Civil	\$8,082,225	111
1 st Supreme Criminal	16,620,885	249
Supreme Kings	22,931,862	305
Supreme Queens	16,275,107	250
Supreme Bronx	28,637,683	388
Supreme Richmond	3,405,518	45
NYC Family	29,004,664	360
NYC Surrogate	509,974	9
NYC Civil	23,649,104	279
NYC Criminal	41,983,240	548
NYC Jury	684,827	11
NYC County Clerks	472,213	6
NYC Undistributed	197,055	0
NYC Subtotal	\$192,454,357	2,561

Upstate Courts	2011-12 Request	Scheduled Nonjudicial Positions
Third	\$10,547,157	79
Fourth	8,734,938	116
Fifth	9,520,504	92
Sixth	7,105,008	102
Seventh	14,846,564	0
Eighth	16,650,435	188
Ninth	22,554,145	318
Nassau	21,645,294	296
Suffolk	23,767,709	337
Court Support	10,929,661	58
Undistributed	2,532,787	71
Upstate Subtotal	\$148,834,202	1,657
PROGRAM TOTAL	\$341,288,559	4,218

Courts of Original Jurisdiction

2011-12

Financial and Position Summary

By Program

COJ Maintenance Undistributed

	2011-12 Request	Scheduled Nonjudicial Positions
COJ Maintenance Undistributed	\$17,209,622	4

Trial Court Administration

	2011-12 Request	Scheduled Nonjudicial Positions
New York City	\$1,382,091	12
Third	1,964,941	25
Fourth	1,864,597	22
Fifth	2,122,352	24
Sixth	1,853,546	19
Seventh	2,101,698	25
Eighth	2,349,113	28
Ninth	2,672,414	33
Nassau	2,517,948	28
Suffolk	2,548,187	32
Total	\$21,376,887	248

COJ Major Purpose Total

2011-12 Request	Scheduled Judicial Positions	Scheduled Nonjudicial Positions	Total Positions
\$1,599,543,648	1,189	16,121	17,310

**DISPOSITION OF CIVIL AND
CRIMINAL ACTIONS IN
SUPREME AND COUNTY COURTS**

2011-12 Budget Request: \$435,771,460

The Supreme Court is the Unified Court System's (UCS) trial court of general jurisdiction. The Supreme Court has unlimited civil jurisdiction, as well as jurisdiction in a variety of other types of civil cases including matrimonial and tax certiorari actions. The Supreme Court also has unlimited criminal jurisdiction, although that is generally not exercised outside of the City of New York due to the existence of the county courts.

A county court is established in each county outside New York City to hear felony cases and, with a few exceptions, civil matters involving claims not exceeding \$25,000. Funding for certain county courts is not reflected in this program, since their operations are included in the Multi-Bench Courts program, where judges serve two or more courts. Within New York City, the Supreme Court exercises felony case jurisdiction.

Caseload Activity

There were 80,837 criminal filings in the Supreme and County Courts in 2009 (52,702 felonies and 28,135 misdemeanors) and 508,648 new civil case filings. There were 87,683 criminal case dispositions (54,589 felonies and 33,094 misdemeanors) and 489,429 civil dispositions. A total of 2,728 criminal trials and 9,687 civil trials were held. These statistics include filings, dispositions and trials for those county-level courts funded in the Multi-Bench Court Program.

Civil Justice

A broad array of innovative court initiatives piloted in various Supreme Courts in the 21st century have been brought together statewide to enhance the court system's commitment to active judicial management of civil cases. This has resulted in a streamlining of pre-trial and discovery processes and the utilization of advances in technology and automation as an aid to efficient case processing and judicial decision making.

The court system effectively focused on high numbers of pending cases beginning in 2000 by making **Differentiated Case Management (DCM)** the case management standard in the major Supreme Courts. With DCM, a case is assessed using such criteria as legal complexity and case age to determine and then monitor an appropriate time frame for disposition. Cases are screened early and assigned to appropriate "tracks" with different time frames for completion of the various steps in the case process.

The full DCM Program was initiated in the Supreme Courts in New York City, and Nassau, Suffolk and Westchester Counties in February 2000 for case types making up approximately 80% of the filings in those courts. Backlog reductions began to take place almost immediately, and have been maintained in the interim. This has enabled the Supreme Courts to focus on the disposition of trial-ready cases, where Notes of Issue have been approved. The number of Notes pending at the end of 2010's Term 10 (early October) was 51,536, and the number pending beyond Standards and Goals benchmarks was 12,798. Those pending totals were lower than the same point in 2009, a continuation of a long-term decline since DCM was implemented.

This relief has also allowed the court system to use some of its resources to develop innovative methods of dealing with particular types of cases that improve the disposition process in those categories.

The most recent is an effort to improve the handling of **home foreclosure** cases. New York is one of 23 states in which foreclosures must be approved by a court. The number of foreclosure filings due to residential mortgage defaults is rising precipitously during the current deflation of housing prices and partial collapse of the home mortgage industry. The Supreme Courts experienced a 113% statewide increase in foreclosure filings between 2005 and 2009. Downstate areas were the hardest hit, with increases of 199% in New York City, 273% in Suffolk County, 249% in Westchester County and 319% in Nassau County. As of mid-October there were 77,815 pending residential foreclosure cases in the Supreme Courts, 25,000 more than at the end of 2009.

Analysis of these proceedings has shown that, without early intervention, foreclosure cases can take from 8 to 18 months to complete, resulting in missed opportunities for homeowners to work out payment plans that could avoid default and loss of their residences and deferred returns to the holders of mortgages.

The UCS's response is a Residential Foreclosure Program for cases involving owner-occupied one to four-unit buildings. The program emphasizes early court involvement in cases through the establishment of conference parts in which judicial hearing officers (JHO) and referees will attempt to work out voluntary settlements between lenders and homeowners, or develop case management plans to avoid excessive delays if a settlement is not possible. Effective February 13, 2010, residential foreclosure cases are automatically referred to a housing counseling agency upon the filing of a Request for Judicial Intervention by the plaintiff. In response to a number of cases in New York and elsewhere in which the authenticity of mortgage documents has come into question, the Chief Judge has now required each plaintiff's attorney, in both new and pending cases, to affirm that reasonable steps have been taken to verify the accuracy of the documents.

The courts also continue to emphasize improvements in the administration of **guardianship cases** after it became apparent a few years ago that some cases involving the estates of elderly or impaired persons were not being sufficiently supervised. A widespread reform effort is aimed at assuring that accounting and other oversight activities have been strengthened.

The Supreme Courts utilize a number of alternative dispute resolution programs to help resolve cases in advance of trial. One that is being expanded is the **Summary Jury Trial**. In a summary trial, evidence and attorneys' statements are compressed into a one-day proceeding by relaxing the usual procedural rules. Participation is voluntary, but once all parties have agreed to participate, the summary trial jury verdict is binding. The procedure provides an efficient way to dispose of a relatively uncomplicated case, while still providing the parties with their day in court. Summary trials were piloted in the 8th Judicial District and the Bronx Supreme Court, and a statewide coordinating judge from the Bronx has been appointed to help expand the program to other interested courts and districts.

A significant automation innovation, the **E-Filing Program**, enables litigants to file civil cases initially, or respond to filings, by computer. The UCS had the ability to accept electronic filings on a pilot basis since 1999, and Chapter 416 of the Laws of 2009 made E-filing's status permanent. At this time electronic filings are accepted for at least some types of Supreme Court civil cases in all 5 boroughs of New York City and 12 other counties, including the largest jurisdictions outside the City, as well as the Court of Claims, several Surrogate's Courts, and the New York City Civil Court for the multitude of no-fault insurance claims lodged there. More than 10,000 currently active attorneys use the system, and more than 160,000 cases have been filed electronically.

Effective innovations which will be continued include the **Commercial Divisions**, created to provide a specialized forum for the handling of complicated business-related cases. More than 3,600 designated commercial cases were disposed of in 2009 in these divisions. The largest Commercial Division is in the New York County Supreme Court's Civil Term. Commercial Divisions have also been instituted in the Supreme

Courts in Albany, Erie, Kings, Monroe, Onondaga, Nassau, Queens, Suffolk and Westchester Counties. In addition to the benefits of targeting complex commercial cases, the Commercial Division is serving as a laboratory for development of case management and automation innovations for civil case processing.

Criminal Justice

While handling its general caseload, the felony trial courts have also been able to expand their participation in specialized courts which focus on certain types of offenders. The primary initiative is the **Integrated Domestic Violence (IDV)** part, in which victims of domestic violence who typically have proceedings in multiple courts can litigate all their matters before one judge. This allows all related family, criminal and matrimonial matters to be heard by a single Supreme Court justice or acting justice, who has the statutory authority to dispose of all types of cases.

Caseload growth in the IDV parts has been very significant. New cases hit an annual high of 17,288 in 2009, as did the number of families involved in those cases, 3,285. There are IDV parts in every judicial district outside New York City, as well as in every borough of the City itself. At the present time 42 counties are served by operating IDV parts. The startup of new parts continues, aided by an annual round of federal grants from the Federal Department of Justice, which to date has totaled more than \$11.5 million.

In addition, the County Courts host **Sex-Offender Parts**, which target persons accused of those crimes, in the Queens Supreme Court in New York City, and in the Erie, Nassau, Orange, Oswego, Suffolk and Westchester County Courts and the Tompkins County Multi-Bench Court.

Mental Health Parts, which deal with underlying psychological issues of persons charged with crimes who can be treated without jeopardizing public safety, exist in the Bronx, Kings and Queens Supreme Courts and the Buffalo, Clinton, Monroe, Montgomery, Nassau, Oneida, Schenectady, Suffolk and Westchester County Courts (as well as in some City Courts, including several in an 8th Judicial District consortium).

A major innovation, the creation of the **Bronx Criminal Term**—reorganization of the courts of criminal jurisdiction in Bronx County—to address persistent case backlogs and a continued lengthening of time for case resolution, continues its fifth full year of service in 2009. The two criminal tribunals in Bronx County—Criminal Court and Supreme Court, Criminal Term— had operated separately until late 2004, creating a rigid divide between the processing of felonies and misdemeanors which did not allow for the best and most flexible allocation of resources. The creation of the Bronx Criminal Term streamlined administration of these courts, empowering judges in the combined term to adjudicate both felony and misdemeanor cases and allowing nonjudicial staff to be more efficiently and effectively deployed.

In October 2009 the Supreme and County Courts undertook their role in carrying out the so-called “Rockefeller Drug Law Reforms,” a major change in sentencing for felony narcotics law violators. Several specific drug sale felonies for which conviction previously meant mandatory prison terms had their range of potential sentences expanded to include probation and county jail sentences and, most importantly from the court system’s point of view, eligibility for the UCS’s Drug Treatment Court Program. Federal funding made available from the 2009 American Recovery and Reinvestment Act (federal economic stimulus funds) has financed the **Judicial Diversion Program**, an expansion of drug court activities in felony courts in major and mid-sized counties to provide services to potentially hundreds of additional defendants.

In the program’s first year, which ended in October, more than 2,500 participants entered the Judicial Diversion program under the new standards for drug case disposition established by Article 216 of the Criminal Procedure Law, added by Chapter 56 of the Laws of 2009.

Other Programs

County level judges and New York City Civil, Criminal and Family Court judges may be temporarily assigned as acting justices of the Supreme Court. Judges assigned to a court where the annual judicial compensation is higher than the regular salary of the assigned judge receive additional compensation equal to the salary differential.

A justice of the Supreme Court may be certificated by the Administrative Board for service beyond the mandatory retirement age of 70, up to age 76. His or her statutory judgeship will be filled by election or gubernatorial appointment, depending upon whether or not the certificated justice’s term is expiring.

There is a projected net gain of six certificated justices and twelve support staff in 2011-12. On January 1, 2011, there will be a net gain of four justices and eight chambers staff (each Supreme Court justice is assisted by two personal staff members). On January 1, 2012, there will be a net gain of two judges and four staff.

The JHO Program provides for the utilization of qualified former judges and justices to function as hearing officers in civil and criminal matters pursuant to a designation by the Chief Administrator. JHOs perform a multitude of functions in the Supreme and County Courts, including overseeing civil jury voir dires and conducting pre-trial and settlement conferences.

Title 1A of the Real Property Tax Law established a Small Claims Assessment Review Program (SCAR) in the Supreme Court statewide which allows the owner of residential property objecting to an assessment to petition for review of his or her case. This program operates in every county by providing hearing officers to hear and dispose of these tax assessment matters. In 2009, a total of 85,265 cases were filed and 75,189 were disposed of, with 58,413 cases pending at the end of the year. Eighty-eight percent of SCAR filings in 2009 were in the Nassau and Suffolk Supreme Courts due to an extraordinarily high number of disputed property assessments there.

Summary of 2011-12 Funding Request:

Supreme and County Courts

2011-12 Budget Request: \$435,771,460
<i>Personal Service: 417,656,468</i>
<i>Nonpersonal Service: 18,114,992</i>
<i>Maintenance Undistributed: 0</i>

The Supreme and County Courts Program is the largest component of the Courts of Original Jurisdiction Major Purpose. The 2011-12 requested amount of \$435,771,460 represents a decrease of \$4,427,748 (-1.0%), from the 2010-11 adjusted appropriation of \$440,199,208.

The personal service funding request of \$417,656,468, a decrease of \$4,144,775 (-1.0%) supports existing judicial and nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

A temporary service request of \$184,663 will fund a small number of positions primarily required in specialty parts where federal grants are expiring and positions will subsequently be paid from the General Fund.

Overtime funding of \$2,919,435 is primarily targeted at the New York City Supreme Courts. The most common reason for overtime in these courts is for weekend arraignment sessions in the Bronx Criminal Term and protracted sessions when juries deliberate into the evening.

The nonpersonal service request of \$18,114,992 is a decrease of \$282,973 (-1.5%) from current year adjusted appropriations.

JHOs continue to be a major source of judicial support. Their use allows authorized judges to devote their time to managing caseloads and trying cases. The JHO request of \$3,452,300 will provide hearing officers for duties such as supervising jury selection in civil cases, conducting a variety of pre-trial conferences to expedite civil case dispositions, including matrimonial cases, adjudicating Small Claims Assessment Review cases and handling some criminal matters.

The 2011-12 budget request includes \$1,190,900 for expedited residential tax assessment appeals heard by Small Claims Assessment Review hearing officers. More than 70% of this amount is projected to be spent in the Nassau Supreme Court to keep pace with its high level of filings. The other high-volume SCAR jurisdiction, Suffolk Supreme Court, assigns many of its cases to JHOs.

The increased need for interpreters, driven by increasing diversity among courtroom participants, will keep estimated 2011-12 costs for this service above \$1.5 million per year for the Supreme Courts. A total of \$1,533,872 is requested, a 13.3% increase over the current allocation.

The other major Supreme and County Courts nonpersonal service cost, transcripts for indigent defendants who may appeal their convictions, is projected to be \$4,607,320, a 0.5% decrease from the current year.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	418,350,177	414,552,370	(3,797,807)
PS Overtime	2,870,801	2,919,435	48,634
PS Temporary	580,265	184,663	(395,602)
Total Personal Service	<u>421,801,243</u>	<u>417,656,468</u>	<u>(4,144,775)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	285,977	280,885	(5,092)
Travel	773,324	690,219	(83,105)
Prof Services Other	620,723	481,228	(139,495)
Legal Services	2,130,992	1,558,403	(572,589)
In-Part Services	1,425,825	1,625,642	199,817
JHO's	3,258,000	3,452,300	194,300
Transcripts	4,630,646	4,607,320	(23,326)
Other NPS	5,272,478	5,418,995	146,517
Total Nonpersonal Service	<u>18,397,965</u>	<u>18,114,992</u>	<u>(282,973)</u>
Grand Total	440,199,208	435,771,460	(4,427,748)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	418,350,177	414,552,370	(3,797,807)
PS Overtime	2,870,801	2,919,435	48,634
PS Temporary	580,265	184,663	(395,602)
Total Personal Service	<u>421,801,243</u>	<u>417,656,468</u>	<u>(4,144,775)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	285,977	280,885	(5,092)
Travel	773,324	690,219	(83,105)
Prof Services Other	620,723	481,228	(139,495)
Legal Services	2,130,992	1,558,403	(572,589)
In-Part Services	1,425,825	1,625,642	199,817
JHO's	3,258,000	3,452,300	194,300
Transcripts	4,630,646	4,607,320	(23,326)
Other NPS	5,272,478	5,418,995	146,517
Total Nonpersonal Service	<u>18,397,965</u>	<u>18,114,992</u>	<u>(282,973)</u>
Grand Total	440,199,208	435,771,460	(4,427,748)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
NEW YORK CITY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	233,843,673	228,848,826	(4,994,847)
PS Overtime	2,724,400	2,747,900	23,500
PS Temporary	117,188	52,799	(64,389)
Total Personal Service	<u>236,685,261</u>	<u>231,649,525</u>	<u>(5,035,736)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	109,800	105,250	(4,550)
Travel	94,877	89,348	(5,529)
Prof Services Other	460,995	337,600	(123,395)
Legal Services	129,197	3,500	(125,697)
In-Part Services	980,540	1,075,000	94,460
JHO's	1,946,900	2,108,100	161,200
Transcripts	2,879,000	2,790,000	(89,000)
Other NPS	2,798,863	2,636,252	(162,611)
Total Nonpersonal Service	<u>9,400,172</u>	<u>9,145,050</u>	<u>(255,122)</u>
Grand Total	246,085,433	240,794,575	(5,290,858)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
NEW YORK CITY
SUPREME NEW YORK CIVIL

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	41,927,387	42,038,928	111,541
PS Overtime	188,400	132,200	(56,200)
PS Temporary	68,092	0	(68,092)
Total Personal Service	<u>42,183,879</u>	<u>42,171,128</u>	<u>(12,751)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	18,150	17,600	(550)
Travel	14,667	10,000	(4,667)
Prof Services Other	30,900	25,900	(5,000)
Legal Services	25,500	500	(25,000)
In-Part Services	100,000	100,000	0
JHO's	500,000	540,000	40,000
Transcripts	2,000	2,000	0
Other NPS	457,315	443,100	(14,215)
Total Nonpersonal Service	<u>1,148,532</u>	<u>1,139,100</u>	<u>(9,432)</u>
Grand Total	43,332,411	43,310,228	(22,183)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
NEW YORK CITY
SUPREME NEW YORK CRIMINAL

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	25,067,635	24,328,002	(739,633)
PS Overtime	168,800	141,800	(27,000)
Total Personal Service	<u>25,236,435</u>	<u>24,469,802</u>	<u>(766,633)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	4,500	4,500	0
Travel	3,911	3,500	(411)
Prof Services Other	44,895	35,000	(9,895)
In-Part Services	40,000	40,000	0
JHO's	105,600	105,600	0
Transcripts	1,200,000	1,200,000	0
Other NPS	334,517	311,908	(22,609)
Total Nonpersonal Service	<u>1,733,423</u>	<u>1,700,508</u>	<u>(32,915)</u>
Grand Total	26,969,858	26,170,310	(799,548)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
NEW YORK CITY
KINGS SUPREME

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	60,206,789	58,809,470	(1,397,319)
PS Overtime	405,000	434,600	29,600
PS Temporary	49,096	0	(49,096)
Total Personal Service	<u>60,660,885</u>	<u>59,244,070</u>	<u>(1,416,815)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	46,000	46,000	0
Travel	19,556	10,000	(9,556)
Prof Services Other	242,000	225,600	(16,400)
Legal Services	41,197	500	(40,697)
In-Part Services	323,440	400,000	76,560
JHO's	500,000	560,000	60,000
Transcripts	610,000	550,000	(60,000)
Other NPS	764,906	739,760	(25,146)
Total Nonpersonal Service	<u>2,547,099</u>	<u>2,531,860</u>	<u>(15,239)</u>
Grand Total	63,207,984	61,775,930	(1,432,054)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
NEW YORK CITY
QUEENS SUPREME

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	46,200,722	44,805,853	(1,394,869)
PS Overtime	90,000	53,700	(36,300)
PS Temporary	0	52,799	52,799
Total Personal Service	<u>46,290,722</u>	<u>44,912,352</u>	<u>(1,378,370)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	16,500	11,700	(4,800)
Travel	13,817	12,000	(1,817)
Prof Services Other	30,000	23,000	(7,000)
Legal Services	31,500	1,500	(30,000)
In-Part Services	270,000	300,000	30,000
JHO's	303,000	340,000	37,000
Transcripts	465,000	443,000	(22,000)
Other NPS	482,668	452,663	(30,005)
Total Nonpersonal Service	<u>1,612,485</u>	<u>1,583,863</u>	<u>(28,622)</u>
Grand Total	47,903,207	46,496,215	(1,406,992)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
NEW YORK CITY
BRONX SUPREME

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	49,666,062	48,225,320	(1,440,742)
PS Overtime	1,764,700	1,831,000	66,300
Total Personal Service	<u>51,430,762</u>	<u>50,056,320</u>	<u>(1,374,442)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	17,650	17,650	0
Travel	39,308	50,000	10,692
Prof Services Other	103,600	18,500	(85,100)
Legal Services	20,000	0	(20,000)
In-Part Services	220,000	200,000	(20,000)
JHO's	425,800	450,000	24,200
Transcripts	522,000	500,000	(22,000)
Other NPS	595,896	551,015	(44,881)
Total Nonpersonal Service	<u>1,944,254</u>	<u>1,787,165</u>	<u>(157,089)</u>
Grand Total	53,375,016	51,843,485	(1,531,531)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
NEW YORK CITY
RICHMOND SUPREME

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	10,775,078	10,641,253	(133,825)
PS Overtime	107,500	154,600	47,100
Total Personal Service	<u>10,882,578</u>	<u>10,795,853</u>	<u>(86,725)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	7,000	7,800	800
Travel	3,618	3,848	230
Prof Services Other	9,600	9,600	0
Legal Services	11,000	1,000	(10,000)
In-Part Services	27,100	35,000	7,900
JHO's	112,500	112,500	0
Transcripts	80,000	95,000	15,000
Other NPS	163,561	137,806	(25,755)
Total Nonpersonal Service	<u>414,379</u>	<u>402,554</u>	<u>(11,825)</u>
Grand Total	11,296,957	11,198,407	(98,550)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
THIRD DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	11,198,132	11,185,487	(12,645)
PS Overtime	34,300	56,000	21,700
Total Personal Service	<u>11,232,432</u>	<u>11,241,487</u>	<u>9,055</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	15,600	14,600	(1,000)
Travel	71,946	61,800	(10,146)
Prof Services Other	37,050	33,450	(3,600)
Legal Services	60,500	44,000	(16,500)
In-Part Services	12,100	13,140	1,040
JHO's	32,900	38,000	5,100
Transcripts	140,000	182,500	42,500
Other NPS	223,117	246,820	23,703
Total Nonpersonal Service	<u>593,213</u>	<u>634,310</u>	<u>41,097</u>
Grand Total	11,825,645	11,875,797	50,152

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
FOURTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	9,168,861	9,322,876	154,015
PS Overtime	18,400	21,900	3,500
PS Temporary	59,846	0	(59,846)
Total Personal Service	<u>9,247,107</u>	<u>9,344,776</u>	<u>97,669</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	5,530	4,980	(550)
Travel	124,938	135,600	10,662
Prof Services Other	5,200	5,860	660
Legal Services	60,925	59,800	(1,125)
In-Part Services	16,940	20,040	3,100
JHO's	60,300	102,000	41,700
Transcripts	72,567	173,500	100,933
Other NPS	137,110	144,525	7,415
Total Nonpersonal Service	<u>483,510</u>	<u>646,305</u>	<u>162,795</u>
Grand Total	9,730,617	9,991,081	260,464

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
FIFTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	15,728,405	15,665,447	(62,958)
PS Overtime	4,900	2,900	(2,000)
PS Temporary	106,654	66,941	(39,713)
Total Personal Service	<u>15,839,959</u>	<u>15,735,288</u>	<u>(104,671)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	10,000	9,200	(800)
Travel	31,982	21,500	(10,482)
Prof Services Other	16,680	12,620	(4,060)
Legal Services	104,200	49,000	(55,200)
In-Part Services	44,300	48,600	4,300
JHO's	93,500	99,000	5,500
Transcripts	181,000	201,000	20,000
Other NPS	249,655	281,485	31,830
Total Nonpersonal Service	<u>731,317</u>	<u>722,405</u>	<u>(8,912)</u>
Grand Total	16,571,276	16,457,693	(113,583)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
SIXTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	5,645,003	5,707,431	62,428
PS Overtime	12,000	11,700	(300)
Total Personal Service	<u>5,657,003</u>	<u>5,719,131</u>	<u>62,128</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	1,198	1,223	25
Travel	86,362	94,848	8,486
Prof Services Other	4,250	250	(4,000)
Legal Services	25,170	26,200	1,030
In-Part Services	2,500	2,500	0
JHO's	0	300	300
Transcripts	16,421	55,000	38,579
Other NPS	49,028	69,275	20,247
Total Nonpersonal Service	<u>184,929</u>	<u>249,596</u>	<u>64,667</u>
Grand Total	5,841,932	5,968,727	126,795

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
SEVENTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	14,440,894	14,113,983	(326,911)
PS Overtime	12,100	18,300	6,200
Total Personal Service	<u>14,452,994</u>	<u>14,132,283</u>	<u>(320,711)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	11,546	12,406	860
Travel	62,739	50,000	(12,739)
Prof Services Other	25,265	16,265	(9,000)
Legal Services	150,632	108,785	(41,847)
In-Part Services	27,000	35,000	8,000
JHO's	4,000	4,000	0
Transcripts	222,000	240,000	18,000
Other NPS	162,844	207,017	44,173
Total Nonpersonal Service	<u>666,026</u>	<u>673,473</u>	<u>7,447</u>
Grand Total	15,119,020	14,805,756	(313,264)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
EIGHTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	22,931,408	23,973,156	1,041,748
PS Overtime	21,700	13,150	(8,550)
PS Temporary	73,996	25,953	(48,043)
Total Personal Service	<u>23,027,104</u>	<u>24,012,259</u>	<u>985,155</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	8,600	11,000	2,400
Travel	188,849	109,150	(79,699)
Prof Services Other	10,900	5,050	(5,850)
Legal Services	464,000	167,000	(297,000)
In-Part Services	27,200	26,300	(900)
JHO's	325,000	252,000	(73,000)
Transcripts	265,000	202,500	(62,500)
Other NPS	322,189	355,590	33,401
Total Nonpersonal Service	<u>1,611,738</u>	<u>1,128,590</u>	<u>(483,148)</u>
Grand Total	24,638,842	25,140,849	502,007

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
NINTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	34,684,677	34,559,508	(125,169)
PS Overtime	13,900	18,017	4,117
PS Temporary	190,523	38,970	(151,553)
Total Personal Service	<u>34,889,100</u>	<u>34,616,495</u>	<u>(272,605)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	52,488	52,488	0
Travel	72,194	100,000	27,806
Legal Services	164,763	158,718	(6,045)
In-Part Services	142,000	177,000	35,000
JHO's	440,000	443,500	3,500
Transcripts	352,325	291,305	(61,020)
Other NPS	348,146	415,408	67,262
Total Nonpersonal Service	<u>1,571,916</u>	<u>1,638,419</u>	<u>66,503</u>
Grand Total	36,461,016	36,254,914	(206,102)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
NASSAU COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	38,775,084	39,123,767	348,683
PS Overtime	10,413	10,413	0
Total Personal Service	<u>38,785,497</u>	<u>39,134,180</u>	<u>348,683</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	11,250	9,773	(1,477)
Travel	19,145	11,333	(7,812)
Prof Services Other	44,393	52,393	8,000
Legal Services	866,605	851,400	(15,205)
In-Part Services	93,730	153,297	59,567
JHO's	217,400	217,400	0
Transcripts	275,000	244,182	(30,818)
Other NPS	645,369	691,488	46,119
Total Nonpersonal Service	<u>2,172,892</u>	<u>2,231,266</u>	<u>58,374</u>
Grand Total	40,958,389	41,365,446	407,057

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
SUFFOLK COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	31,922,346	32,051,889	129,543
PS Overtime	18,688	19,155	467
PS Temporary	32,058	0	(32,058)
Total Personal Service	<u>31,973,092</u>	<u>32,071,044</u>	<u>97,952</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	59,965	59,965	0
Travel	20,292	16,640	(3,652)
Prof Services Other	15,990	17,740	1,750
Legal Services	105,000	90,000	(15,000)
In-Part Services	79,515	74,765	(4,750)
JHO's	138,000	188,000	50,000
Transcripts	227,333	227,333	0
Other NPS	336,157	371,135	34,978
Total Nonpersonal Service	<u>982,252</u>	<u>1,045,578</u>	<u>63,326</u>
Grand Total	32,955,344	33,116,622	161,278

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SUPREME & COUNTY COURTS
MAINTENANCE UNDISTRIBUTED

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	11,694	0	(11,694)
Total Personal Service	<u>11,694</u>	<u>0</u>	<u>(11,694)</u>
Grand Total	11,694	0	(11,694)

**First Judicial District
Supreme Civil Court - New York
Workload & Staffing**

3-Year Workload (Filings)*

2007	2008	2009	% Change 2009 vs 2008
54,025	53,122	53,276	0.3

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions*

Locality	Judicial	Nonjudicial	Total
First Supreme Civil	26	425	451

*Schedule reflects the following adjustment:
- The addition of 3 Certificated Justices and 6 support staff.

First Judicial District
Supreme Criminal Court - New York
Workload & Staffing

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
7,507	7,611	7,553	-0.8

March 31, 2012 Schedule of Positions*

<u>Locality</u>	Judicial	Nonjudicial	Total
First Supreme Criminal	19	281	300

*Schedule reflects the following adjustment:
- The addition of 2 Certificated Justices and 4 support staff.

**Second Judicial District
Supreme Court - Kings**
Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Supreme Criminal	7,154	7,261	6,912	-4.8
Supreme Civil*	39,756	39,650	37,063	-6.5
Total	46,910	46,911	43,975	-6.3

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions*

Locality	Judicial	Nonjudicial	Total
Supreme Kings	58	599	657

*Schedule reflects the following adjustment:
- The addition of 1 Certificated Justice and 2 support staff.

**Eleventh Judicial District
Supreme Court - Queens**
Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Supreme Criminal	4,308	3,960	3,981	0.5
Supreme Civil*	44,918	48,760	50,934	4.5
Total	49,226	52,720	54,915	4.2

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions*

Locality	Judicial	Nonjudicial	Total
Supreme Queens	47	432	479

*Schedule reflects the following adjustment:
- A reduction of 3 Certificated Justices and 6 support staff.

**Twelfth Judicial District
Supreme Court - Bronx**
Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Supreme Criminal	30,786	30,727	30,649	-0.3
Supreme Civil*	39,168	38,594	38,779	0.5
Total	69,954	69,321	69,428	0.2

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions*

Locality	Judicial	Nonjudicial	Total
Supreme Bronx	31	520	551

*Schedule reflects the following adjustment:
- A reduction of 1 Certificated Justice and 2 support staff.

**Thirteenth Judicial District
Supreme Court - Richmond**
Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Supreme Criminal	831	914	809	10.0
Supreme Civil*	7,540	9,418	9,838	24.9
Total	8,371	10,332	10,647	23.4

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions*

Locality	Judicial	Nonjudicial	Total
Supreme Richmond	9	107	116

*Schedule reflects the following adjustment:
- The addition of 1 Certificated Justice and 2 support staff.

Third Judicial District Supreme and County Courts Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Criminal	2,467	2,327	2,644	13.6
Civil*	23,072	26,273	29,306	11.5
Total	25,539	28,600	31,950	11.7

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions*

<u>Locality</u>	Judicial	Nonjudicial	Total
Albany	2	25	27
Rensselaer	2	16	18
Ulster	1	12	13
Supreme 3rd	14	55	69
Total	19	108	127

*Schedule reflects the following adjustment:
- The addition of 2 Certificated Justices and 4 support staff.

Fourth Judicial District Supreme and County Courts Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Criminal	2,514	2,597	2,423	-6.7
Civil*	21,217	21,539	23,914	11.0
Total	23,731	24,136	26,337	9.1

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions*

<u>Locality</u>	Judicial	Nonjudicial	Total
Montgomery	1	7	8
St. Lawrence	1	10	11
Saratoga	1	10	11
Schenectady	1	14	15
Supreme 4th	13	43	56
Total	17	84	101

*Schedule reflects the following adjustment:
- The addition of 1 Certificated Justice and 2 support staff.

**Fifth Judicial District
Supreme and County Courts
Workload & Staffing**

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Criminal	3,912	3,643	3,729	2.4
Civil*	20,264	22,303	22,861	2.5
Total	24,176	25,946	26,590	2.5

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Jefferson	1	10	11
Oneida	2	26	28
Onondaga	3	45	48
Oswego	2	14	16
Supreme 5th	18	57	75
Total	26	152	178

**Sixth Judicial District
Supreme and County Courts
Workload & Staffing**

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Criminal	2,207	2,190	2,144	-0.2
Civil*	17,811	19,320	21,507	1.1
Total	20,018	21,510	23,651	1.0

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
Broome	2	14	16
Supreme 6th	10	32	42
Total	12	46	58

**Seventh Judicial District
Supreme and County Courts
Workload & Staffing**

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Criminal	4,799	4,643	5,172	11.4
Civil*	26,337	27,893	28,432	1.9
Total	31,136	32,536	33,604	3.3

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
Monroe	6	81	87
Supreme 7th	19	57	76
Total	25	138	163

**Eighth Judicial District
Supreme and County Courts
Workload & Staffing**

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Criminal	4,343	4,587	4,941	7.7
Civil*	22,229	22,814	22,563	-1.1
Total	26,572	27,401	27,504	0.4

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions*

Locality	Judicial	Nonjudicial	Total
Chautauqua	1	12	13
Erie	5	95	100
Niagara	1	20	21
Supreme 8th	32	99	131
Total	39	226	265

*Schedule reflects the following adjustment:
- The addition of 2 Certificated Justices and 4 support staff.

Ninth Judicial District Supreme and County Courts Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Criminal	3,960	4,255	3,933	-7.6
Civil*	47,452	56,722	61,004	7.5
Total	51,412	60,977	64,937	6.5

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Dutchess	2	22	24
Orange	3	29	32
Rockland	3	33	36
Westchester	8	125	133
Westchester Domestic Violence	0	1	1
Supreme 9th	32	106	138
Total	48	316	364

Tenth Judicial District
Nassau County Supreme and County Courts
Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Criminal	3,166	2,944	2,666	-9.4
Civil*	45,280	50,308	68,735	36.6
Total	48,446	53,252	71,401	34.1

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
Supreme Court	33	257	290
County Court	14	103	117
Total	47	360	407

Tenth Judicial District
Suffolk County Supreme & County Courts
Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Criminal	4,002	3,608	3,281	-9.8
Civil*	32,537	37,824	40,437	16.2
Total	36,539	41,432	43,718	13.4

*Includes ex parte Applications & Uncontested Matrimonials.

March 31, 2012 Schedule of Positions*

<u>Locality</u>	Judicial	Nonjudicial	Total
Supreme Court	23	224	247
County Court	11	82	93
Total	34	306	340

*Schedule reflects the following adjustment:
- A reduction of 2 Certificated Justices and 4 support staff.

Maintenance Undistributed
Supreme Court
Position Staffing

March 31, 2012 Schedule of Positions

	Nonjudicial
Undistributed	21

**DISPOSITION OF PROCEEDINGS
IN THE FAMILY COURTS**

2011-12 Budget Request: \$169,558,989

The Family Court was established through the Family Court Act of 1962 for the care and protection of the young and the preservation of the family and is governed by the Family Court Act, Social Services Law, Education Law, Domestic Relations Law, Penal Law, Civil Practice Law and Rules, Criminal Practice Law and the Indian Child Welfare Act.

Since its inception, the Family Court has served as a forum to provide fair and prompt resolution of approximately 20 different types of matters including abuse, neglect, support, paternity, family offense, person in need of supervision (PINS), juvenile delinquency (JD), guardianship, adoptions, custody/visitation and educational aid to the disabled. The workload of the Family Court also includes legislative requirements for a broad variety of annual statistical reports dealing with neglect and abuse, JD, PINS and support matters.

During 2009, statewide Family Court petition intake was 742,365 and dispositions totaled 730,620. Of the total filings, 43,097 were child protective cases, 26,373 dealt with JD and PINS and 198,181 were custody matters. Family offense petitions totaled 63,199, and 345,818 support related matters were brought before the Court, as well as 16,853 other matters including termination of parental rights, surrender of child, adoption, foster care and guardianship cases. In addition to this workload, the Family Court handled 48,844 permanency hearings. This caseload information includes 92,871 petitions and 92,180 dispositions for those courts funded in the Multi-Bench Program.

As noted above, the Family Court workload numbers include permanency hearings. Due to changes in the permanency planning laws, supplemental petitions previously reflected in the workload numbers are no longer filed in child protective cases. These cases are now continuously calendered until permanency is achieved. As a result of this legislation, the cases require more frequent judicial review and monitoring. Including permanency hearings in the workload numbers provides an opportunity to show the impact of the permanency laws on the Family Court.

Legislative Changes

The Family Court in New York State is faced with significant legislative scrutiny because of its jurisdictional responsibilities that impact the lives of children and families.

Domestic Violence

Domestic violence legislation has had a particularly significant impact on the operation of the Family Court beginning with the Family Protection and Domestic Violence Intervention Act of 1994. This landmark legislation offers protection to domestic violence victims, and seeks to prevent further violence against them through the establishment of a statewide computerized registry of orders of protection. Subsequent legislation was incorporated into New York State law to comply with federal requirements regarding enforcing and honoring orders of protection issued by all courts in the United States (L. 1998, c. 597); to increase the duration of final orders of protection issued in family offense cases (L. 2003, c. 579) and to extend orders of protection upon good cause shown to victims who are seeking to prevent a recurrence of domestic abuse (L. 2010, c. 325). Also, chapter 421 of the Laws of 2010 authorizes Family Court judges to issue orders of protection barring those facing complaints of domestic violence and other misconduct, from intimidating witnesses. With regard to service of orders of protection, recently enacted legislation requires law enforcement agencies

to effectuate service of orders of protection at every stage of the proceeding (L 2010, c. 446) and authorizes family courts statewide to electronically transmit orders of protection to local law enforcement agencies for such service (L. 2007, c. 330).

To address the dynamics of domestic violence and its impact on children, attorneys representing children are now required to receive domestic violence training to better counsel and represent children in cases where domestic violence is a factor. The legislation also expands family offense case types to include misdemeanor sex offenses allowing concurrent jurisdiction in criminal and family courts for these cases and subjecting defendants to mandatory arrests (L. 2009, c. 476).

Expansion of Civil Orders of Protection to Nonfamily Members

A significant piece of legislation was passed in 2008 expanding Family Court and Criminal Court jurisdiction over family offenses for which orders of protection may be issued (L. 2008, c. 326). The measure expands the definition of “member of the same family or household” to include individuals involved in intimate relationships. The statute opens the door for domestic violence victims who are not married or related to their abusers, such as dating partners and unmarried couples, to seek a civil order of protection in Family Court. Supporting legislation was also enacted to expand the use of court attorney referees and judicial hearing officers to determine ex parte requests for orders of protection (L. 2008, c. 216).

In the two years since its enactment, this legislation has resulted in a 15% increase in family offense filings, including a 19% increase in New York City. Since July 2008, nearly 20,000 petitions have been filed by this new class of petitioners.

Family Offense Filings July 2008 Through October 2010

	<u>Family Members</u>	<u>NonFamily</u>	<u>Filings Total</u>
NYC	49,119	9,897	59,016
Outside NYC	<u>71,877</u>	<u>9,325</u>	<u>81,202</u>
Total	120,996	19,222	140,218

In response to the additional workload, Family Courts across the state are shifting existing resources and implementing new procedures to handle the influx of petitioners and cases. Dedicated family offense parts have been created to ensure that petitioners have quick access to Family Court.

Permanency Planning

The most consequential legislation for the Family Court in recent years is the comprehensive child welfare permanency law enacted in 2005 (L. 2005, c. 3 and L. 2006, c. 437) which enhances the state’s compliance with the Adoption and Safe Families Act of 1999 (ASFA). The goal is to move children more quickly through foster care, whether to reunite them with their birth families or place them for adoption.

This statute significantly alters the Family Court process for all children in out-of-home care (both foster care and direct placements) by replacing the permanency hearing petition process with continuous calendaring from the inception of the case. Following removal of a child from his or her home, an initial permanency hearing must take place within eight months, and subsequent hearings must occur at least every six months until permanent placement is achieved. One of the key provisions of the law expands the categories of aggravating circumstances that can justify a judicial order to cease efforts to reunify a family.

There have been several other legislative initiatives enacted to enhance the ASFA goal of achieving permanency for children. Chapter 327 of the Laws of 2007 permits New York State to release information from the child abuse registry to an entity in another state with appropriate legal authority to approve foster and adoptive parents. It also requires consideration of interstate placements in permanency planning decisions when appropriate.

Chapter 342 of the Laws of 2010 was enacted as part of a national trend to support youth aging out of foster care. The legislation permits Family Court judges to extend trial discharges at permanency hearings for successive periods of up to six months until youth reach the age of 21. Where the affected youth is over 18, any such discharge would require his or her consent. Additionally, youth between the ages of 18 and 21 who have been discharged from foster care may seek leave to return to foster care within 24 months from the discharge date. This legislation provides a safety net by providing assistance in finding housing and employment, accessing health care and other needs to succeed in society.

Chapter 404 of the Laws of 2008 was enacted in an effort to codify the rights and responsibilities for custody and guardianship of a minor. The legislation includes provisions for a “permanent guardian” to be appointed in limited situations where the child is freed for adoption or both parents are deceased. The legislation also provides that nonparents who have lawful orders of guardianship or custody of children have the ability and obligation to enroll a child in school, consent to medical care and sign voluntary placement agreements.

Several other laws have been passed to provide support to foster parents, pre-adoptive parents and relative caregivers. Most recently, the Kinship Guardianship program was created in 2010 to provide monthly assistance to a relative guardian caring for a foster care child (L. 2010, c. 58). In addition, these caregivers have been given the right to be heard in permanency hearings (L. 2007, c. 327) and to file petitions seeking custody of the child during permanency proceedings (L. 2008, c. 519).

Child Abuse and Neglect

Focusing on the ASFA precept that the safety of the child is paramount and to address statewide concerns regarding the abuse and maltreatment of children, chapter 740 of the Laws of 2006 authorizes child protective services, prior to the filing of an abuse or neglect petition, to seek an ex parte court order requiring a parent or guardian to produce the child for interview and observation. The Judiciary has established a system wherein a Family Court judge is available 24 hours a day to hear such requests and issue orders.

Other legislative initiatives intended to ensure the safety of children include providing child protective service units with access to criminal history reports for any person residing with children alleged or suspected of being abused or neglected (L. 2008, c. 602) and expanding the definition of “severe abuse” to include a conviction of homicide or attempted homicide of the child’s other parent or sibling in the home. Any conviction would constitute grounds for termination of parental rights (L. 2006, c. 460). New York State also enacted

legislation to comply with the federal Adam Walsh Child Protection and Safety Act of 2006 requiring a criminal history check of prospective foster and adoptive parents (L. 2008, c. 623).

Notification of suspected child abuse and convictions of crimes against children has also been addressed. Chapter 494 of the Laws of 2006 helps to ensure that serious reports of child abuse and maltreatment referred to local child protective services by the state central registry, are also referred to local law enforcement to handle the investigation. Chapter 513 of the Laws of 2007 corrects ambiguities in Social Services Law and requires social service workers to report information received from secondary sources to the child abuse hotline. Also, district attorneys are required to notify child protection agencies of criminal convictions involving crimes against children (L. 2006, c. 647).

Juvenile Delinquents/Persons in Need of Supervision

A juvenile delinquent (JD) is a child between the ages of 7 and 16 who commits an act which would be a crime if committed as an adult and who is found to be in need of supervision, treatment or confinement. The majority of JD cases are heard in Family Court. In an effort to reduce the historically high rate of recidivism experienced by juvenile delinquents, legislation was enacted in 2008 prohibiting detention of alleged juvenile delinquents unless available alternatives to detention, including conditional release, would not be appropriate and requires that the court must state facts and reasons for ordering detention. Electronic monitoring is included as an authorized form of conditional release (L. 2008, c. 57).

A child under the age of 18 who does not attend school or behaves in a way that is dangerous or out of control may be found to be a Person In Need of Supervision. All PINS proceedings are heard in Family Court. In an effort to divert offenders from further penetrating the juvenile justice system, legislation was enacted in 2005 requiring each county to provide diversion services to youth at risk for PINS petitions (L. 2005, c. 57). The Safe Harbor For Exploited Youth Act of 2008 was enacted to provide a safe harbor for children who are sexually exploited. The law provides support and services to youth who are charged with prostitution offenses and requires that these cases proceed with a PINS petition rather than a JD petition (L. 2008, c. 569).

Custody and Support

Custody and support matters constitute the majority of cases in Family Court. An order of custody gives responsibility for a child's care, control and maintenance to one or both of the child's parents or a third party. Support matters determine payment by the noncustodial parent and are generally handled by Support Magistrates.

To ensure that judges have relevant information on individuals seeking custody or visitation orders, records check legislation was passed in 2008 requiring the court to conduct a check of three sources when issuing permanent, temporary or successive custody or visitation orders (L. 2008, c. 595, L. 2009, c., 295). The records check legislation requires nonjudicial staff to conduct more frequent and comprehensive records review of these cases and has had a significant impact on court resources. In the nine months since its enactment, over 2.5 million registry checks have been conducted. The required database checks include the sex offender registry, the child abuse database and the orders of protection registry (family court warrants only). Checks must be performed for any successive temporary order where more than 90 days have elapsed since issuance of the last order and prior to the issuance of a final order. In emergency situations where the information is not available, the court may issue an emergency order pending review of the information within 24 hours or on the next day that court is in session.

The court must consider proven allegations of child abuse when making determinations in custody, support and visitation matters. Further, the judge must state on the records how the proven abuse was factored into the determination (L. 2009, c. 476).

With the passage of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (L. 2001, c. 386), New York joined other states in a national effort to regulate the adjudication of interstate and international child custody disputes. The UCCJEA provides for exclusive and continuing jurisdiction of child custody disputes by the forum in the home state of the child.

Programmatic Initiatives

The Judiciary has sought to improve and enhance the quality of justice for families by taking steps that affect the different components of the family justice system. Many new initiatives have been developed by the Judiciary to deal with the significant legislative changes impacting Family Court and to address the growing workload. Two particular initiatives have proven effective in addressing the needs of children and parents involved in Family Court matters; the Children Come First project addresses custody and visitation matters while the Child Welfare Court Improvement Project deals with permanency and offense matters.

The Children Come First project promotes a child-centered approach to custody matters in Family Court through early screening, triage and appropriate provision of front-loaded services to address the specific needs of parties in custody cases. The program uses a Family Service Coordinator to provide assessment and monitoring and to track case progress. The program is currently operating in Erie, Tompkins, Nassau and New York City Family Courts.

The Child Welfare Court Improvement Project (CIP) was developed to improve child protective practices in family courts. The main objectives of the CIP initiative are to improve the timeliness of child protective proceedings, to conduct meaningful inquiry into the needs of children in foster care, to reduce the disproportionate number of minority children in foster care and to improve data collection and analysis to monitor systemic improvements. By building on the New York City and Erie County experience as Model Courts, the Family Court Leadership Team has developed the Enhanced Court Practices initiative. The initiative will initially target the 5 boroughs of New York City and an additional 16 counties that in total serve nearly 75% of the foster care population. The CIP model uses a team approach and promotes the use of front-loaded services. Operating under written protocols, these parts use a combination of court appearances, conferencing and mediation to manage a case from inception to permanency.

Other programs and initiatives operating in the Family Court relate to the Family Justice Program introduced in 1997 to make Family Court more accessible to the public. The program has fundamentally changed the way Family Court conducts business in order to meet the judicial needs of children and families. Some of these initiatives include:

Family Drug Treatment Courts: Court-supervised treatment of substance-abusing parents involved in child abuse and neglect matters is provided through the Family Drug Treatment program. There are currently 55 Family Drug Treatment Courts operating statewide.

Integrated Domestic Violence Courts: These courts focus on domestic violence cases and handle all related family court and matrimonial matters involving families in which physical abuse is alleged. The IDV courts build on the successful model of the specialized domestic violence courts, enlarging it to encompass all possible related issues in a domestic violence

case. Since their inception, IDV courts have handled over 109,661 cases and served over 20,994 families. Currently, there are 55 operational IDV courts.

Family Court Case Management System: The Universal Case Management System (UCMS) is a statewide case management system used in each of the 62 Family Courts as well as the 55 IDV Courts. Currently UCMS provides Family Court with the ability to create a case, assign a judicial hearing officer and track the case activity through disposition. In addition, UCMS tracks each child who is under the jurisdiction of the court who has been removed from their home until permanency is achieved. The system was recently updated to include a specially designed 3-checks-in-1 functionality to streamline the records checking process for custody and visitation cases.

An Adoption Fast Track Program: This program was initiated to streamline adoption procedures in order to speed the permanency process for children in foster care and requires the cooperation of outside agencies. The most recent effort, "Adoption Now", is a cooperative effort among the courts, the Executive Branch Office of Children and Family Services, and the New York City Administration for Children's Services.

WebFamily: This internet-based system provides information on active Family Court cases in all 62 counties of New York State and Integrated Domestic Violence Court cases in those counties with IDV courts. Individuals may search for cases by file or docket number, generate a list of all pending cases for an attorney or law firm or produce calendars by county and judge.

Collaborative Family Law Center

In an effort to reduce the delay, expense and trauma of a divorce, the first-ever court based Collaborative Family Law Center was opened in September 2009. The center is located in New York City and provides divorcing spouses who want to settle their disputes amicably with an alternative to the often lengthy, costly, and contentious divorce process. Through a series of face-to-face meetings the couple and their lawyers work to resolve all divorce-related disputes and mutually decide on issues such as child custody and finances. The center also connects families to collaboratively-trained lawyers, child development specialists, financial and mental health professionals and links families to other needed services.

Family Court Mediation Programs

The Family Court mediation program facilitates case resolution in custody and visitation, PINS and JD matters. The Judiciary contracts with dispute resolution centers in 52 counties for the purpose of providing family court mediation services. This contractual funding allows centers to hire staff who screen cases, educate parties about the mediation process, schedule cases with trained mediators, and work with the dispute resolution center to provide advanced training for mediators. In 2009-10, dispute resolution centers assisted families with 7,144 child custody cases, 2,757 visitation or support matters and 1,391 PINS cases.

Development of child permanency mediation programs is a joint effort of the Permanent Commission on Justice for Children, the Office of Alternative Dispute Resolution and Court Improvement Programs, the Family Court and the NYS Office of Children and Family Services. The goal is to improve permanency planning for children who are the subject of foster care proceedings in the Family Court. Since the program's inception, a total of 2,735 cases have been referred statewide. During 2009-10, 530 child permanency cases were screened for mediation. Of these 530 cases screened, dispute resolution services were provided in 444

cases (84%), and a resolution was reached in 348 cases (78%) where services were provided. The program is operational in New York City, in all counties in the Fifth Judicial District and in Chemung, Erie, Niagara and Rockland counties.

Electronic Courts

In an effort to improve access to justice and to recognize emerging technologies, the Unified Court System has developed numerous electronic sharing programs for Family Court. As part of the E-Petition program, kiosks are located in court buildings to assist litigants in preparing visitation petitions. The program is operating in nine counties: Bronx, Erie, Kings, Monroe, New York, Onondaga, Rockland, Schuyler and Queens.

The E-Check In system allows attorneys to check into court via the Internet rather than in person. The system was first introduced in Brooklyn and is now operating in all five boroughs of New York City and Westchester County. The system allows attorneys to list their schedule of appearances through a website before they are due in court. The new system is a time-saver for attorneys and allows judges to more efficiently manage their calendars.

As part of a continuing effort to make courts more accessible to the growing number of New Yorkers who can not afford an attorney, the NYS Courts Access to Justice office has introduced Do It Yourself (DIY) programs statewide. This project assists self-represented users in preparing basic pleadings or court forms and obtain customized legal information by utilizing Access to Justice interviews with associated HotDocs templates. These electronic interviews are accessible via a link to a server from the Unified Court System website. Litigants can access this program from home using the Internet or at specially designated computers in each courthouse. Currently, the Paternity and Child Support Modification petitions are available.

In 2007, the Office of Child Support Enforcement, the NYC Family Court and the Office of Court Administration's Department of Technology implemented the real time data share project for new support petitions seeking federally funded child support services (Title IV-D services). The project allows the real time data share of the petitions using an interface to link the court and child support agency. Litigants receive services from the local support collection unit while a new child support petition is filed simultaneously in UCMS using an electronic signature functionality. A summons and financial disclosure are created in real time alleviating the need for the litigant to appear in family court to file a petition. The project is also operating in Erie, Steuben and Oneida Counties.

New York City Family Court

In 2009, New York City Family Court intake totaled 253,421, representing 34% of the Family Court petitions filed statewide. Of these filings, 13,076 were child protective cases, 9,904 dealt with JD and PINS cases and 50,989 were custody matters. Family offense petitions totaled 26,956, and 113,984 support related matters were brought before the court as well as 7,612 other matters including termination of parental rights, surrender of child, adoption, foster care and guardianship cases. In addition to this workload, the New York City Family Court handled 30,900 permanency hearings. During this same period, dispositions totaled 246,117.

New York City Family Court has been in the forefront of many statewide initiatives designed to improve and enhance the quality of justice for families. These initiatives include:

Child Protective Plan - The concerns and difficulties encountered in the management of child protective proceedings are being addressed with the implementation of the Child

Protective Plan. The plan standardizes and expands Best Practice parts implemented in 2001. This Plan is part of a statewide effort (Child Welfare Improvement Project CIP) to enhance case processing and improve permanency for children. The initiative requires court attorneys to conduct initial, preliminary and pre-trial/compliance conferences; implements block scheduling of similar cases and expands use of case expeditors to monitor case preparedness. The initiative was implemented in July 2009 for all newly filed child protective cases.

Dedicated Intake Parts - Family offense intake parts have been established in Queens, Kings, New York and Bronx to address the influx of new cases associated with the expansion of civil orders of protection to nonfamily members (L. 2008, c. 326). These parts are staffed by a Court Attorney Referee, JHO or Acting Family Court Judge depending on resources available.

LUC Project - As of December 2009, each family court in New York City began receiving electronically filed neglect and abuse petitions from the Administration for Children's Services via the Legal Tracking System/UCMS/Connections (LUC) interface. Beginning in September 2010, ACS can electronically submit permanency reports to judicial staff for review, and the court can transmit scheduled appearance information to ACS through this interface. This agency interface has promoted operational efficiencies and improved communication between the two agencies.

Community Outreach - The New York City Family Court Office of Public Affairs was established in 2010 to conduct outreach efforts including public service announcements and other methods of disseminating information about family court and its services.

Juvenile Justice - New York City operates an Alternative to Detention (ATD) program that allows youth who have been arrested to remain at home prior to the disposition hearing. Participants receive relevant services and the staff monitor curfews and ensure compliance with court orders. In collaboration with New York City, resource coordinators are now employed in each family court to act as liaisons between the court and the ATD provider.

In 2010, the court system collaborated with the Center for Court Innovation to expand an innovative, after-school program operating in Queens. The Queens Engagement Strategies for Teens (QUEST) provides young people, who have pending delinquency matters in Queens Family Court, with meaningful and positive after-school activities such as counseling, computer training, homework or recreational activities. In addition, the on-site clinical team conducts assessments and monitors compliance with judicial orders.

Mediation Programs - To facilitate case resolution in custody and visitation and PINS cases, NYC Family Court has contracted with dispute resolution centers for mediation services in all five boroughs. In addition, a permanency mediation program designed to improve permanency planning for children who are the subject of foster care proceedings is also offered.

Summary of 2011-12 Funding Request:

Family Courts

2011-12 Budget Request: \$169,558,989

<i>Personal Service:</i>	158,305,071
<i>Nonpersonal Service:</i>	11,253,918
<i>Maintenance Undistributed:</i>	0

The \$169,558,989 request for the Family Court Program for fiscal year 2011-12 represents an increase of \$3,111,666 (1.9%) over the current year adjusted allocation. This change consists of an increase in personal service of \$2,854,954 (1.8%) and in nonpersonal service of \$256,712 (2.3%).

The New York City Family Court budget of \$75,421,773 constitutes 45% of the total budget request for the Family Court Program. This includes \$70,586,761 for personal service and \$4,835,012 for nonpersonal service and represents an overall increase of 1.5%.

The personal service funding request of \$158.3 million supports existing judicial and nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The temporary service request of \$1,510,955 supports a digital scanning project in the New York City Family Court (1,015,276) and family justice initiatives in New York City (88,387). Also included is \$407,292 for attorney lines to support judges from other courts hearing family court matters.

The requested nonpersonal service budget includes increases to support workload growth statewide including an increased use of per diem interpreters (186,571) especially in New York City and Nassau County and an increase in transcript costs (68,136) in New York City and the 4th Judicial District. The nonpersonal service budget also provides contractual support for a juvenile justice initiative (QUEST) in Queens County (120,000). Expenditure-based increases in supplies and materials (84,599) are also noted statewide due to legislative initiatives including records check requirements in custody and support matters and the expansion of civil orders of protection to nonfamily members.

The Family Court's Professional Services ADR program budget request of \$2,225,288 includes an inflationary increase for existing mediation contracts statewide.

These increases are offset by expenditure-based reductions in travel (-76,132) and records management (-65,550).

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	152,976,931	155,883,551	2,906,620
PS Overtime	899,714	910,565	10,851
PS Temporary	1,573,472	1,510,955	(62,517)
Total Personal Service	155,450,117	158,305,071	2,854,954
<u>Nonpersonal Service</u>			
Legal Reference/CALR	69,088	67,432	(1,656)
Travel	394,748	318,616	(76,132)
Prof Services Other	1,331,589	1,375,328	43,739
Legal Services	2,206,752	2,225,288	18,536
In-Part Services	1,447,045	1,628,571	181,526
JHO's	989,500	955,900	(33,600)
Transcripts	709,552	777,688	68,136
Other NPS	3,848,932	3,905,095	56,163
Total Nonpersonal Service	10,997,206	11,253,918	256,712
Grand Total	166,447,323	169,558,989	3,111,666

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	152,976,931	155,883,551	2,906,620
PS Overtime	899,714	910,565	10,851
PS Temporary	1,573,472	1,510,955	(62,517)
Total Personal Service	<u>155,450,117</u>	<u>158,305,071</u>	<u>2,854,954</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	69,088	67,432	(1,656)
Travel	394,748	318,616	(76,132)
Prof Services Other	1,331,589	1,375,328	43,739
Legal Services	2,206,752	2,225,288	18,536
In-Part Services	1,447,045	1,628,571	181,526
JHO's	989,500	955,900	(33,600)
Transcripts	709,552	777,688	68,136
Other NPS	3,848,932	3,905,095	56,163
Total Nonpersonal Service	<u>10,997,206</u>	<u>11,253,918</u>	<u>256,712</u>
Grand Total	166,447,323	169,558,989	3,111,666

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS
NEW YORK CITY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	67,722,928	68,265,806	542,878
PS Overtime	810,000	810,000	0
PS Temporary	1,413,964	1,510,955	96,991
Total Personal Service	<u>69,946,892</u>	<u>70,586,761</u>	<u>639,869</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	18,000	20,000	2,000
Travel	37,314	20,000	(17,314)
Prof Services Other	766,200	877,200	111,000
Legal Services	701,904	715,942	14,038
In-Part Services	830,000	1,000,000	170,000
JHO's	332,000	360,000	28,000
Transcripts	600,000	660,000	60,000
Other NPS	1,091,052	1,181,870	90,818
Total Nonpersonal Service	<u>4,376,470</u>	<u>4,835,012</u>	<u>458,542</u>
Grand Total	74,323,362	75,421,773	1,098,411

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS
THIRD DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	7,266,878	7,550,259	283,381
PS Overtime	8,000	19,900	11,900
PS Temporary	49,096	0	(49,096)
Total Personal Service	<u>7,323,974</u>	<u>7,570,159</u>	<u>246,185</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	4,750	3,550	(1,200)
Travel	36,300	36,840	540
Prof Services Other	77,500	64,500	(13,000)
Legal Services	194,833	198,732	3,899
In-Part Services	39,700	35,980	(3,720)
JHO's	91,000	81,000	(10,000)
Transcripts	13,200	5,200	(8,000)
Other NPS	329,050	325,500	(3,550)
Total Nonpersonal Service	<u>786,333</u>	<u>751,302</u>	<u>(35,031)</u>
Grand Total	8,110,307	8,321,461	211,154

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS
FOURTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	7,815,179	8,010,860	195,681
PS Overtime	13,400	8,850	(4,550)
Total Personal Service	<u>7,828,579</u>	<u>8,019,710</u>	<u>191,131</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,955	2,930	(25)
Travel	95,600	88,550	(7,050)
Prof Services Other	36,220	26,220	(10,000)
Legal Services	176,275	178,781	2,506
In-Part Services	55,470	54,980	(490)
JHO's	67,900	60,200	(7,700)
Transcripts	42,050	63,550	21,500
Other NPS	308,010	288,725	(19,285)
Total Nonpersonal Service	<u>784,480</u>	<u>763,936</u>	<u>(20,544)</u>
Grand Total	8,613,059	8,783,646	170,587

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS
FIFTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	10,932,754	11,370,605	437,851
PS Overtime	200	1,050	850
Total Personal Service	<u>10,932,954</u>	<u>11,371,655</u>	<u>438,701</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	1,025	925	(100)
Travel	73,050	33,900	(39,150)
Prof Services Other	37,960	35,000	(2,960)
Legal Services	281,902	287,542	5,640
In-Part Services	116,700	106,500	(10,200)
JHO's	207,000	207,000	0
Transcripts	11,600	14,200	2,600
Other NPS	339,525	364,420	24,895
Total Nonpersonal Service	<u>1,068,762</u>	<u>1,049,487</u>	<u>(19,275)</u>
Grand Total	12,001,716	12,421,142	419,426

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS
SIXTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	4,447,973	4,584,758	136,785
PS Overtime	1,500	900	(600)
Total Personal Service	<u>4,449,473</u>	<u>4,585,658</u>	<u>136,185</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	850	822	(28)
Travel	32,000	30,888	(1,112)
Prof Services Other	90,821	131,879	41,058
Legal Services	141,205	165,672	24,467
In-Part Services	22,400	22,400	0
Transcripts	400	450	50
Other NPS	183,795	182,874	(921)
Total Nonpersonal Service	<u>471,471</u>	<u>534,985</u>	<u>63,514</u>
Grand Total	4,920,944	5,120,643	199,699

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS
SEVENTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	7,407,110	7,889,526	482,416
PS Overtime	3,500	3,500	0
Total Personal Service	<u>7,410,610</u>	<u>7,893,026</u>	<u>482,416</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,000	2,000	0
Travel	12,000	12,000	0
Prof Services Other	19,325	20,466	1,141
Legal Services	206,568	210,699	4,131
In-Part Services	75,010	80,850	5,840
JHO's	116,700	106,800	(9,900)
Transcripts	4,000	5,000	1,000
Other NPS	207,451	213,913	6,462
Total Nonpersonal Service	<u>643,054</u>	<u>651,728</u>	<u>8,674</u>
Grand Total	8,053,664	8,544,754	491,090

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS
EIGHTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	12,462,408	12,496,566	34,158
PS Overtime	11,700	15,500	3,800
PS Temporary	29,470	0	(29,470)
Total Personal Service	<u>12,503,578</u>	<u>12,512,066</u>	<u>8,488</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	3,380	3,380	0
Travel	68,700	57,800	(10,900)
Prof Services Other	43,500	7,000	(36,500)
Legal Services	211,759	215,994	4,235
In-Part Services	40,120	38,930	(1,190)
JHO's	30,000	20,000	(10,000)
Transcripts	8,700	6,700	(2,000)
Other NPS	446,950	431,713	(15,237)
Total Nonpersonal Service	<u>853,109</u>	<u>781,517</u>	<u>(71,592)</u>
Grand Total	13,356,687	13,293,583	(63,104)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS
NINTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	15,086,940	15,260,591	173,651
PS Overtime	25,700	24,680	(1,020)
PS Temporary	14,000	0	(14,000)
Total Personal Service	<u>15,126,640</u>	<u>15,285,271</u>	<u>158,631</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	20,318	20,318	0
Travel	25,000	25,000	0
Prof Services Other	75,186	75,186	0
Legal Services	246,986	251,926	4,940
In-Part Services	149,544	152,000	2,456
JHO's	54,900	54,900	0
Transcripts	2,425	2,425	0
Other NPS	432,899	403,377	(29,522)
Total Nonpersonal Service	<u>1,007,258</u>	<u>985,132</u>	<u>(22,126)</u>
Grand Total	16,133,898	16,270,403	136,505

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS
NASSAU COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	8,655,736	9,164,277	508,541
PS Overtime	6,870	6,870	0
PS Temporary	66,942	0	(66,942)
Total Personal Service	<u>8,729,548</u>	<u>9,171,147</u>	<u>441,599</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	4,303	2,000	(2,303)
Travel	7,178	8,958	1,780
Prof Services Other	10,900	10,900	0
Legal Services	45,320	0	(45,320)
In-Part Services	71,239	90,467	19,228
JHO's	15,000	0	(15,000)
Transcripts	24,677	17,663	(7,014)
Other NPS	276,762	283,631	6,869
Total Nonpersonal Service	<u>455,379</u>	<u>413,619</u>	<u>(41,760)</u>
Grand Total	9,184,927	9,584,766	399,839

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

FAMILY COURTS
SUFFOLK COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	11,179,025	11,290,303	111,278
PS Overtime	18,844	19,315	471
Total Personal Service	<u>11,197,869</u>	<u>11,309,618</u>	<u>111,749</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	11,507	11,507	0
Travel	7,606	4,680	(2,926)
Prof Services Other	173,977	126,977	(47,000)
In-Part Services	46,862	46,464	(398)
JHO's	75,000	66,000	(9,000)
Transcripts	2,500	2,500	0
Other NPS	233,438	229,072	(4,366)
Total Nonpersonal Service	<u>550,890</u>	<u>487,200</u>	<u>(63,690)</u>
Grand Total	11,748,759	11,796,818	48,059

New York City Family Court Workload & Staffing

3-Year Workload (Filings)*

2007	2008	2009	% Change 2009 vs 2008
239,592	246,750	253,421	2.7

*Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
NYC Family	47	655	702
NYC FCSM	0	118	118
Total	47	773	820

Family Court Support Magistrate (FCSM)

**Third Judicial District
Family Courts
Workload & Staffing**

3-Year Workload (Filings)*

2007	2008	2009	% Change 2009 vs 2008
49,308	51,496	51,204	-0.6

*Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Albany	3	30	33
Albany FCSM	0	4	4
Rensselaer	2	22	24
Rensselaer FCSM	0	2	2
Sullivan	1	12	13
Sullivan FCSM	0	2	2
Ulster	2	18	20
Ulster FCSM	0	2	2
District-Wide FCSM	0	6	6
Total	8	98	106

Family Court Support Magistrate (FCSM)

Fourth Judicial District Family Courts Workload & Staffing

3-Year Workload (Filings)*

2007	2008	2009	% Change 2009 vs 2008
52,443	55,450	52,121	-6.0

*Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Clinton	1	8	9
Fulton	1	10	11
Montgomery	1	8	9
St. Lawrence	1	10	11
Saratoga	2	18	20
Saratoga FCSM	0	2	2
Schenectady	2	19	21
Schenectady FCSM	0	2	2
Warren	1	9	10
District-Wide FCSM	0	14	14
Total	9	100	109

Family Court Support Magistrate (FCSM)

**Fifth Judicial District
Family Courts
Workload & Staffing**

3-Year Workload (Filings)*

2007	2008	2009	% Change 2009 vs 2008
55,651	59,139	57,072	-3.5

*Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
Herkimer	1	10	11
Herkimer FCSM	0	2	2
Jefferson	1	13	14
Jefferson FCSM	0	2	2
Oneida	3	36	39
Oneida FCSM	0	6	6
Onondaga	5	57	62
Onondaga FCSM	0	6	6
Oswego	1	15	16
Oswego FCSM	0	2	2
District-Wide FCSM	0	4	4
Total	11	153	164

Family Court Support Magistrate (FCSM)

Sixth Judicial District
Family Courts
Workload & Staffing

3-Year Workload (Filings)*

2007	2008	2009	% Change 2009 vs 2008
47,689	50,926	50,334	-1.2

*Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Broome	3	29	32
Broome FCSM	0	5	5
Chemung	1	13	14
District-Wide FCSM	0	15	15
Total	4	62	66

Family Court Support Magistrate (FCSM)

**Seventh Judicial District
Family Courts
Workload & Staffing**

3-Year Workload (Filings)*

2007	2008	2009	% Change 2009 vs 2008
56,424	59,427	57,943	-2.5

*Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Monroe	6	79	85
Monroe FCSM	0	10	10
Yates FCSM	0	2	2
District-Wide FCSM	0	10	10
Total	6	101	107

Family Court Support Magistrate (FCSM)

**Eighth Judicial District
Family Courts
Workload & Staffing**

3-Year Workload (Filings)*

2007	2008	2009	% Change 2009 vs 2008
70,707	74,232	71,914	-3.1

*Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
Chautauqua	1	14	15
Erie	6	87	93
Erie FCSM	0	11	11
Genesee	1	9	10
Niagara	2	27	29
Niagara FCSM	0	6	6
District-Wide FCSM	0	12	12
Total	10	166	176

Family Court Support Magistrate (FCSM)

**Ninth Judicial District
Family Courts
Workload & Staffing**

3-Year Workload (Filings)*

2007	2008	2009	% Change 2009 vs 2008
67,854	71,224	75,022	5.3

*Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2011 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
Dutchess	3	28	31
Dutchess FCSM	0	2	2
Orange	4	35	39
Orange FCSM	0	3	3
Rockland	2	21	23
Rockland FCSM	0	2	2
Westchester	6	74	80
Westchester FCSM	0	12	12
District-Wide FCSM	0	7	7
Total	15	184	199

Family Court Support Magistrate (FCSM)

**Nassau County
Family Court
Workload & Staffing**

3-Year Workload (Filings)*

2007	2008	2009	% Change 2009 vs 2008
24,677	25,760	25,826	0.3

*Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
Nassau	8	97	105
Nassau FCSM	0	12	12
Total	8	109	117

Family Court Support Magistrate (FCSM)

**Suffolk County
Family Court
Workload & Staffing**

3-Year Workload (Filings)*

2007	2008	2009	% Change 2009 vs 2008
44,948	45,258	47,508	5.0

*Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Suffolk	10	115	125
Suffolk FCSM	0	18	18
Total	10	133	143

Family Court Support Magistrate (FCSM)

Maintenance Undistributed
Family Court
Position Staffing

March 31, 2012 Schedule of Positions

	Nonjudicial
Undistributed	38

**DISPOSITION OF PROCEEDINGS IN THE
SURROGATE'S COURTS**

2011-12 Budget Request: \$47,553,312

The Surrogate's Court was established pursuant to Article 6, section 12 of the New York State Constitution. Basic powers and procedures are provided by the Surrogate's Court Procedure Act (SCPA); Estate, Powers and Trust Law; Judiciary Law; and the Civil Practice Law and Rules. Other powers and procedures are provided by the Banking Law, Real Property Actions and Proceedings Law, Domestic Relations Law, Social Service Law and numerous other statutes.

The Surrogate's Court exercises jurisdiction over the probate of wills and the granting of letters testamentary; exercises control over executors, administrators, trustees and guardians; serves to pass upon and settle accounts of fiduciaries; maintains concurrent jurisdiction with the Family Court in administration and guardianship of infants and approval of adoptions; and maintains concurrent jurisdiction with the Supreme Court in matters pertaining to conservatorship. During the 2009-10 fiscal year, the Surrogate's Courts statewide processed over \$27.8 million in general fund revenues relating to these matters.

The work of the Surrogate's Courts involves the preparation and maintenance of a high volume of complex legal records. Unlike other courts, Surrogate's Courts must retain records indefinitely and in many locations the records date back hundreds of years. Title searchers, genealogists and the general public seek access to these documents on a regular basis. Thus, there is a significant records management challenge: converting paper records to microfilm or digital formats to preserve them, reducing storage issues, and making records accessible to the public. Microfilming and digitizing projects are ongoing throughout the state to address these needs.

The unique rules and procedures that apply to Surrogate's Courts proceedings prove especially challenging to the increasing number of self-represented litigants coming before the courts. Many Surrogate's Courts have created informative materials to aid the public, but a great deal of nonjudicial staff time is spent assisting self-represented litigants as they navigate the process.

Legislative and programmatic changes have had an impact on the staffing and operation of the Surrogate's Courts. A pilot program for filing by electronic means was established through legislation in 1999. In 2005, Erie County Surrogate's Court became the first Surrogate's Court to participate in the Unified Court System's (UCS) electronic filing program. In 2007, Chautauqua, Monroe, Queens and Suffolk County Surrogate's Courts were also authorized to use electronic filing, and implementation of the program in these counties continues today. As the program has expanded both jurisdictionally and geographically in its ten year term, it has become an essential tool for meeting the needs of litigants, attorneys and the courts. Benefits of this program include improved efficiency of court operations, low cost litigation, convenience, broader public access to records and environmental protection. Effective September 1, 2009, this pilot program has gained permanent status in the UCS under chapter 416 of the Laws of 2009. This amendment permits the Chief Administrative Judge to determine the venues and classes of cases in which filing by electronic means may be used, and to establish pilot programs for mandatory electronic filing in certain venues and classes of cases.

Effective January 1, 2009, chapter 300 of the Laws of 2008 increased the maximum value of a small estate from \$20,000 to \$30,000. This will simplify the probate process for additional court users.

Chapter 457 of the Laws of 2005 expanded the types of payments for which courts may accept credit cards. Previously, credit card payments could only be used for certain fees, fines and surcharges, primarily related to criminal cases. This law allows the UCS to accept credit cards for the payment of civil, administrative and surrogate fees and for fines of all types. These changes provide convenience to court users and increase court efficiency.

Surrogate's Courts throughout the State have recently completed implementation of the Universal Case Management System (UCMS). The UCMS is a centralized automated case-processing system that facilitates the retrieval of information while preserving the integrity of court records. It provides online records and allows for electronic transfer of case information between court jurisdictions and other agencies. This system is now in full operation in all 62 Surrogate's Courts in the State.

The Surrogate's Court Program provides funding for courts operating in 31 counties, which handle approximately 90% of Surrogate's Court activity statewide. The remaining 31 Surrogate's Courts are included in the Multi-Bench Program.

During 2009, proceedings filed in the Surrogate's Courts statewide totaled 138,182, and 106,531 orders and decrees (including voluntary administration and estate tax proceedings) were issued. The Surrogates commenced 4,375 trials and hearings; referees and court staff commenced 106,840 hearings, examinations and conferences. This caseload information includes 17,663 Surrogate filings from courts funded in the Multi-Bench Program.

Summary 2011-12 Funding Request:

Surrogate's Courts

2011-12 Budget Request: \$47,553,312	
<i>Personal Service:</i>	45,305,753
<i>Nonpersonal Service:</i>	2,247,559
<i>Maintenance Undistributed:</i>	0

The 2011-12 request of \$47,553,312 is a decrease of \$429,105 (-0.9%) from the current adjusted appropriation. This change is comprised of a decrease in personal service of \$117,941 (-0.3%) and a decrease in nonpersonal service of \$311,164 (-12.2%).

The personal service funding request supports existing judicial and nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request will support ongoing court operations, including \$1,010,740 for records management services. Records management funding will provide for microfilming of pre-UCMS case files and preservation of records with CD technology. This request reflects a decrease of \$273,580 (-21.3%) from the current adjusted appropriation. Other significant decreases include \$17,630 (-10.9%) in telephone services and \$9,305 (-20.6%) in travel, both reflective of savings realized in these objects.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	45,338,689	45,133,524	(205,165)
PS Overtime	4,800	25,550	20,750
PS Temporary	80,205	146,679	66,474
Total Personal Service	<u>45,423,694</u>	<u>45,305,753</u>	<u>(117,941)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	43,318	39,503	(3,815)
Travel	45,075	35,770	(9,305)
Prof Services Other	1,385,270	1,101,893	(283,377)
Legal Services	71,717	71,231	(486)
In-Part Services	8,150	8,585	435
JHO's	13,200	5,500	(7,700)
Transcripts	9,900	6,150	(3,750)
Other NPS	982,093	978,927	(3,166)
Total Nonpersonal Service	<u>2,558,723</u>	<u>2,247,559</u>	<u>(311,164)</u>
Grand Total	47,982,417	47,553,312	(429,105)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	45,338,689	45,133,524	(205,165)
PS Overtime	4,800	25,550	20,750
PS Temporary	80,205	146,679	66,474
Total Personal Service	<u>45,423,694</u>	<u>45,305,753</u>	<u>(117,941)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	43,318	39,503	(3,815)
Travel	45,075	35,770	(9,305)
Prof Services Other	1,385,270	1,101,893	(283,377)
Legal Services	71,717	71,231	(486)
In-Part Services	8,150	8,585	435
JHO's	13,200	5,500	(7,700)
Transcripts	9,900	6,150	(3,750)
Other NPS	982,093	978,927	(3,166)
Total Nonpersonal Service	<u>2,558,723</u>	<u>2,247,559</u>	<u>(311,164)</u>
Grand Total	47,982,417	47,553,312	(429,105)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS
NEW YORK CITY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	20,055,664	19,772,570	(283,094)
PS Overtime	500	500	0
PS Temporary	71,805	146,679	74,874
Total Personal Service	<u>20,127,969</u>	<u>19,919,749</u>	<u>(208,220)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	15,100	14,900	(200)
Travel	11,440	10,000	(1,440)
Prof Services Other	233,800	250,200	16,400
In-Part Services	2,250	4,000	1,750
JHO's	13,200	5,500	(7,700)
Transcripts	1,100	1,500	400
Other NPS	347,187	369,032	21,845
Total Nonpersonal Service	<u>624,077</u>	<u>655,132</u>	<u>31,055</u>
Grand Total	20,752,046	20,574,881	(177,165)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS
THIRD DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,816,783	1,910,697	93,914
Total Personal Service	<u>1,816,783</u>	<u>1,910,697</u>	<u>93,914</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	3,400	3,400	0
Travel	3,500	3,150	(350)
Prof Services Other	133,000	123,872	(9,128)
In-Part Services	250	0	(250)
Transcripts	100	1,100	1,000
Other NPS	50,250	47,010	(3,240)
Total Nonpersonal Service	<u>190,500</u>	<u>178,532</u>	<u>(11,968)</u>
Grand Total	2,007,283	2,089,229	81,946

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS
FOURTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,660,126	2,674,664	14,538
PS Overtime	300	100	(200)
Total Personal Service	<u>2,660,426</u>	<u>2,674,764</u>	<u>14,338</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,550	2,475	(75)
Travel	3,840	700	(3,140)
Prof Services Other	30,360	15,680	(14,680)
In-Part Services	700	0	(700)
Transcripts	250	600	350
Other NPS	62,980	56,650	(6,330)
Total Nonpersonal Service	<u>100,680</u>	<u>76,105</u>	<u>(24,575)</u>
Grand Total	2,761,106	2,750,869	(10,237)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS
FIFTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,318,659	2,266,523	(52,136)
PS Overtime	300	150	(150)
Total Personal Service	<u>2,318,959</u>	<u>2,266,673</u>	<u>(52,286)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	725	725	0
Travel	3,650	2,050	(1,600)
Prof Services Other	31,370	19,160	(12,210)
In-Part Services	1,000	900	(100)
Transcripts	2,200	300	(1,900)
Other NPS	86,700	83,370	(3,330)
Total Nonpersonal Service	<u>125,645</u>	<u>106,505</u>	<u>(19,140)</u>
Grand Total	2,444,604	2,373,178	(71,426)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS
SIXTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	562,309	547,986	(14,323)
Total Personal Service	<u>562,309</u>	<u>547,986</u>	<u>(14,323)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	150	94	(56)
Prof Services Other	151,380	40,650	(110,730)
In-Part Services	500	500	0
Other NPS	24,492	17,418	(7,074)
Total Nonpersonal Service	<u>176,522</u>	<u>58,662</u>	<u>(117,860)</u>
Grand Total	738,831	606,648	(132,183)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS
SEVENTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,670,007	2,720,722	50,715
PS Overtime	300	20,000	19,700
Total Personal Service	<u>2,670,307</u>	<u>2,740,722</u>	<u>70,415</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	3,891	3,700	(191)
Travel	3,000	4,000	1,000
Prof Services Other	267,570	253,536	(14,034)
Legal Services	35,717	36,431	714
In-Part Services	1,000	500	(500)
Transcripts	750	750	0
Other NPS	62,414	62,585	171
Total Nonpersonal Service	<u>374,342</u>	<u>361,502</u>	<u>(12,840)</u>
Grand Total	3,044,649	3,102,224	57,575

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS
EIGHTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	3,963,664	4,076,475	112,811
PS Overtime	3,100	3,000	(100)
Total Personal Service	<u>3,966,764</u>	<u>4,079,475</u>	<u>112,711</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,350	2,150	(200)
Travel	12,400	5,550	(6,850)
Prof Services Other	260,550	149,820	(110,730)
Legal Services	35,000	33,800	(1,200)
In-Part Services	700	0	(700)
Transcripts	5,000	1,400	(3,600)
Other NPS	124,450	118,900	(5,550)
Total Nonpersonal Service	<u>440,450</u>	<u>311,620</u>	<u>(128,830)</u>
Grand Total	4,407,214	4,391,095	(16,119)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS
NINTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	4,590,753	4,622,257	31,504
PS Overtime	300	1,800	1,500
PS Temporary	8,400	0	(8,400)
Total Personal Service	<u>4,599,453</u>	<u>4,624,057</u>	<u>24,604</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	6,293	6,200	(93)
Travel	2,000	1,500	(500)
Prof Services Other	109,000	101,050	(7,950)
Other NPS	99,689	100,086	397
Total Nonpersonal Service	<u>216,982</u>	<u>208,836</u>	<u>(8,146)</u>
Grand Total	4,816,435	4,832,893	16,458

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS
NASSAU COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	3,905,694	3,745,002	(160,692)
Total Personal Service	<u>3,905,694</u>	<u>3,745,002</u>	<u>(160,692)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	5,000	2,000	(3,000)
Travel	1,968	500	(1,468)
Prof Services Other	108,440	103,375	(5,065)
In-Part Services	1,500	2,435	935
Other NPS	57,436	61,662	4,226
Total Nonpersonal Service	<u>174,344</u>	<u>169,972</u>	<u>(4,372)</u>
Grand Total	4,080,038	3,914,974	(165,064)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

SURROGATE COURTS
SUFFOLK COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,795,030	2,796,628	1,598
Total Personal Service	<u>2,795,030</u>	<u>2,796,628</u>	<u>1,598</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	3,859	3,859	0
Travel	3,277	8,320	5,043
Prof Services Other	59,800	44,550	(15,250)
Legal Services	1,000	1,000	0
In-Part Services	250	250	0
Transcripts	500	500	0
Other NPS	66,495	62,214	(4,281)
Total Nonpersonal Service	<u>135,181</u>	<u>120,693</u>	<u>(14,488)</u>
Grand Total	2,930,211	2,917,321	(12,890)

**New York City
Surrogate's Courts
Workload & Staffing**

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
36,477	37,410	36,125	-3.4

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
New York	2	70	72
Bronx	1	39	40
Kings	2	63	65
Queens	1	46	47
Richmond	1	23	24
Total	7	241	248

**Third Judicial District
Surrogate's Courts
Workload & Staffing**

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
8,312	8,743	8,571	-2.0

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Albany	1	8	9
Rensselaer	1	6	7
Ulster	1	5	6
Total	3	19	22

**Fourth Judicial District
Surrogate's Courts
Workload & Staffing**

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
8,268	8,191	8,285	1.1

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Clinton	1	4	5
Montgomery	1	4	5
St. Lawrence	1	5	6
Saratoga	1	6	7
Schenectady	1	8	9
Total	5	27	32

**Fifth Judicial District
Surrogate's Courts**
Workload & Staffing

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
8,783	9,736	8,736	-10.3

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Jefferson	1	4	5
Oneida	1	8	9
Onondaga	1	11	12
Oswego	1	4	5
Total	4	27	31

Sixth Judicial District
Surrogate's Courts
Workload & Staffing

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
7,872	7,800	7,663	-1.8

March 31, 2012 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
Broome	1	7	8

**Seventh Judicial District
Surrogate's Courts
Workload & Staffing**

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
13,831	12,706	12,581	-1.0

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Cayuga	1	4	5
Monroe	1	18	19
Ontario	1	4	5
Steuben	1	4	5
Total	4	30	34

Eighth Judicial District
Surrogate's Courts
Workload & Staffing

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
19,912	20,000	19,946	-0.3

March 31, 2012 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
Chautauqua	1	7	8
Erie	1	36	37
Niagara	1	9	10
Total	3	52	55

Ninth Judicial District
Surrogate's Courts
Workload & Staffing

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
19,472	18,467	18,004	-2.5

March 31, 2012 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
Dutchess	1	7	8
Orange	1	10	11
Rockland	1	7	8
Westchester	1	31	32
Total	4	55	59

**Nassau County
Surrogate's Court
Workload & Staffing**

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
9,280	9,442	9,253	-2.0

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Nassau	1	46	47

Suffolk County
Surrogate's Court
Workload & Staffing

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
9,464	9,835	9,018	-8.3

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Suffolk	1	35	36

**Maintenance Undistributed
Surrogate Court**
Position Staffing

March 31, 2012 Schedule of Positions

	Nonjudicial
Undistributed	12

**DISPOSITION OF CIVIL AND CRIMINAL
ACTIONS IN COUNTIES WHERE JUDGES
SERVE TWO OR MORE COURTS (MULTI-BENCH)**

2011-12 Budget Request: \$44,534,134

This program provides funding for courts in 35 counties where the same judge sits in either two or three county-level courts (County Court, Family Court, Surrogate's Court). Approximately 12% of the statewide caseload activity in the Supreme and County, Family and Surrogate's Courts occurs within these counties. Supreme and County Civil and Criminal workload in this program in 2009 was as follows: 6,249 criminal filings and 59,039 new civil filings, 6,509 criminal dispositions and 58,690 civil dispositions. Multi-Bench Courts also handled 92,871 Family Court filings and 17,663 Surrogate's Court filings in 2009.

Although Multi-Bench Courts are typically located in smaller, rural counties, the staff of these courts face the same demands for services as do their counterparts in larger counties. Changes in the workload of these courts are attributable to legislative initiatives, societal changes and increased statistical reporting requirements. Detailed discussions regarding matters impacting the Supreme and County, Family and Surrogate's Courts can be found in the respective program narratives.

**Summary of 2011-12 Funding Request:
Multi-Bench Program**

2011-12 Budget Request: \$44,534,134

<i>Personal Service:</i>	40,584,121
<i>Nonpersonal Service:</i>	3,950,013
<i>Maintenance Undistributed:</i>	0

The 2011-12 request of \$44,534,134 is a decrease of \$281,665 (-0.6%) from the current adjusted appropriation. This change consists of decreases in personal service of \$254,703 (-0.6%) and in nonpersonal service of \$26,962 (-0.7%).

The personal service funding request supports existing judicial and nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request includes \$8,060 for Per Diem Court Reporter Services, a decrease of \$11,900 (-59.6%) from current allocations. This decrease can be attributed to the increased use of digital recording equipment primarily in Family and Surrogate's Court proceedings.

An increase in the page rate for court transcripts was extended to court reporters represented by the Civil Service Employees Association effective November 18, 2008. The continued rising cost of transcription services is reflected by the requested increase of \$70,050 (17.6%) over current allocations.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MULTI-BENCH COURTS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	40,550,298	40,215,081	(335,217)
PS Overtime	78,500	60,300	(18,200)
PS Temporary	210,026	308,740	98,714
Total Personal Service	<u>40,838,824</u>	<u>40,584,121</u>	<u>(254,703)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	34,340	32,525	(1,815)
Travel	155,500	128,604	(26,896)
Prof Services Other	691,184	725,717	34,533
Legal Services	825,567	764,529	(61,038)
In-Part Services	145,370	132,270	(13,100)
JHO's	177,300	188,300	11,000
Transcripts	397,700	467,750	70,050
Other NPS	1,550,014	1,510,318	(39,696)
Total Nonpersonal Service	<u>3,976,975</u>	<u>3,950,013</u>	<u>(26,962)</u>
Grand Total	44,815,799	44,534,134	(281,665)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MULTI-BENCH COURTS
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	40,550,298	40,215,081	(335,217)
PS Overtime	78,500	60,300	(18,200)
PS Temporary	210,026	308,740	98,714
Total Personal Service	<u>40,838,824</u>	<u>40,584,121</u>	<u>(254,703)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	34,340	32,525	(1,815)
Travel	155,500	128,604	(26,896)
Prof Services Other	691,184	725,717	34,533
Legal Services	825,567	764,529	(61,038)
In-Part Services	145,370	132,270	(13,100)
JHO's	177,300	188,300	11,000
Transcripts	397,700	467,750	70,050
Other NPS	1,550,014	1,510,318	(39,696)
Total Nonpersonal Service	<u>3,976,975</u>	<u>3,950,013</u>	<u>(26,962)</u>
Grand Total	44,815,799	44,534,134	(281,665)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MULTI-BENCH COURTS
THIRD DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	4,973,209	4,838,801	(134,408)
PS Overtime	4,200	1,250	(2,950)
PS Temporary	47,228	72,604	25,376
Total Personal Service	<u>5,024,637</u>	<u>4,912,655</u>	<u>(111,982)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	5,100	4,300	(800)
Travel	24,800	28,200	3,400
Prof Services Other	107,800	112,600	4,800
Legal Services	53,331	45,399	(7,932)
In-Part Services	21,840	10,680	(11,160)
JHO's	47,200	42,100	(5,100)
Transcripts	48,000	56,700	8,700
Other NPS	211,200	202,250	(8,950)
Total Nonpersonal Service	<u>519,271</u>	<u>502,229</u>	<u>(17,042)</u>
Grand Total	5,543,908	5,414,884	(129,024)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MULTI-BENCH COURTS
FOURTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	6,383,559	6,292,183	(91,376)
PS Overtime	15,500	13,050	(2,450)
Total Personal Service	<u>6,399,059</u>	<u>6,305,233</u>	<u>(93,826)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	8,500	7,850	(650)
Travel	43,700	28,100	(15,600)
Prof Services Other	23,726	8,380	(15,346)
Legal Services	107,048	77,094	(29,954)
In-Part Services	10,910	6,980	(3,930)
JHO's	35,800	33,600	(2,200)
Transcripts	113,100	132,400	19,300
Other NPS	275,850	256,450	(19,400)
Total Nonpersonal Service	<u>618,634</u>	<u>550,854</u>	<u>(67,780)</u>
Grand Total	7,017,693	6,856,087	(161,606)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MULTI-BENCH COURTS
FIFTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,287,780	1,493,154	205,374
PS Overtime	800	700	(100)
Total Personal Service	<u>1,288,580</u>	<u>1,493,854</u>	<u>205,274</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	850	600	(250)
Travel	6,500	2,900	(3,600)
Prof Services Other	21,380	30,180	8,800
Legal Services	13,000	4,000	(9,000)
In-Part Services	1,600	1,500	(100)
Transcripts	16,000	13,800	(2,200)
Other NPS	57,000	60,485	3,485
Total Nonpersonal Service	<u>116,330</u>	<u>113,465</u>	<u>(2,865)</u>
Grand Total	1,404,910	1,607,319	202,409

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MULTI-BENCH COURTS
SIXTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	10,052,828	10,002,768	(50,060)
PS Overtime	18,000	6,150	(11,850)
PS Temporary	101,964	163,195	61,231
Total Personal Service	<u>10,172,792</u>	<u>10,172,113</u>	<u>(679)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	6,188	5,745	(443)
Travel	20,000	15,704	(4,296)
Prof Services Other	307,551	311,287	3,736
Legal Services	376,452	360,760	(15,692)
In-Part Services	22,800	22,800	0
JHO's	8,600	8,600	0
Transcripts	76,000	98,500	22,500
Other NPS	523,945	506,003	(17,942)
Total Nonpersonal Service	<u>1,341,536</u>	<u>1,329,399</u>	<u>(12,137)</u>
Grand Total	11,514,328	11,501,512	(12,816)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MULTI-BENCH COURTS
SEVENTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	10,266,147	10,052,092	(214,055)
PS Overtime	36,600	36,600	0
PS Temporary	47,234	66,941	19,707
Total Personal Service	<u>10,349,981</u>	<u>10,155,633</u>	<u>(194,348)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	7,302	6,980	(322)
Travel	27,000	25,000	(2,000)
Prof Services Other	170,115	131,628	(38,487)
Legal Services	230,532	232,254	1,722
In-Part Services	42,000	47,600	5,600
JHO's	77,700	77,000	(700)
Transcripts	99,000	119,450	20,450
Other NPS	268,218	275,075	6,857
Total Nonpersonal Service	<u>921,867</u>	<u>914,987</u>	<u>(6,880)</u>
Grand Total	11,271,848	11,070,620	(201,228)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MULTI-BENCH COURTS
EIGHTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	5,994,610	5,949,075	(45,535)
PS Overtime	1,700	1,550	(150)
PS Temporary	5,200	6,000	800
Total Personal Service	<u>6,001,510</u>	<u>5,956,625</u>	<u>(44,885)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	3,350	3,550	200
Travel	32,000	27,400	(4,600)
Prof Services Other	53,800	124,830	71,030
Legal Services	2,700	1,300	(1,400)
In-Part Services	23,720	10,710	(13,010)
Transcripts	43,100	41,900	(1,200)
Other NPS	166,050	162,074	(3,976)
Total Nonpersonal Service	<u>324,720</u>	<u>371,764</u>	<u>47,044</u>
Grand Total	6,326,230	6,328,389	2,159

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MULTI-BENCH COURTS
NINTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,592,165	1,587,008	(5,157)
PS Overtime	1,700	1,000	(700)
PS Temporary	8,400	0	(8,400)
Total Personal Service	<u>1,602,265</u>	<u>1,588,008</u>	<u>(14,257)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	3,050	3,500	450
Travel	1,500	1,300	(200)
Prof Services Other	6,812	6,812	0
Legal Services	42,504	43,722	1,218
In-Part Services	22,500	32,000	9,500
JHO's	8,000	27,000	19,000
Transcripts	2,500	5,000	2,500
Other NPS	47,751	47,981	230
Total Nonpersonal Service	<u>134,617</u>	<u>167,315</u>	<u>32,698</u>
Grand Total	1,736,882	1,755,323	18,441

**Third Judicial District
Multi-Bench Courts
Workload & Staffing**

3-Year Workload (Filings)

<u>Locality</u>	2007	2008	2009	% Change 2009 vs 2008
Sup. & Co. Civil*	8,242	9,895	10,926	10.4
Sup. & Co. Criminal	577	610	628	3.0
Family**	9,608	9,833	9,822	-0.1
Surrogate	2,435	2,398	2,389	-0.4
Total	20,862	22,736	23,765	4.5

*Includes ex parte Applications & Uncontested Matrimonials.

**Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Columbia	2	17	19
Greene	2	16	18
Schoharie	1	10	11
Sullivan	2	15	17
Total	7	58	65

**Fourth Judicial District
Multi-Bench Courts
Workload & Staffing**

3-Year Workload (Filings)

<u>Locality</u>	2007	2008	2009	% Change 2009 vs 2008
Sup. & Co. Civil*	7,624	7,906	7,911	0.1
Sup. & Co. Criminal	1,239	1,242	1,113	-10.4
Family**	9,211	9,800	9,603	-2.0
Surrogate	2,363	2,388	2,496	4.5
Total	20,437	21,336	21,123	-1.0

*Includes ex parte Applications & Uncontested Matrimonials.

**Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Clinton	1	9	10
Essex	1	14	15
Franklin	1	12	13
Fulton	2	12	14
Hamilton	1	5	6
Warren	1	9	10
Washington	2	17	19
Total	9	78	87

**Fifth Judicial District
Multi-Bench Courts
Workload & Staffing**

3-Year Workload (Filings)

<u>Locality</u>	2007	2008	2009	% Change 2009 vs 2008
Sup. & Co. Civil*	2,400	2,328	1,968	-15.5
Sup. & Co. Criminal	452	415	348	-16.1
Family**	2,243	2,207	1,984	-10.1
Surrogate	836	736	762	3.5
Total	5,931	5,686	5,062	-11.0

*Includes ex parte Applications & Uncontested Matrimonials.

**Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Herkimer	1	9	10
Lewis	1	9	10
Total	2	18	20

**Sixth Judicial District
Multi-Bench Courts
Workload & Staffing**

3-Year Workload (Filings)

<u>Locality</u>	2007	2008	2009	% Change 2009 vs 2008
Sup. & Co. Civil*	14,749	16,011	18,402	14.9
Sup. & Co. Criminal	1,391	1,394	1,358	-2.6
Family**	25,931	27,943	28,209	1.0
Surrogate	4,989	5,367	5,422	1.0
Total	47,060	50,715	53,391	5.3

*Includes ex parte Applications & Uncontested Matrimonials.

**Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Chemung	2	14	16
Chenango	1	13	14
Cortland	2	17	19
Delaware	1	10	11
Madison	2	19	21
Otsego	2	16	18
Schuyler	1	6	7
Tioga	1	13	14
Tompkins	2	19	21
Total	14	127	141

**Seventh Judicial District
Multi-Bench Courts
Workload & Staffing**

3-Year Workload (Filings)

<u>Locality</u>	2007	2008	2009	% Change 2009 vs 2008
Sup. & Co. Civil*	13,159	13,668	14,136	3.4
Sup. & Co. Criminal	1,664	1,703	1,726	1.4
Family**	29,475	30,551	29,555	-3.3
Surrogate	2,022	2,281	2,136	-6.4
Total	46,320	48,203	47,553	-1.3

*Includes ex parte Applications & Uncontested Matrimonials.

**Pursuant to a change in reporting methodology, filings now include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Cayuga	1	16	17
Livingston	2	18	20
Ontario	2	22	24
Seneca	1	13	14
Steuben	2	23	25
Wayne	3	23	26
Yates	1	9	10
Total	12	124	136

Eighth Judicial District Multi-Bench Courts Workload & Staffing

3-Year Workload (Filings)

<u>Locality</u>	2007	2008	2009	% Change 2009 vs 2008
Sup. & Co. Civil*	2,751	2,575	2,572	-0.1
Sup. & Co. Criminal	798	884	932	5.4
Family**	11,971	12,019	11,472	-4.6
Surrogate	3,086	3,103	3,194	2.9
Total	18,606	18,581	18,170	-2.2

*Includes ex parte Applications & Uncontested Matrimonials.

**Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Allegany	2	16	18
Cattaraugus	2	21	23
Genesee	1	10	11
Orleans	1	11	12
Wyoming	2	16	18
Total	8	74	82

**Ninth Judicial District
Multi-Bench Courts
Workload & Staffing**

3-Year Workload (Filings)

Locality	2007	2008	2009	% Change 2009 vs 2008
Sup. & Co. Civil*	2,063	2,457	3,124	27.1
Sup. & Co. Criminal	87	137	144	5.1
Family**	2,061	2,157	2,226	3.2
Surrogate	826	1,160	1,264	9.0
Total	5,037	5,911	6,758	14.3

*Includes ex parte Applications & Uncontested Matrimonials.

**Pursuant to a change in reporting methodology, filings include Permanency Hearings Held.

March 31, 2012 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
Putnam	2	18	20

**Maintenance Undistributed
Multi-Bench Court**
Position Staffing

March 31, 2012 Schedule of Positions

	Nonjudicial
Undistributed	5

**DISPOSITION OF CIVIL AND CRIMINAL
ACTIONS IN CITY AND DISTRICT
COURTS, INCLUDING ARBITRATION**

2011-12 Budget Request: \$230,283,636

The City and District Courts Program consists of the 61 city courts outside of the City of New York, the Nassau and Suffolk County District Courts, the New York City Civil Court and the New York City Criminal Court.

These courts became part of the Unified Court System under the New York State Constitution in 1962. Specific aspects of the jurisdiction, practice and procedure for these courts have been fixed by the Legislature in the Uniform City Court Act, the Uniform District Court Act, the New York City Civil Court Act and the New York City Criminal Court Act. In addition, all of these courts are generally governed by provisions of the Civil Practice Law and Rules and the Criminal Procedure Law, as well as by relevant provisions of the Chief Administrator's Uniform Rules for the Trial Courts.

The city courts outside of New York City and the district courts have jurisdiction over motor vehicle and misdemeanor cases, as well as over civil actions and proceedings where the amount sought to be recovered or the value of the property does not exceed \$15,000. The New York City Civil Court has civil jurisdiction over actions and proceedings where the amount sought to be recovered or the value of the property does not exceed \$25,000. The New York City Criminal Court has jurisdiction over all misdemeanor offenses committed within the City of New York.

Pursuant to Article 18 of the New York City Civil Court Act, the Uniform District Court Act and the Uniform City Court Act, these courts have established specialized parts for the determination of small claims. A small claims action is statutorily defined as a civil cause of action in which the damages sought do not exceed \$5,000.

These courts also have specialized parts for the hearing of commercial small claims. These commercial small claims parts, which have the same monetary jurisdiction as the traditional small claims parts, have jurisdiction over actions brought by corporations, partnerships or associations. They became operational in city courts outside of the City of New York and in the district courts on January 1, 1989, and in the New York City Civil Court on January 1, 1991.

The City and District Courts Program also includes the Alternative Dispute Resolution by Arbitration Program. The Arbitration Program, which is governed by Rule 3405 of the Civil Practice Law and Rules and Part 28 of the Rules of the Chief Judge, was established to reduce case backlogs in civil parts. Pursuant to Rule 3405, all civil actions filed in a county where the Arbitration Program is operational and in which the monetary damages sought are \$6,000 or less, or \$10,000 or less in the New York City Civil Court, are to be heard and decided by an arbitrator. The Rules of the Chief Judge authorize the use of Judicial Hearing Officers as arbitrators. Parties may contest an arbitrator's decision by paying the costs of arbitration and applying for a trial de novo in the court in which the underlying action was filed. The Arbitration Program operates in 31 counties.

City and district courts participate in the Judiciary's Integrated Domestic Violence (IDV) initiative, in which victims of domestic violence, who typically have proceedings in multiple court types, can litigate all matters before one judge. IDV courts are operating in every district outside of New York City and in each borough of New York City.

The total workload for the City and District Courts Program consists of criminal filings (arrest and summons cases for the New York City Criminal Court), motor vehicle filings and landlord and tenant filings (for courts outside of the City of New York), civil filings, small claims filings and commercial claims filings. In 2009, these filings totaled 2,620,619. Dispositions in these courts totaled 2,247,392. A total of 960,262 cases were filed in the civil parts of the city and district courts; 1,191,095 were filed in the criminal parts, and 469,262 uniform traffic tickets were filed. Dispositions totaled 732,461 for the civil parts and 1,064,270 for the criminal parts while there were 450,661 uniform traffic ticket dispositions. Arbitration Program intake for 2009 was 17,128. Arbitration dispositions totaled 18,897.

In the New York City Criminal Court, which accounts for more than half of all the calendared criminal case intake in this program (excluding summonses and motor vehicle tickets for infractions), arrest case filings in 2009 totaled 370,420; the number of summons cases filed totaled 517,761. Dispositions in the New York City Criminal Court in 2009 totaled 381,723 for arrest cases and 392,660 for summons cases.

The New York City Civil Court handles over two-thirds of the total civil filings in this program (excluding housing matters) with an intake of 601,733 civil matters in 2009. Dispositions in the New York City Civil court in 2009 totaled 391,940.

The workload of criminal and civil cases in the city courts outside of the City of New York totaled 1,130,705 filings and 1,081,069 dispositions in 2009. These totals include the 469,262 motor vehicle filings and 450,661 ticket dispositions.

Efficiencies should result in the processing of criminal matters as a result of chapter 179 of the Laws of 2010. This law drops the requirement for a probation report in misdemeanor cases with a sentence of a term of imprisonment of 180 days or less. Previously, a report was required for all sentences in excess of 90 days. This amendment should eliminate the delay and expense associated with pre-sentence investigations in many misdemeanor cases with short sentences.

On the civil side, chapter 65 of the Laws of 2010 expands the jurisdiction of city and district courts to include declaratory judgments in actions between attorneys and their clients following arbitration awards in the fee dispute resolution program. Currently, the parties must seek such relief in Supreme Court. Effective January 1, 2011, city and district courts are authorized to handle such cases, reducing the inconvenience and expense associated with a change of venue.

Two laws affecting the City and District Courts Program enacted in 2005 have benefitted both the courts and the public. Chapter 457 of the Laws of 2005 significantly expanded the matters for which the city and district courts may accept credit card payments. Previously, credit card payments could only be used for certain fees, fines and surcharges, primarily related to criminal cases. This law allows the Unified Court System to expand credit card acceptance for the payment of civil, administrative and surrogate fees and for fines of all types. The option to pay by credit card has become increasingly popular, affording convenience to court users and increasing court efficiency.

A second statutory change, enacted in chapter 337 of the Laws of 2005, allows city and district courts outside New York City the same jurisdiction that New York City Civil Court has in enforcing compliance with community housing codes. This change allows parties in landlord-tenant disputes to resolve issues without going to several courts and has helped the courts in preserving and protecting housing stock.

Chapter 452 of the Laws of 2005 has greatly increased the workload of the City and District Courts Program. A civil case must now commence with a filing in the court rather than the service of a summons

or notice of petition by one party to the other. Prior to the passage of this legislation, many cases were initiated with the service of a summons without a formal filing in the court. This law also requires that proof of service of a summons or notice of petition be filed after the initial filing. In the past, proof of service often occurred simultaneously with the initial filing. As a result, many more cases are being filed in the civil courts statewide.

Civil caseload has increased dramatically in recent years; in the past ten years, civil filings increased by 153% statewide and 170% in New York City Civil Court. No-fault insurance claims are a major contributor to this growth. These cases are generated from changes in the State Insurance Law requiring insurance carriers to pay or deny a claim submitted by a medical provider on services rendered to patients within 30 days. Each visit and service rendered, not paid or denied within 30 days, can result in an additional claim by a medical provider against the insurance company. The growth of no-fault cases is most evident in the New York City Civil Court, which receives over 200,000 of these filings a year. Another major contributor to rising civil caseload is consumer credit cases, which tend to increase when the economy is struggling.

Despite the dramatic increase in filings, there have been no new resources for city and district courts in recent years. These courts have reallocated existing resources as best they can to address the most pressing needs.

New York City Civil Court

The New York City Civil Court operates in the five boroughs of New York City. Its jurisdiction extends to civil actions and proceedings not in excess of \$25,000. Pursuant to CPLR 325 (d), cases may be transferred from the Supreme Court to the Civil Court for adjudication by Civil Court judges. To accommodate the varied nature of the disputes which come before it, Civil Court is organized into the following subdivisions:

Small Claims Parts - for processing claims for money up to \$5,000. Commercial Small Claims Parts are reserved for claims brought by corporations, partnerships or associations.

Alternate Dispute Resolution by Arbitration - for claims up to \$10,000. The Arbitration Program is operational in New York County for all qualified cases, and in Kings County for Commercial Claims and Housing cases only.

General Civil Claims - for money and/or property disputes up to \$25,000, with unlimited jurisdiction over counterclaims. It is here that the transfer of cases from Supreme Court occurs. The majority of these cases relate to consumer credit debt. These matters are presided over by Civil Court judges.

The 2009 workload statistics for the Civil Court are as follows: new summonses filed, 563,177; small claims filings, 28,693; and commercial claims filings, 9,863. Civil dispositions were 347,542; small claims dispositions were 33,152; and commercial claims dispositions totaled 11,246. Workload has almost tripled since 1999; to assist in managing this voluminous caseload, additional staffing was provided in 2006 and in 2009 through relaxation of hiring controls. The 2011-12 request continues the use of judicial hearing officers and back-office overtime to keep pace with the workload in the most cost effective manner.

The most dramatic workload increase in city and district courts has occurred in NYC Civil Court due to the growth in no-fault insurance claims, and consumer credit debt cases which have multiplied due to the state of the economy. In 2009, there were over 200,000 no-fault filings and almost 250,000 consumer credit debt filings. Several contracts funded by the Unified Court System's Access to Justice Program are providing training and oversight of volunteer lawyers who assist litigants in consumer credit cases.

The court continually creates new initiatives designed to streamline case management and processing. In an effort to deal with the influx of no-fault cases, the New York City Civil Court has taken steps to improve the processing, including:

No-fault Motion Parts created in all five boroughs to deal with the great number of motions filed in these cases.

Preliminary Conferences All no-fault cases filed in New York County must be noticed for a preliminary conference within 45 days of joinder of issue.

The Civil Court has made a special effort to enhance public access in small claims court. Court users citywide now have the option of filing small claims cases electronically through a private vendor. The vendor's program screens for improper filings, thus increasing processing efficiency once the documents are delivered to the court. Also, the vast majority of small claims cases are resolved through volunteer arbitrators trained by the court. During the past decade, the volunteer arbitrator pool has increased from 1,200 to 2,500.

New York City Criminal Court

The New York City Criminal Court has general jurisdiction over all violations, infractions and misdemeanor offenses committed within the five counties of the City of New York. In addition, the court handles pre-indictment processing in felony matters, making the Criminal Court the starting point for the prosecution of nearly all crimes committed in the city. Caseload activity in this court exceeds that of any other court in the State. During 2009, 370,420 arrest cases and 517,761 summonses were filed in this court.

Summonses constitute almost 60% of the caseload in Criminal Court. The Summons Automation System allows the court to track all summonses until final disposition. This citywide system enables the court to calendar every summons issued and order warrants for all defendants who fail to appear. In 2002, the court began sending notices of dismissal for summonses which are legally insufficient, making the calendar more efficient. Since 2005, pleas and payments of fines by mail have been allowed for the charge of public consumption of alcohol, but many defendants have not been aware of this option because the instructions are not included on the summons form itself. In an effort to produce a significant increase in pleas-by-mail, the court designed a new summons form which incorporates both the plea-by-mail instructions and plea form on the defendant's copy of the summons. The new form, which adds another eligible charge, is being pilot tested in Queens County and is expected to be in use citywide before the end of calendar year 2011. Pleas-by-mail in Queens County have increased 61% since 2005 while summons trials have dropped 90% in the same time period. Citywide use of the new form should yield similar positive results in the other four counties.

Alternative sentencing options such as community service, treatment readiness programs, drug treatment, social services, and counseling are used frequently for lower level offenses. In order to monitor whether defendants have complied with these alternative sentences, the Criminal Court has court parts in New York and Queens Counties equipped with reliable monitoring systems to properly track and ensure compliance with court orders.

An arraignment hearing marks the first time that a criminal defendant appears in court. New York City Criminal Court operates 24-hour arraignment parts seven days a week in all five boroughs. New York City Criminal Court judges conducted 375,837 arraignments in 2009 with 5,059 arraignment sessions (the number of judge days devoted to arraignments). The Court has instituted staggered work schedules to use staff most efficiently between the day and night arraignment sessions.

The Criminal Court plays a critical role in responding to domestic violence in New York City. Increased public awareness, strict law enforcement and increased communication among courts have resulted in improvements in the processing of cases. The Criminal Court has established specialized domestic violence parts in each county along with dedicated parts in every county except Richmond which monitors offenders' compliance with court orders. A web-based domestic violence registry system is now in use in Domestic Violence parts and an Arraignment part in Kings County. This system generates electronic orders of protection on which judge and defendant signatures are applied via electronic signature pads. Using electronic signatures allows the orders of protection to be transmitted immediately to both the Unified Court System's Domestic Violence Registry and the New York Statewide Police Information Network. This system expedites justice, increases the safety of domestic violence victims and enhances the ability to enforce orders of protection. Plans are underway to expand the use of this system to other court parts.

IDV courts reduce the complexity of the legal process for domestic violence victims. IDV courts are operating in all five boroughs. These courts have jurisdiction over all issues related to a criminal domestic violence case, as well as custody and visitation, child support, divorce and other family matters. Staff are available to make referrals for services, as well as to ensure the courts have comprehensive information regarding these matters.

In addition, the court system has reorganized the courts of criminal jurisdiction in Bronx County to address persistent case backlogs and a continued lengthening of time for case resolution. The two criminal tribunals in Bronx County—Criminal Court and Supreme Court, Criminal Term—operated separately until late 2004, creating a rigid divide between the processing of felonies and misdemeanors, which did not allow for the most flexible allocation of resources. The creation of the Bronx Criminal Term streamlined the administration of these courts, empowering judges in the combined term to adjudicate both felony and misdemeanor cases and allowing nonjudicial staff to be more efficiently and effectively deployed.

Various initiatives have been implemented to increase the quality and efficiency of the delivery of justice in New York City Criminal Courts. These initiatives include:

Video Hospital Arraignment This pilot project allows hospitalized defendants awaiting arraignment to appear before a judge by video conference. The program is operating in Manhattan and Queens and a pilot program has begun in Kings.

Comprehensive Screening Comprehensive screening, which ensures that all defendants eligible to participate in a drug court are given the opportunity within a couple of days of their arrest, is operating in every borough but Richmond.

Summary of 2011-12 Funding Request:

City and District Courts

2011-12 Budget Request: \$230,283,636

<i>Personal Service:</i>	219,830,055
<i>Nonpersonal Service:</i>	10,453,581
<i>Maintenance Undistributed:</i>	0

The 2011-12 request of \$230,283,636 reflects a decrease of \$2,655,524 from the current adjusted appropriation. This change is comprised of decreases of \$2,554,729 (-1.1%) in personal service and of \$100,795 (-1%) in nonpersonal service.

The New York City Civil Court budget constitutes 26% of the City and District Courts Program budget. The budget includes \$57,016,106 for personal service and \$2,338,900 for nonpersonal service and represents an overall decrease of \$202,419 (-0.3%) from the current adjusted appropriation.

The New York City Criminal Court budget constitutes 31% of the City and District Program budget. The budget includes \$67,792,611 for personal service and \$2,606,550 for nonpersonal service and represents a decrease of \$556,933 (-0.8%) from the current adjusted appropriation.

The personal service funding request supports existing judicial and nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

A temporary service request of \$393,892 is included to provide funding for temporary judicial help (232,700) and staff to assist with case processing and temporary staffing shortfalls (161,192). The overtime recommendation is \$5,444,401.

The City and District Courts Program budget includes \$1,945,344 for per diem interpreters. The request reflects an expenditure-based increase (58,792) over the current year appropriation. The budget also includes \$1,499,500 for the Judicial Hearing Officer (JHO) Program with the largest increases in New York City Civil Court (62,000) and the 5th Judicial District (19,000).

The requested nonpersonal service budget includes an expenditure-based decrease (-82,740) in per diem court reporters. The most significant decreases have occurred in the 8th Judicial District (-41,840) and in the 9th Judicial District (-26,000).

The nonpersonal service budget also includes expenditure-based decreases in printing (-72,211) and telephones (-81,207). The printing decrease is most dramatic in New York City Criminal Court because the cost of printing summons forms is no longer borne by the Court. The telephone decrease is concentrated in New York City and the 9th Judicial District. Significant expenditure-based increases appear in EDP Supplies (51,862), the largest share of which is in New York City; and in accounting and auditing services (29,275), as the use of credit cards to pay fees and fines continues to grow in almost every district and in New York City Criminal Court.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	216,415,886	213,991,762	(2,424,124)
PS Overtime	5,318,558	5,444,401	125,843
PS Temporary	650,340	393,892	(256,448)
Total Personal Service	<u>222,384,784</u>	<u>219,830,055</u>	<u>(2,554,729)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	127,087	118,409	(8,678)
Travel	373,976	347,087	(26,889)
Prof Services Other	1,047,049	1,035,087	(11,962)
Legal Services	552,670	563,343	10,673
In-Part Services	2,086,132	2,062,184	(23,948)
JHO's	1,442,300	1,499,500	57,200
Transcripts	244,959	242,475	(2,484)
Other NPS	4,680,203	4,585,496	(94,707)
Total Nonpersonal Service	<u>10,554,376</u>	<u>10,453,581</u>	<u>(100,795)</u>
Grand Total	232,939,160	230,283,636	(2,655,524)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	216,415,886	213,991,762	(2,424,124)
PS Overtime	5,318,558	5,444,401	125,843
PS Temporary	650,340	393,892	(256,448)
Total Personal Service	<u>222,384,784</u>	<u>219,830,055</u>	<u>(2,554,729)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	127,087	118,409	(8,678)
Travel	373,976	347,087	(26,889)
Prof Services Other	1,047,049	1,035,087	(11,962)
Legal Services	552,670	563,343	10,673
In-Part Services	2,086,132	2,062,184	(23,948)
JHO's	1,442,300	1,499,500	57,200
Transcripts	244,959	242,475	(2,484)
Other NPS	4,680,203	4,585,496	(94,707)
Total Nonpersonal Service	<u>10,554,376</u>	<u>10,453,581</u>	<u>(100,795)</u>
Grand Total	232,939,160	230,283,636	(2,655,524)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
NEW YORK CITY
NYC CIVIL COURT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	56,493,627	56,171,106	(322,521)
PS Overtime	787,100	845,000	57,900
PS Temporary	48,026	0	(48,026)
Total Personal Service	<u>57,328,753</u>	<u>57,016,106</u>	<u>(312,647)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	27,000	25,000	(2,000)
Travel	72,359	67,000	(5,359)
Prof Services Other	49,773	49,700	(73)
In-Part Services	475,000	475,000	0
JHO's	558,000	620,000	62,000
Transcripts	25,000	33,000	8,000
Other NPS	1,069,566	1,069,200	(366)
Total Nonpersonal Service	<u>2,276,698</u>	<u>2,338,900</u>	<u>62,202</u>
Grand Total	59,605,451	59,355,006	(250,445)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
NEW YORK CITY
NYC CRIMINAL COURT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	64,488,721	64,016,411	(472,310)
PS Overtime	3,718,000	3,776,200	58,200
Total Personal Service	<u>68,206,721</u>	<u>67,792,611</u>	<u>(414,110)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	30,200	27,200	(3,000)
Travel	136,002	125,000	(11,002)
Prof Services Other	182,000	169,500	(12,500)
In-Part Services	660,000	660,000	0
JHO's	660,000	630,000	(30,000)
Transcripts	105,000	105,000	0
Other NPS	976,171	889,850	(86,321)
Total Nonpersonal Service	<u>2,749,373</u>	<u>2,606,550</u>	<u>(142,823)</u>
Grand Total	70,956,094	70,399,161	(556,933)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
THIRD DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	4,798,305	4,926,064	127,759
PS Overtime	3,600	1,050	(2,550)
PS Temporary	103,558	83,276	(20,282)
Total Personal Service	<u>4,905,463</u>	<u>5,010,390</u>	<u>104,927</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	3,380	3,360	(20)
Travel	9,200	12,150	2,950
Prof Services Other	47,900	48,700	800
Legal Services	55,169	58,625	3,456
In-Part Services	36,320	30,980	(5,340)
Transcripts	13,000	9,500	(3,500)
Other NPS	200,300	194,600	(5,700)
Total Nonpersonal Service	<u>365,269</u>	<u>357,915</u>	<u>(7,354)</u>
Grand Total	5,270,732	5,368,305	97,573

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
FOURTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	4,380,857	4,309,929	(70,928)
PS Overtime	4,800	6,400	1,600
PS Temporary	67,381	3,500	(63,881)
Total Personal Service	<u>4,453,038</u>	<u>4,319,829</u>	<u>(133,209)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	1,100	1,090	(10)
Travel	11,100	6,450	(4,650)
Prof Services Other	57,900	68,950	11,050
Legal Services	94,801	96,288	1,487
In-Part Services	55,190	51,800	(3,390)
Transcripts	3,660	1,300	(2,360)
Other NPS	171,250	162,750	(8,500)
Total Nonpersonal Service	<u>395,001</u>	<u>388,628</u>	<u>(6,373)</u>
Grand Total	4,848,039	4,708,457	(139,582)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
FIFTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	8,291,677	8,118,963	(172,714)
PS Overtime	6,000	7,700	1,700
PS Temporary	32,000	6,200	(25,800)
Total Personal Service	<u>8,329,677</u>	<u>8,132,863</u>	<u>(196,814)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,050	2,250	200
Travel	26,600	26,750	150
Prof Services Other	36,630	51,380	14,750
Legal Services	5,000	5,000	0
In-Part Services	92,500	95,325	2,825
JHO's	6,000	25,000	19,000
Transcripts	18,250	18,300	50
Other NPS	218,100	259,690	41,590
Total Nonpersonal Service	<u>405,130</u>	<u>483,695</u>	<u>78,565</u>
Grand Total	8,734,807	8,616,558	(118,249)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
SIXTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	4,280,225	4,097,936	(182,289)
PS Overtime	548	700	152
PS Temporary	36,754	42,120	5,366
Total Personal Service	<u>4,317,527</u>	<u>4,140,756</u>	<u>(176,771)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	1,296	1,309	13
Travel	10,000	8,840	(1,160)
Prof Services Other	44,750	27,350	(17,400)
Legal Services	1,700	1,700	0
In-Part Services	6,100	6,100	0
JHO's	6,600	9,000	2,400
Transcripts	850	1,000	150
Other NPS	173,054	165,639	(7,415)
Total Nonpersonal Service	<u>244,350</u>	<u>220,938</u>	<u>(23,412)</u>
Grand Total	4,561,877	4,361,694	(200,183)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
SEVENTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	7,614,982	7,270,230	(344,752)
PS Overtime	57,700	57,700	0
PS Temporary	25,000	35,000	10,000
Total Personal Service	<u>7,697,682</u>	<u>7,362,930</u>	<u>(334,752)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	3,831	4,100	269
Travel	12,000	9,000	(3,000)
Prof Services Other	79,120	71,940	(7,180)
Legal Services	25,000	30,000	5,000
In-Part Services	56,000	68,100	12,100
JHO's	30,000	26,000	(4,000)
Transcripts	5,150	1,000	(4,150)
Other NPS	207,764	205,960	(1,804)
Total Nonpersonal Service	<u>418,865</u>	<u>416,100</u>	<u>(2,765)</u>
Grand Total	8,116,547	7,779,030	(337,517)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
EIGHTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	13,038,496	12,942,604	(95,892)
PS Overtime	43,400	45,050	1,650
PS Temporary	226,225	132,000	(94,225)
Total Personal Service	<u>13,308,121</u>	<u>13,119,654</u>	<u>(188,467)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	9,625	9,825	200
Travel	53,400	41,400	(12,000)
Prof Services Other	59,725	47,450	(12,275)
Legal Services	43,500	46,600	3,100
In-Part Services	141,800	131,660	(10,140)
JHO's	30,000	42,000	12,000
Transcripts	10,650	12,100	1,450
Other NPS	375,225	393,400	18,175
Total Nonpersonal Service	<u>723,925</u>	<u>724,435</u>	<u>510</u>
Grand Total	14,032,046	13,844,089	(187,957)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
NINTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	14,756,875	14,596,102	(160,773)
PS Overtime	19,900	17,690	(2,210)
PS Temporary	102,275	86,364	(15,911)
Total Personal Service	<u>14,879,050</u>	<u>14,700,156</u>	<u>(178,894)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	17,020	17,630	610
Travel	18,000	25,000	7,000
Prof Services Other	175,000	185,000	10,000
Legal Services	5,000	10,200	5,200
In-Part Services	189,000	178,000	(11,000)
Transcripts	7,923	7,923	0
Other NPS	415,000	375,630	(39,370)
Total Nonpersonal Service	<u>826,943</u>	<u>799,383</u>	<u>(27,560)</u>
Grand Total	15,705,993	15,499,539	(206,454)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
NASSAU COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	19,428,904	18,841,223	(587,681)
PS Overtime	301,481	301,481	0
PS Temporary	9,121	5,432	(3,689)
Total Personal Service	<u>19,739,506</u>	<u>19,148,136</u>	<u>(591,370)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	8,940	4,000	(4,940)
Travel	18,446	6,777	(11,669)
Prof Services Other	180,152	181,702	1,550
Legal Services	202,500	204,750	2,250
In-Part Services	235,022	232,769	(2,253)
JHO's	12,900	1,500	(11,400)
Transcripts	45,476	43,352	(2,124)
Other NPS	482,958	494,779	11,821
Total Nonpersonal Service	<u>1,186,394</u>	<u>1,169,629</u>	<u>(16,765)</u>
Grand Total	20,925,900	20,317,765	(608,135)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
SUFFOLK COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	18,823,527	18,701,194	(122,333)
PS Overtime	376,029	385,430	9,401
Total Personal Service	<u>19,199,556</u>	<u>19,086,624</u>	<u>(112,932)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	22,645	22,645	0
Travel	6,869	18,720	11,851
Prof Services Other	134,099	133,415	(684)
Legal Services	120,000	110,180	(9,820)
In-Part Services	139,200	132,450	(6,750)
JHO's	138,800	146,000	7,200
Transcripts	10,000	10,000	0
Other NPS	390,815	373,998	(16,817)
Total Nonpersonal Service	<u>962,428</u>	<u>947,408</u>	<u>(15,020)</u>
Grand Total	20,161,984	20,034,032	(127,952)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CITY & DIST INC ARBITRATION
MAINTENANCE UNDISTRIBUTED

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	19,690	0	(19,690)
Total Personal Service	<u>19,690</u>	<u>0</u>	<u>(19,690)</u>
Grand Total	19,690	0	(19,690)

**New York City
Civil Court
Workload & Staffing**

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Civil Cases*	597,133	618,512	563,177	-8.9
Small Claims	28,591	27,961	28,693	2.6
Commercial Claims	8,250	8,796	9,863	12.1
Total	633,974	655,269	601,733	-8.2

*Excludes Landlord and Tenant (L & T) filings.

March 31, 2012 Schedule of Positions

Locality	Judicial	Nonjudicial	Total
NYC Civil Court	120	510	630

**New York City
Criminal Court
Workload & Staffing**

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Arrest Cases	357,025	357,480	370,420	3.6
Summons Cases	505,665	511,999	517,761	1.1
Total	862,690	869,479	888,181	2.2

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
NYC Criminal Court	107	691	798

Third Judicial District City & District Courts

Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Civil	11,915	12,770	10,618	-16.9
Landlord & Tenant	8,805	8,581	9,009	5.0
Small Claims	1,775	1,762	1,694	-3.9
Commercial Claims	566	705	680	-3.5
Criminal	18,572	17,702	17,860	0.9
DMV	54,131	52,145	49,751	-4.6
Total	95,764	93,665	89,612	-4.3
Arbitration*	82	128	11	-91.4

*Shown here for reference only and not included in totals. Included as intake in the civil cases listed above.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Albany	5	34	39
Cohoes	2	4	6
Hudson	2	3	5
Kingston	2	8	10
Rensselaer	2	3	5
Troy	2	14	16
Watervliet	2	3	5
District-Wide City Courts	0	1	1
Total	17	70	87

Fourth Judicial District City & District Courts Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Civil	13,340	15,218	12,375	-18.7
Landlord & Tenant	3,592	3,905	3,468	-11.2
Small Claims	1,912	1,995	1,882	-5.7
Commercial Claims	697	816	784	-3.9
Criminal	14,250	14,181	14,218	0.3
DMV	28,118	25,251	26,964	6.8
Total	61,909	61,366	59,691	-2.7
Arbitration*	8	7	4	-42.9

*Shown here for reference only and not included in totals. Included as intake in the civil cases listed above.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Amsterdam	2	4	6
Glens Falls	2	6	8
Gloversville	2	5	7
Johnstown	2	3	5
Mechanicville	2	2	4
Ogdensburg	2	4	6
Plattsburgh	2	7	9
Saratoga	2	9	11
Schenectady	3	18	21
Total	19	58	77

Fifth Judicial District City & District Courts Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Civil	24,080	25,667	22,435	-12.6
Landlord & Tenant	8,563	8,194	7,932	-3.2
Small Claims	2,433	2,309	2,448	6.0
Commercial Claims	647	581	648	11.5
Criminal	32,775	34,292	34,811	1.5
DMV	65,584	70,596	81,836	15.9
Total	134,082	141,639	150,110	6.0
Arbitration*	50	35	60	71.4

*Shown here for reference only and not included in totals. Included as intake in the civil cases listed above.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Fulton	2	5	7
Little Falls	2	2	4
Oswego	2	6	8
Rome	2	9	11
Sherrill	1	1	2
Syracuse	8	59	67
Utica	3	22	25
Watertown	2	6	8
Total	22	110	132

Sixth Judicial District City & District Courts Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Civil	11,081	12,070	10,137	-16.0
Landlord & Tenant	3,134	3,127	3,196	2.2
Small Claims	1,572	1,566	1,634	4.3
Commercial Claims	684	673	676	0.4
Criminal	16,658	17,529	16,845	-3.9
DMV	21,281	24,306	23,703	-2.5
Total	54,410	59,271	56,191	-5.2
Arbitration*	17	4	0	-100.0

*Shown here for reference only and not included in totals. Included as intake in the civil cases listed above.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Binghamton	3	17	20
Cortland	2	7	9
Elmira	2	11	13
Ithaca	2	10	12
Norwich	2	3	5
Oneida	2	4	6
Oneonta	2	4	6
Total	15	56	71

Seventh Judicial District City & District Courts Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Civil	21,885	24,269	20,939	-13.7
Landlord & Tenant	8,651	8,716	8,213	-5.8
Small Claims	3,087	3,165	2,991	-5.5
Commercial Claims	671	615	672	9.3
Criminal	22,126	25,054	24,570	-1.9
DMV	20,867	23,752	22,075	-7.1
Total	77,287	85,571	79,460	-7.1
Arbitration*	2,719	2,486	2,528	1.7

*Shown here for reference only and not included in totals. Included as intake in the civil cases listed above.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Auburn	2	7	9
Canandaigua	2	6	8
Corning	2	4	6
Geneva	3	4	7
Hornell	2	3	5
Rochester	9	71	80
7 th Dist. Arb.	0	1	1
Total	20	96	116

Eighth Judicial District City & District Courts Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Civil	35,816	40,371	34,406	-14.8
Landlord & Tenant	11,185	11,841	10,715	-9.5
Small Claims	5,109	4,893	4,948	1.1
Commercial Claims	1,762	1,700	1,701	0.1
Criminal	39,912	42,087	42,050	-0.1
DMV	45,662	43,387	44,395	2.3
Total	139,446	144,279	138,215	-4.2
Arbitration*	130	91	344	278.0

*Shown here for reference only and not included in totals. Included as intake in the civil cases listed above.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Batavia	2	5	7
Buffalo	13	87	100
Dunkirk	2	4	6
Jamestown	2	9	11
Lackawanna	2	8	10
Niagara Falls	4	24	28
N. Tonawanda	2	6	8
Olean	2	4	6
Lockport	2	8	10
Salamanca	2	3	5
Tonawanda	2	6	8
Total	35	164	199

Ninth Judicial District City & District Courts Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Civil	22,661	25,324	21,628	-14.6
Landlord & Tenant	16,303	17,001	16,472	-3.1
Small Claims	3,253	3,079	3,078	0.0
Commercial Claims	1,304	1,383	1,602	15.8
Criminal	46,050	48,720	44,653	-8.3
DMV	127,034	132,997	125,853	-5.4
Total	216,605	228,504	213,286	-6.7
Arbitration*	65	51	56	9.8

*Shown here for reference only and not included in totals. Included as intake in the civil cases listed above.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Beacon	2	8	10
Middletown	2	10	12
Mt. Vernon	4	20	24
Newburgh	2	17	19
New Rochelle	3	20	23
Peekskill	2	9	11
Port Jervis	2	4	6
Poughkeepsie	2	17	19
Rye	2	4	6
White Plains	4	23	27
Yonkers	6	55	61
Total	31	187	218

Nassau County City & District Courts Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Civil	48,629	49,232	51,133	3.9
Landlord & Tenant	7,102	7,834	7,863	0.4
Small Claims	4,819	5,044	4,791	-5.0
Commercial Claims	2,206	2,251	2,274	1.0
Criminal	40,898	41,639	41,177	-1.1
DMV	42,797	46,183	47,626	3.1
Total	146,451	152,183	154,864	1.8
Arbitration**	1,963	2,274	2,949	29.7

*Shown here for reference only and not included in totals. Included as intake in the civil cases listed above.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Nassau	26	208	234
Nassau Arb.	0	3	3
Glen Cove	2	6	8
Long Beach	2	14	16
Total	30	231	261

**Suffolk County
City & District Courts**
Workload & Staffing

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Civil	51,111	55,893	57,043	2.1
Landlord & Tenant	9,874	10,683	10,194	-4.6
Small Claims	5,710	5,893	5,365	-9.0
Commercial Claims	2,607	3,045	2,885	-5.3
Criminal	80,490	70,178	66,730	-4.9
DMV	64,297	50,789	47,059	-7.3
Total	214,089	196,481	189,276	-3.7
Arbitration*	13,695	11,814	11,176	-5.4

*Shown here for reference only and not included in totals. Included as intake in the civil cases listed above.

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Suffolk	24	227	251
Suffolk Arb.	0	2	2
TOTAL	24	229	253

**Maintenance Undistributed
City and District Courts**
Position Staffing

March 31, 2012 Schedule of Positions

	Nonjudicial
Undistributed	6

NEW YORK CITY HOUSING COURT

2011-12 Budget Request: \$33,855,048

The Housing Court, a division within the New York City Civil Court, operates in the five boroughs of New York City and hears and determines matters relating to nonpayment of rent, housing code violations and other proceedings related to real property located within the City of New York. The Housing Court handles only residential landlord and tenant cases; commercial landlord and tenant cases and actions of ejectment (for the recovery of real property) are handled on the civil side of the NYC Civil Court.

Prior to 1972, jurisdiction to enforce the various laws concerning compliance with housing standards and to entertain summary proceedings to recover possession of real property was split between the Civil and Criminal Courts of the City of New York. Pursuant to the provisions of chapter 982 of the Laws of 1972, the Legislature created the Housing Part of the Civil Court, consolidating the power to resolve all of the legal and factual questions relating to Housing Code enforcement and possession of leased premises into that court so as to establish a single forum capable of providing comprehensive relief efficiently and expeditiously. Fifty Housing Court Judges are hearing cases.

The New York City Housing Court has developed into one of the busiest courts in the State. In 2009, a total of 307,331 actions were filed in the Housing Court. There were 297,714 dispositions, which included, among other things, thousands of evictions of individuals and families. Through its power to enforce corrections of housing code violations, the Housing Court has a significant role in the preservation of New York City's stock of affordable housing.

In the Housing Court Mediation Program, cases involving unrepresented parties are referred to the Mediation Coordinator for screening and, if appropriate, assigned to a mediator. A majority of referred cases are settled, thereby freeing up the court calendar. This program is currently operating in Queens, Staten Island, Brooklyn and Manhattan.

The New York City Housing Court has taken numerous steps to assist litigants, many of whom are self-represented and unfamiliar with the legal process. These initiatives include Night Housing Court and educational video displays. Each county has extended office hours, and Brooklyn maintains evening courtroom hours. In all five boroughs, video monitors announce the sequence of cases to be presented and provide information essential to pro se litigants. In addition, there are six resource centers located within the courthouses to assist litigants by providing legal and procedural information about Housing Court, legal reference materials and information about relevant community resources.

Other initiatives to assist pro se litigants are operating under contract or in conjunction with New York City agencies. After a successful pilot program, the Court is operating the Volunteer Lawyer for a Day program under contract with the City University of New York (CUNY) School of Law. Volunteer attorneys, recruited and trained by the Court, represent pro se litigants in nonpayment of rent cases. CUNY staff mentor and supervise the volunteer attorneys and collaborate with court employees on screening and intake. This program is operating one day a week in Brooklyn and Manhattan. Volunteers have settled approximately 90 percent of the cases they have handled.

Joint efforts with New York City agencies are designed to assist special needs populations. The Homelessness Prevention Project operates in conjunction with the New York City Department of Homeless Services. At the answering stage of a proceeding, legal and social services are made available, without charge,

to individuals at risk of becoming homeless. Currently, this program is operating in the Bronx, Queens and Brooklyn.

The Senior Citizen Assigned Counsel Program, currently available in New York, Kings and Queens Counties, is a joint effort with the New York City Department for the Aging. Attorneys from legal service provider programs funded by the City of New York and social workers from the court and the Department for the Aging assist otherwise self-represented owners and tenants over the age of 60 with housing court cases. The program is going to expand to the Bronx and Staten Island during the next fiscal year.

The Guardian Ad Litem Program recruits, trains and supervises a pool of Guardians Ad Litem who are appointed by Housing Judges to advocate on behalf of mentally or physically impaired litigants facing eviction. Guardians representing litigants who are eligible for funding from Adult Protective Services receive a fee but otherwise serve as volunteers.

Summary of 2011-12 Funding Request:

New York City Housing Court

2011-12 Budget Request: \$33,855,048	
<i>Personal Service:</i>	32,561,348
<i>Nonpersonal Service:</i>	1,293,700
<i>Maintenance Undistributed:</i>	0

The 2011-12 request of \$33,855,048 is a decrease of \$158,612 (-0.5%) from the current adjusted appropriation. This change is comprised of a decrease in personal service funds of \$192,089 (-0.6%) and an increase in nonpersonal service funds of \$33,477 (2.7%).

The personal service funding request supports existing judicial and nonjudicial positions as well as salary increases for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request includes contractual funding of \$375,000 to provide information tables and Housing Part Assistants. Housing Part Assistants do not participate in the negotiations themselves, but accompany self-represented tenants and owners during hallway negotiations and settlement conferences to encourage them to present their claims and defenses. Funding of \$49,500 is also included in contractual services for assistance with the Volunteer Lawyer for a Day program.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

NYC HOUSING CT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	32,176,971	31,968,791	(208,180)
PS Overtime	477,200	449,500	(27,700)
PS Temporary	99,266	143,057	43,791
Total Personal Service	<u>32,753,437</u>	<u>32,561,348</u>	<u>(192,089)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	50,000	60,000	10,000
Travel	5,419	5,200	(219)
Prof Services Other	440,500	438,500	(2,000)
In-Part Services	80,000	85,000	5,000
Transcripts	20,000	32,000	12,000
Other NPS	664,304	673,000	8,696
Total Nonpersonal Service	<u>1,260,223</u>	<u>1,293,700</u>	<u>33,477</u>
Grand Total	34,013,660	33,855,048	(158,612)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

NYC HOUSING CT
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	32,176,971	31,968,791	(208,180)
PS Overtime	477,200	449,500	(27,700)
PS Temporary	99,266	143,057	43,791
Total Personal Service	<u>32,753,437</u>	<u>32,561,348</u>	<u>(192,089)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	50,000	60,000	10,000
Travel	5,419	5,200	(219)
Prof Services Other	440,500	438,500	(2,000)
In-Part Services	80,000	85,000	5,000
Transcripts	20,000	32,000	12,000
Other NPS	664,304	673,000	8,696
Total Nonpersonal Service	<u>1,260,223</u>	<u>1,293,700</u>	<u>33,477</u>
Grand Total	34,013,660	33,855,048	(158,612)

**New York City
Housing Court
Workload & Staffing**

3-Year Workload (Filings)

	2007	2008	2009	% Change 2009 vs 2008
Housing Court	306,360	303,407	307,331	1.3

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Housing Court	50	333	383

COMMUNITY COURTS PROGRAM

2011-12 Budget Request: \$5,987,935

Community Courts are aimed at breaking the cycle of persistent nonviolent crime through creative partnerships and problem-solving. Pervasive quality of life offenses can erode a neighborhood and create an atmosphere where law-abiding citizens feel unsafe. Community Courts make the connection between persistent low-level crimes and the safety and well-being of the community by taking quality of life offenses seriously and imposing sentences designed to restore the community and change future behavior.

The Midtown Community Court, the first of its kind in the country, opened in the fall of 1993 with a new approach toward combating and adjudicating quality of life crimes such as prostitution, shoplifting, illegal vending, graffiti, turnstile jumping and vandalism that occur in the neighborhoods surrounding the court. The court sentences low-level offenders to pay back the neighborhood through community service while at the same time offering them help with problems that often underlie the criminal behavior. Residents, businesses and social service agencies work with the court by supervising community service projects and providing on-site social services, including drug treatment, mental health services and job training. In 1999, the court began to hear small claims cases as well. Alternative dispute resolution services are also available. In 2008, the court created alternatives-to-prostitution programs in concert with the Manhattan District Attorney's Office and the Legal Aid Society of New York City.

Midtown Community Court recently expanded its catchment area to include a new police precinct on the Upper West Side of Manhattan. It added two programs: a psycho-educational group to motivate homeless offenders to find permanent housing and an initiative to vacate homeless offenders' old warrants in exchange for the completion of social service programs such as substance abuse detox and psychiatric evaluations.

Building on the success of the community court concept, the Unified Court System opened the nation's first multi-jurisdictional community-based court at the Red Hook Community Justice Center in Brooklyn in June 2000. The Justice Center seeks to address neighborhood problems such as drug abuse, domestic violence and landlord-tenant disputes by integrating the functions of a court with treatment and preventive services typically found in a community center.

At Red Hook, a single judge hears neighborhood cases that would ordinarily go to three different courts—civil, family and criminal—in order to offer a coordinated approach to dealing with people's problems. The Red Hook judge has an array of sanctions and services at his disposal, including community restitution projects, on-site job training, drug treatment and mental health counseling—all of which are rigorously monitored to ensure accountability. The Justice Center houses a variety of these services on-site and makes them available to the entire Red Hook community. The Red Hook Justice Center also offers mediation services, a Youth Court where teenagers resolve actual cases involving their peers, and the Red Hook Public Safety Corps which provides 50 local residents with full-time community service jobs each year.

The Harlem Community Justice Center, a neighborhood-based court offering a coordinated response to youth crime, housing disputes and drug problems, opened in May 2001. The Justice Center features a Youth Court, Housing Court, Juvenile Intervention Court, Parole Re-entry Court and a Juvenile Re-entry Network.

The Youth Court addresses youth crime where it starts—in minor violations such as skipping school, stealing from neighborhood stores or vandalizing local property. Youth programs available at the Justice Center include parent-teen mediation, family counseling, mentoring, leadership development and career training.

The goal of Youth Court is to encourage young people to take responsibility for their actions and to acknowledge how their behavior undermines the local quality of life.

Housing Court matters include nonpayment, nuisance complaints and the failure to make necessary building repairs. The court seeks increased compliance with court orders by making services such as mediation, entitlement assistance, building maintenance classes and loan assistance programs available at the courthouse. A unique computer system provides the judge with information about building code violations, inspections and compliance with court orders. In addition, an on-site Housing Resource Center assists unrepresented litigants and educates the community about the obligations of both tenants and landlords.

The Juvenile Intervention Court is a Family Court which concentrates on youths who have been arrested for nonviolent drug-related offenses or who are at risk of substance abuse. The goal is to intervene before there is entrenched abusing behavior.

The Parole Re-entry Court and Juvenile Re-entry Network are designed to help adult parolees and juveniles returning from state placement to make the transition back to the community. Parolees are linked to drug treatment and job opportunities and must appear before a judge on a regular basis regarding compliance with treatment and parole conditions. On a bi-monthly basis, juveniles appear before a hearing officer to check on their progress in meeting behavioral and program goals. In 2009, the Harlem Community Justice Center received outside funding to institute a Juvenile Gang Task Force, which will assess the extent of gang presence and influence in East Harlem and Central Harlem.

A different type of community court, Bronx Community Solutions, began operations in January 2005. Rather than focusing on a limited geographic coverage area, this initiative applies the community court approach to all nonviolent misdemeanor cases in a very stressed, large urban court—Bronx Criminal Court. After only nine months of operation, the US Department of Justice named Bronx Community Solutions one of ten winners in a national competition for innovative criminal justice projects.

As in other community courts, this new initiative uses judicial authority to address neighborhood problems, change the behavior of offenders, and reduce crime. When an eligible case is called in Bronx Criminal Court, the defendant has a choice between pleading guilty and entering Bronx Community Solutions or rejecting the plea offer and proceeding through the traditional course of case disposition. The judge clearly spells out the community service and social service components to those who select the community court option.

In 2008, Bronx Community Solutions initiated two new programs: one targeted at defendants charged with driving while intoxicated and another to offer mental health assessments and services to participants. Research indicates that this community court has dramatically reduced the use of jail at arraignments and raised the rate of compliance with alternative sanctions.

A new community court in the Brownsville section of Brooklyn is in the planning stages. It will be situated in rental space until a permanent location is chosen some time in the next fiscal year. Two youth programs, a Truancy Court and a Youth Court, will operate until the community court officially opens. The Truancy Court, modeled after similar programs in the community courts in Red Hook and Harlem, will be located in a local middle school and provide support and accountability measures to truant students and their families. The Youth Court will train local teenagers to serve as jurors, judges and advocates, handling their peers' real-life cases. These cases will be referred by local police precincts, schools or members of the community. Like the Truancy Court, individuals whose cases come before the Youth Court will be held accountable for their actions and offered help to avoid future contact with the law.

Summary of 2011-12 Funding Request:
Community Courts

2011-12 Budget Request:	\$5,987,935
<i>Personal Service:</i>	2,711,655
<i>Nonpersonal Service:</i>	3,276,280
<i>Maintenance Undistributed:</i>	0

The 2011-12 request of \$5,987,935 is an increase of \$327,448 (5.8%) over the current adjusted appropriation. This change is comprised of increases in personal service funds of \$8,452 (0.3%) and in nonpersonal service funds of \$318,996 (10.8%).

The personal service funding request supports existing nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request will support ongoing operations at the Midtown Community Court, the Red Hook Community Justice Center and the Harlem Community Justice Center. Funding for Bronx Community Solutions and a new venture in the Brownsville section of Brooklyn is also included.

The majority of nonpersonal service funding is reflected in the \$3,095,985 other services request which will pay for contractual services provided by the Fund for the City of New York, including project coordination and administration. Contractual services for the Midtown Community Court (\$603,433) include community sentencing, compliance monitoring, and research and analysis. Contractual services for the Red Hook Community Justice Center (\$868,182) include community sentencing, social service evaluations and treatment referrals, mediation services, technological support, and a child care drop off center. Other general services (\$501,670) for the Harlem Community Justice Center include mediation services, social service evaluations and referrals, Resource Center services, and technological support. Funding of \$795,864 will support management of community sentencing and resource coordination for Bronx Community Solutions. Start-up funding for contractual services in the new community court in Brownsville (\$326,836) covers a Truancy Court and a Youth Court while planning continues for a full-fledged community court.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

NYC COMMUNITY COURTS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,378,505	2,509,055	130,550
PS Overtime	230,600	202,600	(28,000)
PS Temporary	94,098	0	(94,098)
Total Personal Service	<u>2,703,203</u>	<u>2,711,655</u>	<u>8,452</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	300	300	0
Travel	196	0	(196)
Prof Services Other	2,769,149	3,095,985	326,836
In-Part Services	74,400	60,000	(14,400)
Other NPS	113,239	119,995	6,756
Total Nonpersonal Service	<u>2,957,284</u>	<u>3,276,280</u>	<u>318,996</u>
Grand Total	5,660,487	5,987,935	327,448

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

NYC COMMUNITY COURTS
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,378,505	2,509,055	130,550
PS Overtime	230,600	202,600	(28,000)
PS Temporary	94,098	0	(94,098)
Total Personal Service	<u>2,703,203</u>	<u>2,711,655</u>	<u>8,452</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	300	300	0
Travel	196	0	(196)
Prof Services Other	2,769,149	3,095,985	326,836
In-Part Services	74,400	60,000	(14,400)
Other NPS	113,239	119,995	6,756
Total Nonpersonal Service	<u>2,957,284</u>	<u>3,276,280</u>	<u>318,996</u>
Grand Total	5,660,487	5,987,935	327,448

Community Courts Position Staffing

March 31, 2012 Schedule of Positions

<u>Locality</u>	Nonjudicial
Midtown	7
Red Hook	11
Harlem Community Justice Center	12
Total	30

DRUG TREATMENT COURTS

2011-12 Budget Request: \$18,008,339

This program provides funding for the operation of Drug Treatment Courts throughout the State. Each drug court is locally based and reflects the culture of the community. Drug courts provide nonviolent drug offenders the opportunity to participate in rehabilitation programs as an alternative to incarceration in order to break the unproductive cycle of repeated drug abuse and arrest.

Drug courts are located in both criminal and family courts; in family treatment courts, adults involved in child abuse and neglect proceedings can benefit from treatment with a goal of successful reunion with their children. In addition, juvenile treatment courts are being established in the family courts to offer treatment services to young offenders.

Currently, there are 10,278 open cases in drug treatment courts statewide and 865 open cases in the Family Treatment and Juvenile Courts. Approximately 24,600 persons have successfully completed their mandatory courses of treatment and have "graduated" from the Drug Court Program since its inception. Approximately 2,060 participants graduated in the past year alone.

A new drug court initiative, Judicial Diversion, was established in October 2009 as part of the Drug Treatment Court Program to meet the increased treatment demands brought about by the Rockefeller Drug Law Reforms (chapter 56, Laws of 2009). Persons convicted of several types of drug offenses who would previously have received only prison sentences, now may be given other sentencing options, including entering drug treatment, at the trial judge's discretion.

The new cases are being managed within the existing criminal drug court system, with 43 additional positions and other resources devoted to the defendants. Federal funds totaling \$5.2 million, the Unified Court System's (UCS) share of a grant for defendant supervision and treatment, will support this initiative.

Summary of 2011-12 Funding Request:

Drug Treatment Courts

2011-12 Budget Request: \$18,008,339	
<i>Personal Service:</i>	<i>16,280,514</i>
<i>Nonpersonal Service:</i>	<i>1,727,825</i>
<i>Maintenance Undistributed:</i>	<i>0</i>

The 2011-12 request of \$18,008,339 is a decrease of \$3,283,190 (-15.4%) from the current adjusted appropriation. This change consists of an increase in personal service of \$28,060 (0.2%) and a decrease in nonpersonal service of \$3,311,250 (-65.7%). This request will support 179 criminal, family and juvenile treatment courts currently in operation.

The personal service funding request supports existing nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request includes \$110,300 for other general services, a decrease of \$3,234,377 (-96.7%) from current allocations. Grant funding from federal special revenue funds and state special revenue funds were previously included in this program; however, in the 2011-12 request they are part of the Courts of Original Jurisdiction Maintenance Undistributed budget to allow the UCS to better managed its grant program.

Of the \$10.5 million in federal special revenue funds anticipated in 2011-12 to support multiple initiatives, \$4.3 million is expected for new rounds of drug court grants. The Federal Departments of Justice and Health and Human Services have provided approximately \$31 million in grants since 1995, and the success of the New York State program to date has resulted in an annual stream of federal awards. Grants from local government and nongovernmental sources have also supported drug courts in several jurisdictions.

State special revenue funds are expected to provide \$1.5 million to various projects. Of this total, \$750,000 is planned for the drug court program.

The chart below displays amounts allocated to Drug Treatment Courts in the current fiscal year. As noted above, only the General Fund amounts for 2011-12 are included in the Drug Treatment Courts program; the other funding sources are part of a larger request in the Courts of Original Jurisdiction Maintenance Undistributed program.

**Unified Court System
Drug Treatment Courts**

<u>Funding Source</u>	<u>2010-11 Total</u>	<u>2011-12 Total</u>	<u>Change</u>
General Fund	\$18,041,529	\$18,008,339	(\$33,190)
Federal Funds	2,500,000	4,300,000	1,800,000
State Special Revenue	<u>750,000</u>	<u>750,000</u>	<u>0</u>
Totals	\$21,291,529	\$23,058,339	\$1,766,810

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	15,979,981	15,780,843	(199,138)
PS Overtime	107,684	120,235	12,551
PS Temporary	164,789	379,436	214,647
Total Personal Service	<u>16,252,454</u>	<u>16,280,514</u>	<u>28,060</u>
<u>Nonpersonal Service</u>			
Travel	130,537	109,016	(21,521)
Prof Services Other	3,475,510	248,961	(3,226,549)
Legal Services	2,000	0	(2,000)
In-Part Services	6,310	4,500	(1,810)
Transcripts	0	50	50
Other NPS	1,424,718	1,365,298	(59,420)
Total Nonpersonal Service	<u>5,039,075</u>	<u>1,727,825</u>	<u>(3,311,250)</u>
Grand Total	21,291,529	18,008,339	(3,283,190)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	15,979,981	15,780,843	(199,138)
PS Overtime	107,684	120,235	12,551
PS Temporary	164,789	379,436	214,647
Total Personal Service	<u>16,252,454</u>	<u>16,280,514</u>	<u>28,060</u>
<u>Nonpersonal Service</u>			
Travel	130,537	109,016	(21,521)
Prof Services Other	225,510	248,961	23,451
Legal Services	2,000	0	(2,000)
In-Part Services	6,310	4,500	(1,810)
Transcripts	0	50	50
Other NPS	1,424,718	1,365,298	(59,420)
Total Nonpersonal Service	<u>1,789,075</u>	<u>1,727,825</u>	<u>(61,250)</u>
Grand Total	18,041,529	18,008,339	(33,190)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
FED SPEC REVENUE OPERATING

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Prof Services Other	2,000,000	0*	(2,000,000)
Total Nonpersonal Service	2,000,000	0	(2,000,000)
Grand Total	2,000,000	0	(2,000,000)

*Federal Special Revenue Operating Funds are part of a larger request in the Courts of Original Jurisdiction Maintenance Undistributed program.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
STATE SPECIAL REVENUE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Prof Services Other	750,000	0*	(750,000)
Total Nonpersonal Service	<u>750,000</u>	<u>0</u>	<u>(750,000)</u>
Grand Total	750,000	0	(750,000)

*State Special Revenue Funds are part of a larger request in the Courts of Original Jurisdiction Maintenance Undistributed program.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
FEDERAL DHHS GRANT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Prof Services Other	500,000	0*	(500,000)
Total Nonpersonal Service	500,000	0	(500,000)
Grand Total	500,000	0	(500,000)

*Federal Department of Health and Human Services Grant Funds are part of a larger request in the Courts of Original Jurisdiction Maintenance Undistributed program.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
NEW YORK CITY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	6,531,940	6,735,961	204,021
PS Overtime	85,921	98,095	12,174
PS Temporary	59,353	176,129	116,776
Total Personal Service	<u>6,677,214</u>	<u>7,010,185</u>	<u>332,971</u>
<u>Nonpersonal Service</u>			
Travel	20,769	20,750	(19)
Prof Services Other	168,577	176,150	7,573
Other NPS	395,592	458,968	63,376
Total Nonpersonal Service	<u>584,938</u>	<u>655,868</u>	<u>70,930</u>
Grand Total	7,262,152	7,666,053	403,901

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
THIRD DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	890,601	907,139	16,538
PS Overtime	1,500	2,000	500
Total Personal Service	<u>892,101</u>	<u>909,139</u>	<u>17,038</u>
<u>Nonpersonal Service</u>			
Travel	6,500	3,450	(3,050)
Other NPS	51,700	48,250	(3,450)
Total Nonpersonal Service	<u>58,200</u>	<u>51,700</u>	<u>(6,500)</u>
Grand Total	950,301	960,839	10,538

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
FOURTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	973,363	928,571	(44,792)
PS Overtime	1,400	1,100	(300)
Total Personal Service	<u>974,763</u>	<u>929,671</u>	<u>(45,092)</u>
<u>Nonpersonal Service</u>			
Travel	10,100	2,000	(8,100)
Legal Services	2,000	0	(2,000)
In-Part Services	560	0	(560)
Transcripts	0	50	50
Other NPS	96,700	61,925	(34,775)
Total Nonpersonal Service	<u>109,360</u>	<u>63,975</u>	<u>(45,385)</u>
Grand Total	1,084,123	993,646	(90,477)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
FIFTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	972,158	1,000,127	27,969
PS Overtime	0	50	50
PS Temporary	0	65,368	65,368
Total Personal Service	<u>972,158</u>	<u>1,065,545</u>	<u>93,387</u>
<u>Nonpersonal Service</u>			
Travel	4,500	1,400	(3,100)
Prof Services Other	3,550	2,550	(1,000)
In-Part Services	1,000	0	(1,000)
Other NPS	45,925	23,635	(22,290)
Total Nonpersonal Service	<u>54,975</u>	<u>27,585</u>	<u>(27,390)</u>
Grand Total	1,027,133	1,093,130	65,997

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
SIXTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	738,217	692,116	(46,101)
PS Overtime	2,000	4,459	2,459
Total Personal Service	<u>740,217</u>	<u>696,575</u>	<u>(43,642)</u>
<u>Nonpersonal Service</u>			
Travel	12,000	8,840	(3,160)
Prof Services Other	5,550	6,800	1,250
Other NPS	112,129	95,848	(16,281)
Total Nonpersonal Service	<u>129,679</u>	<u>111,488</u>	<u>(18,191)</u>
Grand Total	869,896	808,063	(61,833)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
SEVENTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,213,042	1,174,816	(38,226)
PS Overtime	10,600	9,600	(1,000)
PS Temporary	39,709	98,648	58,939
Total Personal Service	<u>1,263,351</u>	<u>1,283,064</u>	<u>19,713</u>
<u>Nonpersonal Service</u>			
Travel	15,000	12,000	(3,000)
Prof Services Other	46,500	61,100	14,600
In-Part Services	4,750	4,500	(250)
Other NPS	109,942	88,692	(21,250)
Total Nonpersonal Service	<u>176,192</u>	<u>166,292</u>	<u>(9,900)</u>
Grand Total	1,439,543	1,449,356	9,813

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
EIGHTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,893,730	1,882,589	(11,141)
PS Overtime	2,300	2,100	(200)
PS Temporary	65,727	39,291	(26,436)
Total Personal Service	<u>1,961,757</u>	<u>1,923,980</u>	<u>(37,777)</u>
<u>Nonpersonal Service</u>			
Travel	8,400	5,450	(2,950)
Other NPS	121,250	118,791	(2,459)
Total Nonpersonal Service	<u>129,650</u>	<u>124,241</u>	<u>(5,409)</u>
Grand Total	2,091,407	2,048,221	(43,186)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
NINTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,491,703	1,288,565	(203,138)
PS Overtime	1,600	468	(1,132)
Total Personal Service	<u>1,493,303</u>	<u>1,289,033</u>	<u>(204,270)</u>
<u>Nonpersonal Service</u>			
Travel	5,000	5,000	0
Other NPS	128,000	108,000	(20,000)
Total Nonpersonal Service	<u>133,000</u>	<u>113,000</u>	<u>(20,000)</u>
Grand Total	1,626,303	1,402,033	(224,270)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
NASSAU COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	235,784	227,826	(7,958)
PS Overtime	939	939	0
Total Personal Service	<u>236,723</u>	<u>228,765</u>	<u>(7,958)</u>
<u>Nonpersonal Service</u>			
Travel	400	2,141	1,741
Prof Services Other	1,000	1,975	975
Other NPS	17,543	26,896	9,353
Total Nonpersonal Service	<u>18,943</u>	<u>31,012</u>	<u>12,069</u>
Grand Total	255,666	259,777	4,111

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
SUFFOLK COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	815,710	730,870	(84,840)
PS Overtime	1,424	1,424	0
Total Personal Service	<u>817,134</u>	<u>732,294</u>	<u>(84,840)</u>
<u>Nonpersonal Service</u>			
Travel	8,868	8,985	117
Prof Services Other	333	386	53
Other NPS	91,437	80,588	(10,849)
Total Nonpersonal Service	<u>100,638</u>	<u>89,959</u>	<u>(10,679)</u>
Grand Total	917,772	822,253	(95,519)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

DRUG TREATMENT COURTS
MAINTENANCE UNDISTRIBUTED

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	223,733	212,263	(11,470)
Total Personal Service	<u>223,733</u>	<u>212,263</u>	<u>(11,470)</u>
<u>Nonpersonal Service</u>			
Travel	39,000	39,000	0
Prof Services Other	3,250,000	0	(3,250,000)
Other NPS	254,500	253,705	(795)
Total Nonpersonal Service	<u>3,543,500</u>	<u>292,705</u>	<u>(3,250,795)</u>
Grand Total	3,767,233	504,968	(3,262,265)

Drug Treatment Courts

March 31, 2012 Schedule of Positions

New York City

<u>Locality</u>	Nonjudicial
Bronx Drug Court	11
Bronx Family Treatment Court	8
Brooklyn Family Treatment Court	6
Brooklyn Treatment Court	15
Manhattan Enhanced Screening	2
Manhattan Felony Drug Court	7
Manhattan Family Treatment Court	13
Manhattan Misdemeanor Treatment Court	3
Kings Felony Screening	11
Kings Persistent Misdemeanor	6
Queens Drug Court	4
Queens Enhanced Screening	3
Queens Family Treatment Court	7
Queens Misdemeanor Treatment Court	3
Richmond Drug Court	3
Total	102

Drug Treatment Courts

March 31, 2012 Schedule of Positions

Third District

<u>Locality</u>	Nonjudicial
Albany Co. Drug Court	5
Albany Co. Family Treatment Court	2
Columbia Co. Drug Court	1
Greene Co. Drug Court	1
Hudson City Drug Court	1
Rensselaer Co. Drug Court	1
Rensselaer Co. Family Treatment Court	1
Rensselaer City Regional Drug Court	1
Schoharie Co. Drug Court	1
Sullivan Co. Family Treatment Court	1
Ulster Co. Drug Court	2
Ulster Co. Family Treatment Court	1
Total	18

Drug Treatment Courts

March 31, 2012 Schedule of Positions

Fourth District

<u>Locality</u>	Nonjudicial
Clinton Co. Drug Court	1
Essex Co. Drug Court	1
Franklin Co. Drug Court	1
Fulton Co. Drug Court	1
Montgomery Co. Drug Court	2
Ogdensburg City Drug Court	1
Saratoga Co. Drug Court	1
Schenectady City Drug Court	1
Schenectady Co. Drug Court	2
Schenectady Co. Family Treatment Court	1
Warren Co. Drug Court	1
Warren Co. Family Treatment Court	1
Washington Co. Drug Court	3
Total	17

Drug Treatment Courts

March 31, 2012 Schedule of Positions

Fifth District

<u>Locality</u>	Nonjudicial
Herkimer Co. Drug Court	1
Jefferson Co. Drug Court	2
Oneida Co. Family Treatment Court	1
Onondaga Co. Family Treatment Court	1
Oswego Co. Drug Court	1
Oswego Co. Family Treatment Court	1
Syracuse City Drug Court	6
Utica City Drug Court	3
Total	16

Drug Treatment Courts

March 31, 2012 Schedule of Positions

Sixth District

<u>Locality</u>	<u>Nonjudicial</u>
Broome Co. Drug Court	2
Chemung Co. Drug Court	2
Chenango Co. Drug Court	1
Cortland Co. Drug Court	1
Delaware Co.. Drug Court	1
Madison Co. Drug Court	1
Otsego Co. Drug Court	2
Schuyler Co. Drug Court	1
Tioga Co. Drug Court	1
Tompkins Co. Drug Court	2
Total	14

Drug Treatment Courts

March 31, 2012 Schedule of Positions

Seventh District

<u>Locality</u>	Nonjudicial
Auburn City Drug Court	1
Canandaigua City Drug Court	2
Cayuga Co. Drug Court	1
Hornell City Drug Court	1
Livingston Co. Drug Court	1
Monroe Co. Family Treatment Court	5
Monroe Co. Felony Drug Court	1
Rochester City Drug Court	4
Seneca Co. Drug Court	1
Steuben Co. Drug Court	2
Wayne Co. Drug Court	1
Yates Co. Drug Court	1
Total	21

Drug Treatment Courts

March 31, 2012 Schedule of Positions

Eighth District

<u>Locality</u>	Nonjudicial
Allegany Co. Drug Court	1
Batavia City Drug Court	1
Buffalo City Drug Court	8
Chautauqua Co. Family Treatment Court	1
Dunkirk City Drug Court	1
Erie Co. Family Treatment Court	5
Erie Co. Juvenile Family Treatment Court	1
Jamestown City Drug Court	2
Lackawanna City Drug Court	2
Lockport City Drug Court	2
Niagara Falls City Drug Court	4
Niagara Co. Family Treatment	1
No. Tonawanda City Drug Court	1
Olean City Drug Court	1
Orleans Co. Drug Court	1
Tonawanda City Drug Court	1
Wyoming Co. Drug Court	1
Total	34

Drug Treatment Courts

March 31, 2012 Schedule of Positions

Ninth District

<u>Locality</u>	Nonjudicial
Beacon City Drug Court	1
Dutchess Co. Family Treatment Court	1
Middletown City Drug	1
Mt. Vernon City Drug Court	1
Newburgh City Drug Court	1
New Rochelle City Drug Court	1
Orange Co. Drug Court	2
Orange Co. Family Treatment Court	1
Peekskill City Drug Court	1
Putnam Co. Drug Court	3
Rockland Co. Drug Court	2
Rockland Co. Family Treatment Court	2
Westchester Co. Drug Court	3
Westchester Co. Family Treatment Court	1
White Plains City Drug Court	1
Yonkers City Drug Court	1
Total	23

Drug Treatment Courts

March 31, 2012 Schedule of Positions

Tenth District Nassau County

<u>Locality</u>	Nonjudicial
Nassau Co. Drug Court	2
Nassau Co. Family Treatment Court	2
Total	4

Tenth District Suffolk County

<u>Locality</u>	Nonjudicial
Suffolk Co. Drug Court	3
Suffolk Co. Family Treatment Court	11
Total	14

Administration

<u>Locality</u>	Nonjudicial
Central Treatment Court Administration	2

Maintenance Undistributed

<u>Locality</u>	Nonjudicial
Drug Court Vacancy Reserve	7

**DISPOSITION OF PROCEEDINGS
IN THE COURT OF CLAIMS**

2011-12 Budget Request: \$18,542,007

The Court of Claims has statewide jurisdiction over actions brought against the State of New York and State-related entities such as the New York State Thruway Authority and the City University of New York.

Three types of cases make up the Court's caseload: torts of all types including negligence, medical malpractice, death actions and prisoner claims; claims which involve disputes over the compensation to which a property owner may be entitled as a result of the taking of property for public purposes; and public improvement contract claims. In addition to being filed in person or by mail at the Chief Clerk's Office in Albany, cases can also be filed electronically. Chapter 416 of the Laws of 2009 made electronic filing a permanent means of filing a civil case, changing e-filings' status from a pilot program.

No juries are used in the Court of Claims. A judge hears and determines the case and submits a written decision. If successful, the claimant obtains a judgment for a specific sum of money which is paid from Executive Branch funds administered by the State Comptroller's Office. All appeals from judgments of the Court are taken to the appropriate Appellate Division.

The Court of Claims has offices and/or courtrooms in various locations throughout the State, including Albany, Binghamton, Buffalo, Hauppauge, New York City, Rochester, Saratoga Springs, Syracuse, Utica and White Plains.

The Court's judges are appointed by the Governor for nine-year terms. There are currently 27 Court of Claims Judges. The most recent five judgeships were created by chapter 240 of the Laws of 2005. A total of 1,696 new cases were filed in the Court in 2009, and there were 1,506 dispositions.

Summary of 2011-12 Funding Request:

Court of Claims

2011-12 Budget Request: \$18,542,007

<i>Personal Service:</i>	13,096,050
<i>Nonpersonal Service:</i>	5,445,957
<i>Maintenance Undistributed:</i>	0

The 2011-12 request of \$18,542,007 is an increase of \$77,872 (0.4%) over the current adjusted appropriation of \$18,464,135. This change is comprised of an increase in personal service funds of \$245,769 (1.9%) and a decrease in nonpersonal service funds of \$167,897 (-3%).

The personal service funding request of \$13,096,050 supports existing judicial and nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request of \$5,445,957 includes real estate rentals of \$4,392,140 for the Court's offices and judges' chambers in Albany, Buffalo, New York City, Rochester, Saratoga Springs, Syracuse, and White Plains, where court operations are entirely or partially housed in commercial space.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURT OF CLAIMS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	12,836,627	13,073,250	236,623
PS Overtime	2,800	2,800	0
PS Temporary	10,854	20,000	9,146
Total Personal Service	<u>12,850,281</u>	<u>13,096,050</u>	<u>245,769</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	33,105	33,105	0
Travel	146,673	115,000	(31,673)
Prof Services Other	322,830	250,587	(72,243)
In-Part Services	4,500	4,500	0
Transcripts	10,000	10,000	0
Other NPS	5,096,746	5,032,765	(63,981)
Total Nonpersonal Service	<u>5,613,854</u>	<u>5,445,957</u>	<u>(167,897)</u>
Grand Total	18,464,135	18,542,007	77,872

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURT OF CLAIMS
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	12,836,627	13,073,250	236,623
PS Overtime	2,800	2,800	0
PS Temporary	10,854	20,000	9,146
Total Personal Service	<u>12,850,281</u>	<u>13,096,050</u>	<u>245,769</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	33,105	33,105	0
Travel	146,673	115,000	(31,673)
Prof Services Other	322,830	250,587	(72,243)
In-Part Services	4,500	4,500	0
Transcripts	10,000	10,000	0
Other NPS	5,096,746	5,032,765	(63,981)
Total Nonpersonal Service	<u>5,613,854</u>	<u>5,445,957</u>	<u>(167,897)</u>
Grand Total	18,464,135	18,542,007	77,872

Court of Claims

Workload & Staffing

3-Year Workload (Filings)

2007	2008	2009	% Change 2009 vs 2008
1,589	1,707	1,696	-0.6

March 31, 2012 Schedule of Positions

<u>Locality</u>	Judicial	Nonjudicial	Total
Court of Claims	27	143	170

JURY SYSTEM OPERATIONS

2011-12 Budget Request: \$49,058,830

The primary mission of Jury System Operations is to supply the trial courts with sufficient numbers of prospective jurors, drawn from a representative cross-section of the citizenry, from which trial and grand juries can be chosen to render civil and criminal verdicts and to return criminal indictments. The Unified Court System (UCS) administers the jury system in coordination with the commissioners of jurors in each county.

This program provides funding for the operation of the Commissioner of Jurors' offices in the 57 counties outside New York City and the Jury Divisions of the 5 New York City County Clerks' offices. The commissioners of jurors are responsible for supplying the trial courts with prospective jurors and carrying out a variety of functions related to this responsibility. These functions include the qualification and summoning of citizens for jury service, the maintenance of juror service records, the processing of juror payment vouchers, the operation of jury assembly rooms and the provision of jurors to courtrooms for the jury selection portion of a trial.

All levels of the State trial court system, including the Town and Village Justice Courts, draw their jurors from Jury System Operations. The Commissioner of Jurors' offices mailed 6.1 million questionnaires to potential jurors last year. More than 1.8 million summonses to prospective jurors resulted.

A total of 571,990 jurors served in 2009, including 536,821 as potential "petit jurors" for criminal and civil trials and 35,169 as grand jurors. The average term of service for summoned petit jurors (including both those selected for juries and those not picked) was 1.85 days. Persons summoned for grand jury duty served an average of 8.11 days.

Making jury service in New York as equitable and rewarding as possible for potential jurors was a goal of former Chief Judge Kaye. In 1993 she ordered the formation of a special task force known as the Jury Project to review jury service in New York State. Recommendations in the Project's final report resulted in improvements to jury system operations, including the elimination of all exemptions from jury service and the elimination of mandatory sequestration in all criminal cases. The latter change permits judges to decide whether a deliberating jury should be sequestered (kept together overnight once deliberations have begun) or be permitted to go home if deliberations take more than one day.

Subsequent UCS task force studies resulted in legislative and administrative changes that, among other improvements:

- increase the time off between successive calls to jury service from four years to six years and up to eight years for those who have served on trials longer than ten days;
- allow counsel (with consent of both parties) to give a short statement of the case at the outset of selection;
- allow a trial judge to provide jurors with a written copy of the judge's final instructions;
- allow jurors to take notes, if they wish to do so, in accordance with existing trial court rules;

- permit jurors to submit written questions to be posed to witnesses by the judge at his or her discretion; and,
- encourage the use of shortened “summary” jury trials to effectively dispose of civil cases early.

Along with legislative reforms and responses to recommendations made by the task forces, the UCS has continued to implement administrative improvements to the jury program, including:

- improving the quality of juror source lists to improve the rate of delivery of qualification questionnaires through more accurate addresses;
- the introduction of a web-based qualification system for potential jurors;
- improved rate of timely jury fee payments through use of the Quick Pay voucher system, where checks are produced within 24 hours of electronic certification; and,
- improved citizen awareness about the importance of jury service. A public awareness campaign has included the distribution of posters and informational brochures, and establishment of a toll-free telephone line to assist with questions and complaints.

The UCS has also adopted rules establishing judicial control over jury selection in civil cases, bringing the selection of civil juries under judicial management and supervision for the first time.

Another initiative has been the Grand Jury Project, in which a 33-member blue ribbon panel was charged with strengthening and enhancing the existing grand jury system and improving the experience of the individual grand juror.

Pursuant to Chapter 112, Laws of 2010, the “jury pool fair representation act,” jury commissioners’ offices have begun to collect demographic data from jurors who report for service to be analyzed to ensure that jury pools represent a fair cross-section of the community from which they are summoned.

Summary of 2011-12 Funding Request:

Jury System Operations

2011-12 Budget Request:	\$49,058,830
<i>Personal Service:</i>	18,994,049
<i>Nonpersonal Service:</i>	30,064,781
<i>Maintenance Undistributed:</i>	0

The 2011-12 request of \$49,058,830 is a decrease of \$2,225,060 (-4.3%) from the current adjusted appropriation. This change consists of decreases in personal service funds of \$2,103,203 (-10%) and in nonpersonal service funds of \$121,857 (-0.4%).

The personal service funding request of \$18,994,049 supports existing nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The temporary service request of \$884,285 will provide staff support to meet workload demands associated with recent jury reforms, including the use of nonpermanent qualified source lists, reductions in

terms of jury service, effective follow-up procedures for nonrespondents and the granting of first deferrals by telephone.

The nonpersonal service request of \$30,064,781 includes \$22,415,000 for jury per diems at the rate of \$40 per day, including fees for jurors who serve in Town and Village Courts. In 2009, there were 542,782 paid jury days. This per diem request reflects an increase of \$86,555 (0.4%) from the current year appropriation to continue to accurately reflect juror usage and accommodate an increased number of jurors who collect the \$40 per diem, possibly because they are unemployed.

A total of \$49,072 is requested for jury lodging. This is a decrease of \$9,331 (-16%) from the current year appropriation and reflects the diminishing need for lodging due to the elimination of mandatory jury sequestration. Also included is \$866,788, a decrease of \$2,515, for payment of meals for deliberating jurors.

Nonpersonal service requests directly related to the provision of jurors include \$741,890 for printing and \$3,515,708 for postage and shipping charges for the mailing of questionnaires and summonses. In addition, the other general services request of \$1,297,350 (a decrease of \$62,416 or -4.6%) will provide for services including centralization of the preparation of jury summonses for all counties through vendor outsourcing, centralization of the statewide juror deferment and call-in toll free telephone service, and a jury ombudsman program in New York City provided by the Fund for Modern Courts.

The following charts display workload and positions by staffing category. The workload summary chart utilizes three statewide workload measures for the Commissioner of Jurors' offices. These measures include the number of summonses and questionnaires, the number of jurors and the number of juror days. The number of jurors and juror days provides an indication of the volume or size of an individual locality's program, while the number of summonses and questionnaires indicates the actual work required to obtain jurors for the trial courts.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	20,245,009	18,063,000	(2,182,009)
PS Overtime	78,563	46,764	(31,799)
PS Temporary	773,680	884,285	110,605
Total Personal Service	<u>21,097,252</u>	<u>18,994,049</u>	<u>(2,103,203)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,487	1,025	(1,462)
Travel	42,275	33,958	(8,317)
Prof Services Other	1,373,498	1,309,625	(63,873)
In-Part Services	46,635	61,640	15,005
Jury Fees	23,260,151	23,336,978	76,827
Other NPS	5,461,592	5,321,555	(140,037)
Total Nonpersonal Service	<u>30,186,638</u>	<u>30,064,781</u>	<u>(121,857)</u>
Grand Total	51,283,890	49,058,830	(2,225,060)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	20,245,009	18,063,000	(2,182,009)
PS Overtime	78,563	46,764	(31,799)
PS Temporary	773,680	884,285	110,605
Total Personal Service	21,097,252	18,994,049	(2,103,203)
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,487	1,025	(1,462)
Travel	42,275	33,958	(8,317)
Prof Services Other	1,373,498	1,309,625	(63,873)
In-Part Services	46,635	61,640	15,005
Jury Fees	23,260,151	23,336,978	76,827
Other NPS	5,461,592	5,321,555	(140,037)
Total Nonpersonal Service	30,186,638	30,064,781	(121,857)
Grand Total	51,283,890	49,058,830	(2,225,060)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
NEW YORK CITY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	9,379,521	7,876,284	(1,503,237)
PS Overtime	70,500	39,018	(31,482)
PS Temporary	717,131	832,101	114,970
Total Personal Service	10,167,152	8,747,403	(1,419,749)
<u>Nonpersonal Service</u>			
Travel	7,823	8,416	593
Prof Services Other	419,766	458,050	38,284
In-Part Services	5,000	11,500	6,500
Jury Fees	13,793,100	13,653,790	(139,310)
Other NPS	938,147	1,023,863	85,716
Total Nonpersonal Service	15,163,836	15,155,619	(8,217)
Grand Total	25,330,988	23,903,022	(1,427,966)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
THIRD DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,247,494	1,017,682	(229,812)
PS Overtime	1,400	1,050	(350)
PS Temporary	6,786	3,000	(3,786)
Total Personal Service	<u>1,255,680</u>	<u>1,021,732</u>	<u>(233,948)</u>
<u>Nonpersonal Service</u>			
Travel	1,050	1,150	100
Prof Services Other	2,200	1,600	(600)
In-Part Services	1,550	780	(770)
Jury Fees	753,800	831,800	78,000
Other NPS	119,800	105,950	(13,850)
Total Nonpersonal Service	<u>878,400</u>	<u>941,280</u>	<u>62,880</u>
Grand Total	2,134,080	1,963,012	(171,068)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
FOURTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,151,655	1,133,474	(18,181)
PS Overtime	500	950	450
Total Personal Service	<u>1,152,155</u>	<u>1,134,424</u>	<u>(17,731)</u>
<u>Nonpersonal Service</u>			
Travel	5,450	700	(4,750)
Prof Services Other	1,000	2,500	1,500
In-Part Services	140	140	0
Jury Fees	848,490	808,900	(39,590)
Other NPS	124,450	118,450	(6,000)
Total Nonpersonal Service	<u>979,530</u>	<u>930,690</u>	<u>(48,840)</u>
Grand Total	2,131,685	2,065,114	(66,571)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
FIFTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,142,403	1,136,271	(6,132)
PS Overtime	1,100	1,200	100
Total Personal Service	<u>1,143,503</u>	<u>1,137,471</u>	<u>(6,032)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	25	25	0
Travel	7,050	4,500	(2,550)
Prof Services Other	965	975	10
In-Part Services	1,800	700	(1,100)
Jury Fees	742,200	739,950	(2,250)
Other NPS	100,985	107,850	6,865
Total Nonpersonal Service	<u>853,025</u>	<u>854,000</u>	<u>975</u>
Grand Total	1,996,528	1,991,471	(5,057)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
SIXTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	404,723	415,578	10,855
PS Overtime	52	100	48
Total Personal Service	<u>404,775</u>	<u>415,678</u>	<u>10,903</u>
<u>Nonpersonal Service</u>			
Travel	2,600	1,300	(1,300)
Prof Services Other	400	400	0
In-Part Services	3,250	3,250	0
Jury Fees	495,900	601,200	105,300
Other NPS	69,814	66,423	(3,391)
Total Nonpersonal Service	<u>571,964</u>	<u>672,573</u>	<u>100,609</u>
Grand Total	976,739	1,088,251	111,512

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
SEVENTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,225,401	1,187,116	(38,285)
PS Overtime	4,200	3,200	(1,000)
PS Temporary	31,185	31,184	(1)
Total Personal Service	<u>1,260,786</u>	<u>1,221,500</u>	<u>(39,286)</u>
<u>Nonpersonal Service</u>			
Travel	12,112	12,000	(112)
Prof Services Other	7,850	3,825	(4,025)
In-Part Services	30,000	36,495	6,495
Jury Fees	1,146,430	1,155,450	9,020
Other NPS	102,228	96,762	(5,466)
Total Nonpersonal Service	<u>1,298,620</u>	<u>1,304,532</u>	<u>5,912</u>
Grand Total	2,559,406	2,526,032	(33,374)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
EIGHTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,341,825	1,224,564	(117,261)
PS Overtime	100	400	300
PS Temporary	18,578	18,000	(578)
Total Personal Service	<u>1,360,503</u>	<u>1,242,964</u>	<u>(117,539)</u>
<u>Nonpersonal Service</u>			
Travel	4,300	2,900	(1,400)
Prof Services Other	3,100	2,000	(1,100)
In-Part Services	1,420	5,300	3,880
Jury Fees	1,134,550	1,134,200	(350)
Other NPS	95,895	98,045	2,150
Total Nonpersonal Service	<u>1,239,265</u>	<u>1,242,445</u>	<u>3,180</u>
Grand Total	2,599,768	2,485,409	(114,359)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
NINTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,981,082	1,838,522	(142,560)
PS Overtime	200	335	135
Total Personal Service	<u>1,981,282</u>	<u>1,838,857</u>	<u>(142,425)</u>
<u>Nonpersonal Service</u>			
Travel	771	802	31
Prof Services Other	1,800	1,800	0
In-Part Services	1,250	1,250	0
Jury Fees	1,772,045	1,800,500	28,455
Other NPS	148,900	157,036	8,136
Total Nonpersonal Service	<u>1,924,766</u>	<u>1,961,388</u>	<u>36,622</u>
Grand Total	3,906,048	3,800,245	(105,803)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
NASSAU COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,279,646	1,182,892	(96,754)
PS Overtime	511	511	0
Total Personal Service	<u>1,280,157</u>	<u>1,183,403</u>	<u>(96,754)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	1,462	0	(1,462)
Travel	110	110	0
Prof Services Other	2,100	2,100	0
In-Part Services	1,625	1,625	0
Jury Fees	1,371,188	1,371,188	0
Other NPS	176,594	158,012	(18,582)
Total Nonpersonal Service	<u>1,553,079</u>	<u>1,533,035</u>	<u>(20,044)</u>
Grand Total	2,833,236	2,716,438	(116,798)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
SUFFOLK COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,091,259	1,050,617	(40,642)
Total Personal Service	<u>1,091,259</u>	<u>1,050,617</u>	<u>(40,642)</u>
<u>Nonpersonal Service</u>			
Travel	1,009	2,080	1,071
Prof Services Other	1,317	1,375	58
In-Part Services	600	600	0
Jury Fees	1,202,448	1,240,000	37,552
Other NPS	147,459	141,164	(6,295)
Total Nonpersonal Service	<u>1,352,833</u>	<u>1,385,219</u>	<u>32,386</u>
Grand Total	2,444,092	2,435,836	(8,256)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JURY SYSTEMS OPERATIONS
MAINTENANCE UNDISTRIBUTED

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	1,000	1,000	0
Prof Services Other	933,000	835,000	(98,000)
Other NPS	3,437,320	3,248,000	(189,320)
Total Nonpersonal Service	4,371,320	4,084,000	(287,320)
Grand Total	4,371,320	4,084,000	(287,320)

Jury Systems Operations 2009 Workload Summary

New York City

<u>Locality</u>	<u># of Summonses & Questionnaires</u>	<u># of Jurors</u>	<u># of Juror Days</u>
New York	964,813	95,235	260,985
Kings	1,310,287	104,687	202,159
Richmond	154,071	18,461	30,901
Queens	1,304,004	51,029	127,905
Bronx	1,135,817	53,078	166,725
Total	4,868,992	322,490	788,675

Third District

<u>Locality</u>	<u># of Summonses & Questionnaires</u>	<u># of Jurors</u>	<u># of Juror Days</u>
Albany	65,500	6,834	12,491
Columbia	26,326	1,061	2,000
Greene	12,931	965	1,623
Rensselaer	53,853	2,730	5,099
Schoharie	6,094	650	1,174
Sullivan	44,910	2,461	4,103
Ulster	41,699	4,073	7,368
Total	251,313	18,774	33,858

Jury Systems Operations 2009 Workload Summary

Fourth District

<u>Locality</u>	<u># of Summonses & Questionnaires</u>	<u># of Jurors</u>	<u># of Juror Days</u>
Clinton	33,532	1,969	3,720
Essex	9,384	875	1,474
Franklin	18,682	736	1,533
Fulton	18,329	1,074	2,071
Hamilton	2,457	104	364
Montgomery	25,083	1,361	2,647
St. Lawrence	31,228	1,922	3,661
Saratoga	26,050	1,451	3,673
Schenectady	65,189	4,814	11,906
Warren	12,099	1,444	2,958
Washington	26,109	2,100	3,536
Total	268,142	17,850	37,543

Fifth District

<u>Locality</u>	<u># of Summonses & Questionnaires</u>	<u># of Jurors</u>	<u># of Juror Days</u>
Herkimer	7,533	496	1,173
Jefferson	12,445	1,235	2,860
Lewis	3,204	747	1,224
Oneida	42,647	2,791	6,653
Onondaga	75,510	6,947	17,397
Oswego	24,761	1,868	3,830
Total	166,100	14,084	33,137

Jury Systems Operations 2009 Workload Summary

Sixth District

<u>Locality</u>	<u># of Summonses & Questionnaires</u>	<u># of Jurors</u>	<u># of Juror Days</u>
Broome	48,084	5,309	9,451
Chemung	23,085	2,591	4,181
Chenango	7,275	637	898
Cortland	13,372	1,054	1,814
Delaware	10,844	1,189	1,759
Madison	4,888	868	1,314
Otsego	7,049	861	1,695
Schuyler	1,838	258	398
Tioga	8,215	874	1,582
Tompkins	12,993	870	2,093
Total	137,643	14,511	25,185

Seventh District

<u>Locality</u>	<u># of Summonses & Questionnaires</u>	<u># of Jurors</u>	<u># of Juror Days</u>
Cayuga	15,835	1,287	2,628
Livingston	9,620	1,187	2,414
Monroe	164,945	21,948	42,093
Ontario	24,422	2,414	4,784
Seneca	8,752	890	1,762
Steuben	15,491	1,824	2,516
Wayne	10,349	1,200	2,525
Yates	4,144	700	1,023
Total	253,558	31,450	59,745

Jury Systems Operations 2009 Workload Summary

Eighth District

<u>Locality</u>	<u># of Summonses & Questionnaires</u>	<u># of Jurors</u>	<u># of Juror Days</u>
Allegany	7,380	643	1,184
Cattaraugus	11,075	1,037	2,082
Chautauqua	21,809	1,617	2,512
Erie	96,371	19,803	38,002
Genesee	12,550	1,392	2,447
Niagara	34,392	3,092	7,647
Orleans	7,517	717	1,410
Wyoming	8,549	1,550	2,386
Total	199,643	29,851	57,670

Ninth District

<u>Locality</u>	<u># of Summonses & Questionnaires</u>	<u># of Jurors</u>	<u># of Juror Days</u>
Dutchess	128,395	6,977	12,896
Orange	172,723	11,132	20,280
Putnam	36,612	1,280	2,610
Rockland	85,876	4,996	11,047
Westchester	129,961	17,806	41,602
Total	553,567	42,191	88,435

Jury Systems Operations 2009 Workload Summary

Tenth District

<u>Locality</u>	# of Summonses & Questionnaires	# of Jurors	# of Juror Days
Nassau	456,599	41,951	74,454
Suffolk	777,248	38,838	79,247
Total	1,233,847	80,789	153,701

Program Total

# of Summonses & Questionnaires	# of Jurors	# of Juror Days
7,932,805	571,990	1,277,949

Jury Systems Operations Position Staffing

March 31, 2012 Schedule of Positions

New York City

<u>Locality</u>	Nonjudicial
New York	53
Bronx	20
Kings	45
Queens	23
Richmond	7
Total	148

Third District

<u>Locality</u>	Nonjudicial
Albany	5
Columbia	2
Greene	3
Rensselaer	3
Schoharie	1
Sullivan	3
Ulster	4
Total	21

Jury Systems Operations Position Staffing

March 31, 2012 Schedule of Positions

Fourth District

<u>Locality</u>	<u>Nonjudicial</u>
Clinton	2
Essex	2
Franklin	1
Fulton	2
Hamilton	1
Montgomery	2
St. Lawrence	2
Saratoga	2
Schenectady	2
Warren	2
Washington	2
Total	20

Fifth District

<u>Locality</u>	<u>Nonjudicial</u>
Herkimer	2
Jefferson	2
Lewis	2
Oneida	4
Onondaga	6
Oswego	3
Total	19

Jury Systems Operations Position Staffing

March 31, 2012 Schedule of Positions

Sixth District

<u>Locality</u>	Nonjudicial
Broome	3
Chemung	2
Chenango	1
Schuyler	1
Total	7

Seventh District

<u>Locality</u>	Nonjudicial
Cayuga	1
Livingston	1
Monroe	13
Ontario	2
Seneca	1
Steuben	1
Wayne	2
Total	21

Jury Systems Operations Position Staffing

March 31, 2012 Schedule of Positions

Eighth District

<u>Locality</u>	Nonjudicial
Allegany	1
Chautauqua	2
Erie	11
Genesee	2
Niagara	5
Orleans	1
Wyoming	1
Total	23

Ninth District

<u>Locality</u>	Nonjudicial
Dutchess	5
Orange	7
Putnam	3
Rockland	5
Westchester	10
Total	30

Jury Systems Operations Position Staffing

March 31, 2012 Schedule of Positions

Tenth District

<u>Locality</u>	Nonjudicial
Nassau	24
Suffolk	20
Total	44

NEW YORK CITY COUNTY CLERKS

2011-12 Budget Request: \$24,344,046

This program provides funding for the New York City County Clerks' offices in New York, Bronx, Kings, Queens and Richmond Counties. Each County Clerk acts as the Commissioner of Jurors and Clerk of the Supreme Court. In addition, the Richmond County Clerk acts as the Registrar of Deeds for property transactions on Staten Island.

In their capacity as Clerks of the Supreme Court, the County Clerks must receive, index, and file all Supreme Court documents and miscellaneous papers, and collect all associated filing fees, fines and revenues. The County Clerks' offices also enter all judgements and liens, maintain and preserve all County Clerk records and make them available for public inspection. In addition, they certify filed documents, qualify notary publics and Commissioners of Deeds, issue hunting and fishing licenses and process passport applications.

In 1995, the Judiciary Law and the State Finance Law were amended to require New York City to assume the costs of County Clerk operations, except for expenses related to the operation and management of the jury system. Funding for jury administration is included separately in the Jury Systems Operations budget. County Clerk operations are funded from certain recording fees that would otherwise be payable to the City of New York, along with deductions from local assistance funds New York City receives.

Summary of 2011-12 Funding Request:

New York City County Clerks

2011-12 Budget Request: \$24,344,046

<i>Personal Service:</i>	20,489,918
<i>Nonpersonal Service:</i>	3,854,128
<i>Maintenance Undistributed:</i>	0

The 2011-12 request of \$24,344,046 is a decrease of \$507,795 (-2%) from the current adjusted appropriation. This change consists of a decrease in personal service funds of \$648,659 (-3.1%) and an increase in nonpersonal service funds of \$140,864 (3.8%).

The personal service funding request of \$20,489,918 supports existing nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The \$1,870,936 temporary service request will provide staff support to meet additional workload demands in all of the New York City County Clerk offices.

The nonpersonal service request of \$3,854,128 includes \$2,831,750 in ongoing funding for records management services, primarily for microfilming of records to preserve them and make them available to the public, as well as for the costs of retrieval of records which are stored away from the courthouses.

In addition, the County Clerks' budgets include \$217,848 for administrative fees associated with the expansion of credit card payments pursuant to chapter 457 of the Laws of 2005. Previously, credit card payments could only be used for certain fees, fines and surcharges, primarily related to criminal cases. This law eliminated any constraints on the use of credit card payments and allows the Unified Court System to expand credit card acceptance for the payment of civil, administrative and surrogate fees and for fines of all types. These changes provide convenience to court users as well as increased court efficiency.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

NYC COUNTY CLERKS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	19,381,075	18,575,582	(805,493)
PS Overtime	25,359	43,400	18,041
PS Temporary	1,732,143	1,870,936	138,793
Total Personal Service	<u>21,138,577</u>	<u>20,489,918</u>	<u>(648,659)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	600	1,123	523
Travel	7,500	7,500	0
Prof Services Other	2,934,804	3,140,302	205,498
Other NPS	770,360	705,203	(65,157)
Total Nonpersonal Service	<u>3,713,264</u>	<u>3,854,128</u>	<u>140,864</u>
Grand Total	24,851,841	24,344,046	(507,795)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

NYC COUNTY CLERKS
NYC CO CLERKS' OPERATIONS OFFSET
FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	19,381,075	18,575,582	(805,493)
PS Overtime	25,359	43,400	18,041
PS Temporary	1,732,143	1,870,936	138,793
Total Personal Service	<u>21,138,577</u>	<u>20,489,918</u>	<u>(648,659)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	600	1,123	523
Travel	7,500	7,500	0
Prof Services Other	2,934,804	3,140,302	205,498
Other NPS	770,360	705,203	(65,157)
Total Nonpersonal Service	<u>3,713,264</u>	<u>3,854,128</u>	<u>140,864</u>
Grand Total	24,851,841	24,344,046	(507,795)

New York City County Clerks Staffing

March 31, 2012 Schedule of Positions

<u>Locality</u>	Nonjudicial
NY County	105
Bronx	48
Kings	68
Queens	55
Richmond	43
Total	319

**SUPREME AND COUNTY COURT
LAW LIBRARIES**

2011-12 Budget Request: \$8,789,107
--

The Unified Court System's law libraries provide legal reference services and materials in support of case resolution for use by judges, court personnel and the public.

The Court Libraries Act of 1993, provides that each county have a court law library with access to the general public. The majority of these libraries have case law, statutes and secondary source materials with regard to New York State law. Materials are provided in print as well as online formats.

The use and operation of each library is established in guidelines set by the Chief Administrative Judge. In addition, each library has a four-member board of trustees to provide assistance to the Chief Administrative Judge with issues relating to the operation of the libraries.

The Court of Appeals and Appellate Division libraries are under the supervision of the judges of those courts, and are not included in this budget category.

The Unified Court System's Office of Legal Information, in the Division of Court Operations, assists in the administration of law libraries. This office establishes acquisition policies and procedures, negotiates discounts, and designs and implements systems to maintain and enhance an efficient statewide library network. The office provides e-mail reference services and remote access online training to court researchers. In addition, an internet-based library document delivery system has been launched to complement current access to justice initiatives.

In addition, this office has reached special purchase agreements with major legal reference publishers, including West and LexisNexis to obtain flat rate and discount rates for both print materials and computer assisted legal research services. Funding for these agreements is requested in the Court Support Services Division of Court Operations portion of the budget.

The Law Library program provides library services at the local level and works with the Office of Legal Information on statewide programs intended to further the goal of providing professional legal reference and research assistance to both the courts and the public. These services include:

- Reference and research assistance, and access to current decisions on a federal and state level; access to statutes, codes, rules and regulations, and secondary source materials in both print and computerized formats; and access to New York Court of Appeals and Appellate Division Records and Briefs.
- Utilization of the statewide library automation system, the Library and Information Network (LION), an automated inventory control and cataloguing system that maintains a computerized inventory of library holdings.
- Participation in local library consortiums and the Online Computer Library Center (OCLC), an international library service and research membership organization providing participants online access to listings of collections of the other libraries in the system through interlibrary loans.
- Maintenance of traditional library collections, office collections and judicial chamber collections.

Summary of 2011-12 Funding Request:

Supreme & County Law Libraries

2011-12 Budget Request:	\$8,789,107
--------------------------------	--------------------

<i>Personal Service:</i>	6,940,339
<i>Nonpersonal Service:</i>	1,848,768
<i>Maintenance Undistributed:</i>	0

The 2011-12 request of \$8,789,107 is a decrease of \$507,103 (-5.5%) from the current adjusted appropriation. This change consists of a decrease in personal service of \$443,681 (-6%) and a decrease in nonpersonal service of \$63,422 (-3.3%).

The personal service funding request of \$6,940,339 supports existing nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request of \$1,848,768 includes funding for miscellaneous legal reference materials (\$1,399,744) that are not provided to the libraries through the statewide Office of Legal Information, where contracts with major legal publishers are budgeted and administered on behalf of the entire court system. This budget also includes miscellaneous costs for computer assisted legal research (\$121,071) that are not covered by statewide contracts.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	7,236,168	6,791,279	(444,889)
PS Overtime	400	1,600	1,200
PS Temporary	147,452	147,460	8
Total Personal Service	<u>7,384,020</u>	<u>6,940,339</u>	<u>(443,681)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	1,549,031	1,520,815	(28,216)
Travel	40,155	32,325	(7,830)
Prof Services Other	33,191	26,834	(6,357)
Other NPS	289,813	268,794	(21,019)
Total Nonpersonal Service	<u>1,912,190</u>	<u>1,848,768</u>	<u>(63,422)</u>
Grand Total	9,296,210	8,789,107	(507,103)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	7,236,168	6,791,279	(444,889)
PS Overtime	400	1,600	1,200
PS Temporary	147,452	147,460	8
Total Personal Service	<u>7,384,020</u>	<u>6,940,339</u>	<u>(443,681)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	1,549,031	1,520,815	(28,216)
Travel	40,155	32,325	(7,830)
Prof Services Other	33,191	26,834	(6,357)
Other NPS	289,813	268,794	(21,019)
Total Nonpersonal Service	<u>1,912,190</u>	<u>1,848,768</u>	<u>(63,422)</u>
Grand Total	9,296,210	8,789,107	(507,103)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES
NEW YORK CITY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,021,447	1,855,430	(166,017)
PS Temporary	121,292	129,460	8,168
Total Personal Service	<u>2,142,739</u>	<u>1,984,890</u>	<u>(157,849)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	464,248	469,598	5,350
Travel	2,933	1,500	(1,433)
Prof Services Other	10,765	9,535	(1,230)
Other NPS	79,429	75,344	(4,085)
Total Nonpersonal Service	<u>557,375</u>	<u>555,977</u>	<u>(1,398)</u>
Grand Total	2,700,114	2,540,867	(159,247)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES
THIRD DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	497,961	521,758	23,797
PS Overtime	100	350	250
Total Personal Service	<u>498,061</u>	<u>522,108</u>	<u>24,047</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	88,050	84,500	(3,550)
Travel	1,800	925	(875)
Prof Services Other	6,100	5,265	(835)
Other NPS	25,800	25,910	110
Total Nonpersonal Service	<u>121,750</u>	<u>116,600</u>	<u>(5,150)</u>
Grand Total	619,811	638,708	18,897

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES
FOURTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	336,233	363,885	27,652
PS Overtime	0	300	300
Total Personal Service	336,233	364,185	27,952
<u>Nonpersonal Service</u>			
Legal Reference/CALR	21,520	21,360	(160)
Travel	11,500	6,000	(5,500)
Prof Services Other	4,055	1,055	(3,000)
Other NPS	15,650	14,475	(1,175)
Total Nonpersonal Service	52,725	42,890	(9,835)
Grand Total	388,958	407,075	18,117

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES
FIFTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,103,527	1,077,393	(26,134)
Total Personal Service	<u>1,103,527</u>	<u>1,077,393</u>	<u>(26,134)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	182,700	182,050	(650)
Travel	3,350	2,800	(550)
Prof Services Other	1,765	3,665	1,900
Other NPS	51,600	42,870	(8,730)
Total Nonpersonal Service	<u>239,415</u>	<u>231,385</u>	<u>(8,030)</u>
Grand Total	1,342,942	1,308,778	(34,164)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES
SIXTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	523,366	427,381	(95,985)
PS Overtime	300	800	500
Total Personal Service	<u>523,666</u>	<u>428,181</u>	<u>(95,485)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	150,150	134,579	(15,571)
Travel	10,000	10,400	400
Prof Services Other	2,550	2,600	50
Other NPS	38,774	34,996	(3,778)
Total Nonpersonal Service	<u>201,474</u>	<u>182,575</u>	<u>(18,899)</u>
Grand Total	725,140	610,756	(114,384)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES
SEVENTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	284,097	288,794	4,697
Total Personal Service	<u>284,097</u>	<u>288,794</u>	<u>4,697</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	36,154	37,896	1,742
Travel	2,000	1,500	(500)
Prof Services Other	252	1,274	1,022
Other NPS	13,409	11,069	(2,340)
Total Nonpersonal Service	<u>51,815</u>	<u>51,739</u>	<u>(76)</u>
Grand Total	335,912	340,533	4,621

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES
EIGHTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	494,367	477,829	(16,538)
PS Overtime	0	150	150
PS Temporary	4,680	5,000	320
Total Personal Service	<u>499,047</u>	<u>482,979</u>	<u>(16,068)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	169,475	167,625	(1,850)
Travel	4,200	5,000	800
Prof Services Other	1,500	0	(1,500)
Other NPS	16,950	16,834	(116)
Total Nonpersonal Service	<u>192,125</u>	<u>189,459</u>	<u>(2,666)</u>
Grand Total	691,172	672,438	(18,734)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES
NINTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	619,349	513,284	(106,065)
PS Temporary	21,480	13,000	(8,480)
Total Personal Service	640,829	526,284	(114,545)
<u>Nonpersonal Service</u>			
Legal Reference/CALR	143,328	138,478	(4,850)
Travel	750	780	30
Other NPS	12,945	13,361	416
Total Nonpersonal Service	157,023	152,619	(4,404)
Grand Total	797,852	678,903	(118,949)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES
NASSAU COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	413,681	466,827	53,146
Total Personal Service	<u>413,681</u>	<u>466,827</u>	<u>53,146</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	131,118	122,441	(8,677)
Travel	300	300	0
Prof Services Other	2,750	0	(2,750)
Other NPS	14,438	13,602	(836)
Total Nonpersonal Service	<u>148,606</u>	<u>136,343</u>	<u>(12,263)</u>
Grand Total	562,287	603,170	40,883

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAW LIBRARIES
SUFFOLK COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	942,140	798,698	(143,442)
Total Personal Service	<u>942,140</u>	<u>798,698</u>	<u>(143,442)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	162,288	162,288	0
Travel	3,322	3,120	(202)
Prof Services Other	3,454	3,440	(14)
Other NPS	20,818	20,333	(485)
Total Nonpersonal Service	<u>189,882</u>	<u>189,181</u>	<u>(701)</u>
Grand Total	1,132,022	987,879	(144,143)

Supreme and County Law Libraries Position Staffing

March 31, 2012 Schedule of Positions

New York City

<u>Locality</u>	Number of Positions
Supreme Civil	3
Supreme Criminal	4
Supreme Bronx	4
Supreme Kings	6
Supreme Queens	7
Supreme Richmond	2
Total	26

Third District

<u>Locality</u>	Number of Positions
Supreme Albany	1
Supreme Catskill	1
Supreme Hudson	1
Supreme Kingston	2
Supreme Monticello	1
Supreme Schoharie	1
Supreme Troy	3
Total	10

Supreme and County Law Libraries Position Staffing

March 31, 2012 Schedule of Positions

Fourth District

<u>Locality</u>	Number of Positions
Supreme Canton	2
Supreme Plattsburgh	1
Supreme Saratoga Springs	1
Supreme Schenectady	2
Total	6

Fifth District

<u>Locality</u>	Number of Positions
Supreme Herkimer	1
Supreme Oswego	2
Supreme Syracuse	8
Supreme Utica	4
Supreme Watertown	2
Total	17

Supreme and County Law Libraries

Position Staffing

March 31, 2012 Schedule of Positions

Sixth District

<u>Locality</u>	Number of Positions
Supreme Cortland	1
Supreme Norwich	1
Supreme Binghamton	3
Supreme Delhi	1
Supreme Elmira	2
Supreme Tompkins	1
Total	9

Seventh District

<u>Locality</u>	Number of Positions
Supreme Cayuga	1
Supreme Rochester	2
Supreme Steuben	1
Total	4

Eighth District

<u>Locality</u>	Number of Positions
Supreme Buffalo	7

Supreme and County Law Libraries Position Staffing

March 31, 2012 Schedule of Positions

Ninth District

<u>Locality</u>	Number of Positions
Supreme Putnam	1
Supreme Newburgh	1
Supreme New City	1
Supreme Poughkeepsie	1
Supreme White Plains	5
Total	9

Tenth District

<u>Locality</u>	Number of Positions
Nassau Supreme Mineola	8
Suffolk Supreme Riverhead	13
Total	21

**ALTERNATIVE DISPUTE RESOLUTION
AND COURT IMPROVEMENT PROGRAMS**

2011-12 Budget Request: \$10,541,191

The Office of Alternative Dispute Resolution and Court Improvement Programs (ADCIP), originally founded to administer community-based resolution of minor criminal, civil and family cases, now operates four main units that administer a wide array of programs and services.

The original Community Dispute Resolution Centers Program (CDRCP) supports a network of community-based, not-for-profit dispute resolution centers that serve as places where individuals can discuss and resolve their disputes after being referred by a state or local court. This responsibility has been enhanced in recent years. The Office now provides training and program development for several Alternative Dispute Resolution (ADR) programs sponsored directly by courts.

Also, the Judiciary's Children's Centers Program, which provides day care centers that offer a safe haven for children when they must accompany an adult to a courthouse, is a part of this office, along with the Court Improvement Project, a federal grant program that supports permanency planning.

Community Dispute Resolution Centers

The CDRCP was established in 1981 and is available as an alternative to formal court proceedings to every citizen in the 62 counties of New York State. Center staff screen each prospective case and refer the participants to neutral third-party mediators who assist them in the development of mutually agreeable outcomes without formally taking their cases through the judicial process. These Centers are staffed by paid, professional personnel, along with more than 1,400 trained volunteers.

In fiscal year 2009-10 the Centers served 99,924 people involved in 38,658 cases which were screened for appropriateness for mediation; of these cases, 96% were judged to be appropriate for direct services. Those cases resulted in 21,307 mediations and other forms of case resolution. Parties concluded voluntary agreements in 77% of the cases that reached the mediation or conciliation stage.

Referrals to the Centers come primarily from the courts but also from private and public agencies. In 2009-10, the courts provided 54% of referrals, with cases from City and District Courts constituting more than half of the court-generated total. Fifteen percent of the referrals came from public agencies, 7% from schools and 6% from law enforcement agencies.

Disputes involving family matters, primarily custody, visitation and divorce cases, accounted for 35% of the cases. Common sources of cases from among parties who did not have some sort of family or blood relationship were consumers and merchants (15%), and landlords and tenants (10%).

The Centers also offer dispute-resolution seminars, conferences and training sessions. In addition to their work supported by the Judiciary Budget, the Centers also:

- teach conflict management skills to young people in schools;
- serve parents, children and schools in special education and other developmental disability cases through the New York State Departments of Education and Health;

- administer the Lemon Law arbitration program for consumers through the Attorney General's Office; and,
- help resolve disputes over agricultural issues such as farm credit, farm family succession and labor issues, wetland determinations and various types of conservation compliance with funding provided through the ADR Office by the U.S. Department of Agriculture. The New York State Agricultural Mediation Program handled more than 400 cases in 2009-10.

Court-Connected ADR

From the original CDRCP, court-sponsored mediation has moved to become a part of cases that go through the complete adjudication process in order to assist the parties in the implementation of agreed-upon settlements.

The chief focus of these court-connected ADR programs is the Family Courts, where most of the same not-for-profit agencies provide Family Court mediation services for custody and visitation (including foster care planning), Persons in Need of Supervision (PINS) and juvenile delinquency cases. The Family Court mediation services program reached residents in 61 counties during 2009-10. A total of 13,495 matters were handled by the programs.

Other court programs are:

- Supreme Court Civil and Matrimonial ADR,
- estate mediation in the Monroe County Surrogate's Court, and
- programs in the City and District Courts that include housing and small claims mediation.

Other court-connected ADR programs include the Attorney-Client Fee Dispute Resolution Program to resolve disagreements over attorney fees in matrimonial cases, and a Mediator Ethics Advisory Committee.

The ADR program brings judges, attorneys and others together to design programs and draft rules and procedures for the operation of ADR programs consistent with local court rules and culture. The ADR office also provides extensive training for mediators and arbitrators, offering nearly 1,400 training hours in 2009-10.

Court Improvement Project

The Court Improvement Project (CIP) is a federal grant program administered by the Children's Bureau of the US Department of Health and Human Services. The CIP was established in 1994 as a response to the dramatic increase in child abuse and neglect cases and the expanded role of the court in achieving stable and permanent homes for children in foster care.

In New York State, CIP funds amounting to approximately \$1.5 million per year have been used to provide liaison staff to key family courts. CIP funding also supports central office staff who coordinate the

efforts of the liaisons and work with the courts and other agencies to improve the outcomes for children in foster care.

The CIP unit also operates the Court Appointed Special Advocates (CASA) Assistance Program, which provides grants to local CASA agencies that are funded from another part of the Judiciary Budget. Court Appointed Special Advocates are trained volunteers who are appointed by Family Court judges to advocate for the best interest of children in abuse and neglect cases. The CASA Program provides training and technical assistance to a network of providers throughout the State. In addition, the unit helps administer a new program of grants to local agencies who provide parent education courses to adults involved in Supreme or Family Court cases such as a divorce or custody dispute.

Children's Centers Program

The Unified Court System provides a statewide system of Children's Centers that offer day care services for young children accompanying adult family members to crowded courthouses. This pioneering initiative began with the observation that hundreds of young children are brought to courthouses because their caregivers have nowhere else to leave them. If they went along to the courtrooms, children could be exposed to disturbing proceedings and their presence invariably presents a distraction to the conduct of judicial business. In addition to providing a safe haven, the Children's Centers provide a vehicle for connecting children and families with vital services such as early childhood health, education and nutrition.

Summary of 2011-12 Funding Request:

Office of Alternative Dispute Resolution and Court Improvement Programs

2011-12 Budget Request: \$10,541,191	
<i>Personal Service:</i>	1,671,784
<i>Nonpersonal Service:</i>	8,869,407
<i>Maintenance Undistributed:</i>	0

The 2011-12 request for the Office of Alternative Dispute Resolution and Court Improvement Programs of \$10,541,191 is an increase of \$457,711 (4.5%) over the current adjusted appropriation of \$10,083,480. This change is composed of increases in personal service of \$95,087 (6%) and in nonpersonal service of \$362,624 (4.3%).

The personal service funding request of \$1,671,784 supports existing nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request of \$8,869,407 includes \$6,036,073 in Professional Services-ADR to fund CDRCP contractual services and Family Court permanency planning programs. Contractual services funding also includes \$2,621,412 for The Children's Centers Program and parent education programs. The Children's Centers Program encompasses contracts with child care providers totaling \$2,397,503 to operate day care centers in Family and City Courts in all 5 boroughs of New York City and 23 locations outside the City. A portion of this total is expected to be offset by federal funds provided by the Executive Branch's Office of Children and Family Services, though the precise amount of Executive Branch support is unknown at this time. Total funding of \$223,909 supports parent education programs conducted by not-for-profit agencies in the Family Courts.

Fee arbitration contracts totaling \$117,422 are funded in Professional Services Arbitration. A request of \$40,000 is included for ADR training to provide improved resources for trainers, staff and volunteer mediators. These resources will support a broad range of topics such as staff training, family court custody and visitation training, train-the-trainer instruction and advanced mediation training.

The following chart displays the General Fund amounts allocated to Professional Services - Alternative Dispute Resolution during the current fiscal year, in the ADR Office budget and elsewhere, and the requested amounts for 2011-12. The Judiciary provides approximately two-thirds of the total funding for the local not-for-profit agencies that provide the actual services to residents of the State. Other funding sources include local, state and federal governmental agencies, charities and business groups.

**Unified Court System
Alternative Dispute Resolution Programs**

<u>Program</u>	<u>2010-11</u>	<u>2011-12</u>	<u>Change</u>
ADR Office	\$5,969,030	\$6,036,073	\$67,043
Family Courts	2,903,374	2,957,167	53,793
City Courts	141,285	144,113	2,828
Supreme Courts	105,395	107,503	2,108
Surrogate's Courts	<u>35,717</u>	<u>36,431</u>	<u>714</u>
TOTAL	\$9,154,801	\$9,281,287	\$126,486

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ADR & COURT IMPROVEMENT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,415,590	1,488,639	73,049
PS Temporary	161,107	183,145	22,038
Total Personal Service	<u>1,576,697</u>	<u>1,671,784</u>	<u>95,087</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	500	0	(500)
Travel	40,000	35,000	(5,000)
Prof Services Other	2,297,003	2,621,412	324,409
Legal Services	6,084,150	6,153,495	69,345
Other NPS	85,130	59,500	(25,630)
Total Nonpersonal Service	<u>8,506,783</u>	<u>8,869,407</u>	<u>362,624</u>
Grand Total	10,083,480	10,541,191	457,711

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ADR & COURT IMPROVEMENT
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,415,590	1,488,639	73,049
PS Temporary	161,107	183,145	22,038
Total Personal Service	<u>1,576,697</u>	<u>1,671,784</u>	<u>95,087</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	500	0	(500)
Travel	40,000	35,000	(5,000)
Prof Services Other	2,297,003	2,621,412	324,409
Legal Services	6,084,150	6,153,495	69,345
Other NPS	85,130	59,500	(25,630)
Total Nonpersonal Service	<u>8,506,783</u>	<u>8,869,407</u>	<u>362,624</u>
Grand Total	10,083,480	10,541,191	457,711

**Alternative Dispute Resolution and
Court Improvement Programs**
Position Staffing

March 31, 2012 Schedule of Positions

<u>Unit</u>	Nonjudicial
Alternative Dispute Resolution and Court Improvement Programs	16

COURT SUPPORT SERVICES

2011-12 All Funds Budget Request: \$115,802,529

Centralized support services are provided to courts and court-related agencies of the Unified Court System (UCS) in the areas of technology, human resources administration, payroll processing, education and training, court interpreter operations, employee benefits, general administrative services, trial and local court operations, legal reference, computer assisted legal research (CALR), records management, procurement and printing services. The Offices of the Inspector General, the Office of Policy and Planning, and the New York State Access to Justice Program also provide support services to the courts and court-related agencies of the UCS. The Court Support Services units that perform these functions are described below.

Division of Technology

The Division of Technology (DOT) provides automation and telecommunications services to all courts and agencies in the UCS. These services primarily include software applications support, electronic recording support, security web camera installation and support, network support, technology procurement, and the provision of statewide telecommunications, e-mail and internet services. These services allow the court system to perform a wide range of case management and administrative functions and also provide information and communications capabilities within the court system and to other state departments, agencies, local government units and the public. In addition, DOT operates the Statewide Domestic Violence Registry and a Technical Support Center.

DOT software applications support case management, administration and management reporting systems. Currently, a major initiative is underway to create a centralized automated case processing system, known as the Universal Case Management System (UCMS), to be used by all courts in the UCS. The family, surrogate, and local civil components of the system have been completed. Implementation of the criminal and supreme civil components of the system is ongoing, with the first local criminal pilot court implementation scheduled for mid-2011.

Other ongoing software applications that are supported by the Division of Technology include E-filing, budget preparation, jury system management, criminal disposition reporting, caseload activity reporting, fiduciary tracking, attorney registration, court interpreter scheduling and attorney for the child voucher preparation.

The backbone of the UCS's automation system is Courtnet, a high-speed network that is available to over 16,000 employees. These employees are all part of the statewide e-mail system that is the major form of communication within the UCS. The court system's intranet (Courtnet) is also the primary source of administrative forms and information, court manuals and documents and other publications and press releases. Systems are now being installed that will provide internet services to members of the justice community, jurors and the public.

Courtnet also provides the UCS with extensive video conferencing capabilities. Video conferencing is primarily used for inmate video appearances, court system meetings and training throughout the state. Most recently, video conferencing has been used to provide court interpreting services to remote locations where interpreting services are not readily available.

In addition to these ongoing responsibilities, DOT has assumed a lead role in the implementation of many of the recommendations in the Action Plan for the Town and Village Courts which was issued in

November 2006. Each local Justice Court now has digital recording technology, personal computers, and an established e-mail account. Support for these courts will continue to be provided by DOT, with the primary focus currently being the development of a Town and Village Case Management System. While the funding for these initiatives is reflected in the budget for the Town and Village Courts Program, it is worth noting that DOT is responsible for carrying out many of these initiatives.

Web Design Team

The Web Design Team is responsible for the development and maintenance of the UCS's public website and private intranet which together serve to provide attorneys, litigants, judges, court personnel and the public with easy access to court information and services.

The public site includes over 200,000 static documents including web pages, PDF's, images, audio-video and forms. The site is used by more than one million visitors each month. Courtnet, the private site serves over 16,000 judges and court personnel and includes over 700,000 documents.

Division of Court Operations

The Division of Court Operations is responsible for providing resources and technical assistance to enhance, promote and coordinate innovation in court operations. The office seeks out ideas and suggestions which may be of systemic benefit to the trial courts and then acts as a network by sharing these practices with similar courts to help improve their operations. The office also acts as a liaison between the courts and the Office of Court Administration (OCA) regarding operational issues.

Office of Legal Information

The Office of Legal Information provides the UCS trial courts, judicial chambers, law libraries and administrative offices with legal research services and legal reference materials. In addition, the office plans and administers programs for the court law libraries, manages the statewide library automation system (LION), provides consultation to the court law libraries upon demand, and circulates updated legal reference information via intranet/internet based databases and newsletters.

Office of Records Management

The Office of Records Management assists the UCS courts and agencies in managing the volumes of records produced each day by providing records management guidance, technical assistance and training. The office promulgates guidelines for the preservation and use of records in paper or micrographic formats, as well as records maintained in electronic mediums. They consult with courts and agencies to determine the most effective method of maintaining and retrieving information and, where appropriate, assist with the active scanning of records and production of CDs for storage of information. For those courts or agencies selecting a micrographics format, the unit provides microfilm and reproduction services. Central to all of these functions is the effort to streamline operations and reduce costs while maintaining file integrity.

The Office of Records Management has also established a records storage facility at the Brooklyn Army Terminal in New York City to provide storage services to the courts in a modern and secure environment.

Payroll Operations

Payroll Operations is responsible for biweekly payroll processing and related functions for judges, justices and nonjudicial employees in the UCS.

Regional Central Services

The Regional Central Services unit provides centralized purchasing, printing and high volume photocopying services to courts, district offices and OCA units. This unit is also responsible for the oversight and operation of a storage center in Albany for inactive OCA records.

Division of Human Resources - Court Support Units

Human Resources Administrative Office

This office is responsible for managing and providing support services for all units within the Division of Human Resources. The office oversees Kronos system functionality and provides support services to the courts regarding time and leave administration.

In addition, this office is responsible for the administration and implementation of the PeopleSoft Human Resources Management System, which is an ongoing project to modernize existing paper-based, labor intensive human resource functions. In particular, the system aids timekeeping, position management and personnel functions.

The office is also responsible for administering the court system's canvas process for Court Officer Trainees, overseeing the administration of the Commercial Division Fellowship Program and processing all employment transactions for OCA employees.

Judicial Benefits

This unit administers health insurance benefits and the Work/Life Assistance Program for judges, justices and court employees in the UCS. The office also administers the Judicial Supplemental Support Fund for all state-paid justices. The Judicial Benefits Unit is also the primary resource in the UCS for information on retirement benefits as well as nonunion benefits such as life insurance, dental and vision plans.

Career Services

This unit is responsible for providing and coordinating education and training programs for the court system's nonjudicial workforce. Programs are designed to provide employees with tools and resources to enhance workplace skills. Programs range from those directed to specific job series including Court Reporters, Court Clerks and Court Interpreters to other programs specifically designed for supervisors and managers. The office sponsors a program for newly appointed supervisors and annual programs for court managers. Computer software workshops are available as well as programs concentrating on professional development.

Workforce Diversity

This office oversees implementation of the UCS's Workforce Diversity program. The mission of the office is to provide resources to judicial and nonjudicial personnel on diversity-related matters and to initiate and develop programs to ensure the UCS has a diverse workforce.

Education and Training

The Education and Training unit provides continuing legal education and program offerings for state-paid judges, town and village justices, family court support magistrates and employees in the legal series. The Judicial Institute at Pace University also operates in conjunction with the Education and Training Office. The Judicial Institute is a year-round center for judicial education and research designed to enhance the quality of the New York courts and ensure that our Judiciary sets the standard for judicial excellence.

New York State Courts Access to Justice Program

The New York State Courts Access to Justice Program seeks to ensure access to justice in civil and criminal matters for New Yorkers of all income, backgrounds and those with special needs by utilizing self-help services, pro bono programs and innovative technology. The program's priorities are to secure stable and adequate permanent funding for civil legal services, increase the provision of pro bono services and address the needs and challenges of self-represented litigants.

Office of Policy and Planning

The Office of Policy and Planning is responsible for working with judges throughout New York State to study and develop strategies to improve the delivery of justice. The office is also responsible for providing support for problem-solving courts statewide.

Summary of 2011-12 Funding Request:

Court Support Services

2011-12 Budget Request: \$115,802,529

<i>Personal Service:</i>	48,097,569
<i>Nonpersonal Service:</i>	67,704,960
<i>Maintenance Undistributed:</i>	0

The all funds budget request for the Court Support Services program totals \$115,802,529. This represents an increase of \$2,001,158 (1.8%) from the current year adjusted allocation of \$113,801,371. This change consists of an increase in personal service of \$1,739,324 (3.8%) and an increase in nonpersonal service of \$261,834 (0.4%).

The personal service funding request supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The temporary service request of \$3,538,763 supports ongoing court support operations, including funding five employees supporting technology projects (450,996), five staff who provide trial court operational support in the Division of Court Operations (340,440), four support staff at the Judicial Institute (298,980), and fourteen staff providing administrative services to the trial courts (1,272,981). Funding is also reflected for seven Commercial Division Law Clerks (548,715) and six Legal Fellows (411,186).

The nonpersonal service request will fund ongoing centralized court support services, including \$16.5 million for legal reference materials, \$11 million for rental of office and training space, \$1.7 million for

education and training programs, \$6.6 million for Courtnet support, \$9.6 million in information technology and other services for hardware and software maintenance, \$6.7 million for computer assisted legal research, and \$3.5 million for the cyclical replacement of computer equipment.

Nonpersonal service categories with significant increases include repairs of equipment (226,522), real estate rentals (626,951) and information technology services (806,013). The increase in repairs of equipment is attributable to equipment coming off warranty that now needs to be covered by maintenance agreements. The increase in real estate rentals covers contractually obligated increases pursuant to lease agreements. The increase in information technology services covers additional software licenses and hardware requirements needed for technology upgrades.

The nonpersonal service increases are largely offset by decreases in travel (-163,700), conferences and training (-507,250), EDP telecommunications (-462,000), and replacement equipment (-500,000). These decreases are all related to UCS cost control measures.

Program Summary

Division of Technology - All Funds Request: \$42,707,811

The budget request for DOT reflects funding for ongoing projects in support of court operations. The budget includes \$24,340,373 from the General Fund and \$18,367,438 from the Judiciary Data Processing Special Revenue Offset Account Fund.

The personal service request of \$18,367,438 supports 211 nonjudicial staff.

The nonpersonal service request of \$24,340,373 provides funds necessary to support DOT's ongoing operations, including software support for case processing and administrative functions, telecommunications, network communications (Courtnet), equipment rentals, maintenance and supplies, technology training, travel and office space rental. The ongoing portion of the nonpersonal service budget also supports projects to upgrade and modernize case management and administrative applications, telecommunications and Courtnet. Funding for the Family Protection Registry Center at Rensselaer Technology Park is also reflected.

DOT will also continue the replacement of computers, printers, digital senders, laptops, network servers and UPS batteries; the provision of equipment to upgrade centralized computer operations; support of video-conferencing, video surveillance and digital audio-recording technology; disaster recovery and emergency preparedness, and the increase of network storage capacity.

Web Design Team - \$470,796

The 2011-12 budget request for the Web Design Team includes \$432,396 in personal service and \$38,400 in nonpersonal service. The personal service request supports two Web Developers. Also reflected is a temporary service request of \$232,865 that supports ongoing web development.

Division of Court Operations - \$2,305,964

The 2011-12 budget request for the Division of Court Operations includes \$2,203,179 in personal service and \$102,785 in nonpersonal service. The personal service request supports 22 staff whose functions are to provide statewide centralized support for day-to-day court operations and assist in improving their processes and procedures. The nonpersonal service request includes \$70,000 for travel, reflecting the unit's mission to provide significant on-site services.

Office of Legal Information - \$24,269,941

The 2011-12 budget request for the Office of Legal Information includes \$963,478 in personal service and \$23,306,463 in nonpersonal service.

The personal service request supports 12 nonjudicial staff. The nonpersonal service request includes \$16,520,548 for legal reference materials and \$6,677,655 for computer assisted legal research. The request for legal reference materials is based on the Library Maintenance Agreement negotiated with West Publishing and the discount pricing agreement negotiated with LexisNexis. The agreement with LexisNexis establishes rates based on levels of spending.

Office of Records Management - \$1,649,200

The 2011-12 budget request for the Office of Records Management includes \$1,126,282 in personal service and \$522,918 in nonpersonal service. The personal service request supports 17 nonjudicial staff. The nonpersonal service request reflects \$263,886 for microfilming services as well as microfilm storage and testing.

Payroll Operations - \$2,351,739

The 2011-12 budget request for Payroll Operations includes \$2,162,939 in personal service and \$188,800 in nonpersonal service. The personal service request supports 32 nonjudicial staff.

Regional Central Services - \$725,696

The 2011-12 budget request for Regional Central Services includes \$392,964 in personal service and \$332,732 in nonpersonal service. The personal service request supports six staff who provide centralized purchasing, printing, photocopying and delivery services to courts and OCA units located throughout the state.

Division of Human Resources: Court Support Units - \$7,775,277

The Division of Human Resources Court Support units reflect funding for the staff and operation of the Human Resources Administrative Office, the Judicial Benefits unit, the Career Services unit and the Workforce Diversity office.

The 2011-12 budget request for the Court Support units of the Division of Human Resources includes \$5,485,377 in personal service and \$2,289,900 in nonpersonal service. The personal service request supports 49 nonjudicial staff. The nonpersonal service request includes \$1,450,000 for licenses, software, maintenance fees and system upgrades for the timekeeping and human resource automation systems. Also reflected is \$350,000 for nonjudicial workforce training.

Education and Training - \$4,790,492

The 2011-12 budget request for Education and Training, including operating costs for the Judicial Institute, includes \$2,405,492 in personal service and \$2,385,000 in nonpersonal service.

The personal service request supports 20 nonjudicial staff. The nonpersonal service request provides \$1,050,000 for ongoing education and training programs for state-paid judges, town and village justices, family court support magistrates and employees in the legal series.

Administrative Services - \$19,143,464

The 2011-12 budget request for Administrative Services includes \$6,184,411 in personal service and \$12,959,053 in nonpersonal service. The personal service request supports 68 staff. The nonpersonal service request includes \$9,872,966 in real estate rentals for offices in New York City, White Plains, Albany, Syracuse, Buffalo and Cohoes.

Office of Inspector General - \$1,534,331

The 2011-12 budget request for the Office of Inspector General includes \$1,487,831 in personal service and \$46,500 in nonpersonal service. The personal service request supports 14 staff.

NYS Courts Access to Justice Program - \$1,630,181

The 2011-12 budget request for the NYS Courts Access to Justice Program includes \$734,545 in personal service and \$895,636 in nonpersonal service. The personal service request supports seven nonjudicial staff. The nonpersonal service request includes \$740,877 for the "ProBonoNY" initiative.

Office of Policy and Planning - \$1,407,525

The 2011-12 budget request for the Office of Policy and Planning includes \$1,115,125 in personal service and \$292,400 in nonpersonal service. The personal service request supports eight nonjudicial staff.

Court Interpreting Services - \$4,869,539

The 2011-12 budget request for the centralized court interpreter pools totals \$4,869,539. The request supports 72 court interpreters who provide interpreting services throughout the state. These lines are established in compliance with the settlement agreement with the Public Employment Relations Board and District Council 37, the provisions of which require that voucher-paid per diem interpreters working the equivalent of 30% or more of a full-time position for at least nine out of the twelve previous months be offered a salaried position with the UCS.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURT SUPPORT SERVICES

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	41,687,633	44,140,924	2,453,291
PS Overtime	475,811	417,882	(57,929)
PS Temporary	4,194,801	3,538,763	(656,038)
Total Personal Service	<u>46,358,245</u>	<u>48,097,569</u>	<u>1,739,324</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	23,072,032	23,216,203	144,171
Travel	1,637,614	1,473,914	(163,700)
Prof Services Other	12,725,099	13,402,739	677,640
In-Part Services	750	750	0
Security Services	528	528	0
Equipment	4,000,000	3,500,000	(500,000)
Other NPS	26,007,103	26,110,826	103,723
Total Nonpersonal Service	<u>67,443,126</u>	<u>67,704,960</u>	<u>261,834</u>
Grand Total	113,801,371	115,802,529	2,001,158

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURT SUPPORT SERVICES
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	23,747,093	25,930,770	2,183,677
PS Overtime	363,913	308,156	(55,757)
PS Temporary	2,916,744	3,320,632	403,888
Total Personal Service	<u>27,027,750</u>	<u>29,559,558</u>	<u>2,531,808</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	23,072,032	23,216,203	144,171
Travel	1,637,614	1,473,914	(163,700)
Prof Services Other	12,725,099	13,402,739	677,640
In-Part Services	750	750	0
Security Services	528	528	0
Equipment	4,000,000	3,500,000	(500,000)
Other NPS	26,007,103	26,110,826	103,723
Total Nonpersonal Service	<u>67,443,126</u>	<u>67,704,960</u>	<u>261,834</u>
Grand Total	94,470,876	97,264,518	2,793,642

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURT SUPPORT SERVICES
COURT FACILITIES INCENTIVE AID
FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	160,626	170,573	9,947
PS Overtime	2,172	0	(2,172)
Total Personal Service	162,798	170,573	7,775
Grand Total	162,798	170,573	7,775

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURT SUPPORT SERVICES
JUDICIARY DATA PROCESSING OFFSET
FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	17,779,914	18,039,581	259,667
PS Overtime	109,726	109,726	0
PS Temporary	1,278,057	218,131	(1,059,926)
Total Personal Service	19,167,697	18,367,438	(800,259)
Grand Total	19,167,697	18,367,438	(800,259)

Court Support Services Position Staffing

March 31, 2012 Schedule of Positions

<u>Unit</u>	No. of Positions
Division of Technology - JDPOA	196
NYC - JDPOA	10
Internal Affairs - JDPOA	3
Web Design	2
Division of Court Operations	22
Office of Legal Information	12
Records Management	17
Payroll Operations	32
Regional Central Services	6
Human Resource Administration	29
Education & Training	6
Judicial Benefits	9
Career Services	6
Workforce Diversity	6
Division of Administrative Services	68
Office of Inspector General	14
NYS Courts Access to Justice	7
Internal Affairs - CFIA	2
NYS Judicial Institute	14
Office of Policy & Planning	8
Court Interpreter Program	72
Total	541

**TOWN AND VILLAGE -
STATE OPERATIONS**

2011-12 Budget Request: \$7,038,017
--

New York State has more than 1,300 town and village courts that operate in 57 counties in all areas of the State with the exception of New York City. These courts, collectively referred to as Justice Courts, are funded and operated by their own municipalities. The town and village justices who sit in these courts process an estimated two million cases a year. These justices are typically elected by the voters within the individual towns or villages in which they sit and often work on a part-time basis only. In addition to routine traffic infractions and parking violations, town and village justices preside over all types of misdemeanor criminal matters, from drunken driving cases to sexual offenses, domestic violence assaults, drug offenses, and other charges. In such cases, local justices conduct suppression hearings, authorize search warrants, preside over jury trials and impose jail sentences of up to one year. On the felony side, town and village justices conduct arraignments (including on weekends, holidays and in the middle of the night) in all categories of cases, from armed robberies to homicides. Their civil jurisdiction includes small claims matters, residential and commercial landlord-tenant cases, summary eviction proceedings and other civil disputes.

In recent years, these courts have received a great deal of attention from the press, the public and the legal community. In the fall of 2006, a series of articles in The New York Times reported alleged failings and abuses by a number of judges in the Justice Courts. Additionally, a report issued by the State Comptroller identified areas of financial mismanagement in a significant number of the town and village courts audited. Shortly after these issues were reviewed, the Unified Court System issued an "Action Plan for the Justice Courts" which announced first-time statewide initiatives for increased training and supervision of town and village justices and other new support to improve the efficiency and quality of the Justice Courts. In order to implement the recommended initiatives, the Legislature approved a \$5 million state operations appropriation for this program in the 2008-09 enacted budget as well as approval of existing local assistance funding. The state operations funding increased to \$11.9 million in 2010-11. While the continued implementation of the action plan is critical to the delivery of justice for these courts, the 2011-12 budget request of \$7 million reflects a reduction in State Operations funding in light of the State's current fiscal crisis. The program also continues to be supported by a \$4.9 million local assistance appropriation.

The funds that have been allocated to the Town and Village Court Program have been used to support the Justice Court's Local Assistance Program (JCAP) as well as to: install equipment to provide for the electronic recording of Justice Court proceedings; provide enhanced information technology support and automation, including e-mail and on-line legal research capabilities; expand the existing credit card system for the payment of fees and fines; develop a comprehensive new training program for town and village justices and nonjudicial staff; perform facility security assessments and provide security equipment and facility safety improvements; and, to enhance audit oversight of financial activities.

In addition to fiscal, administrative and operational support, the Unified Court System has also sought legislative changes to improve the efficiency and quality of the Justice Courts. The Legislature, at the Office of Court Administration's (OCA) request, raised the annual cap on grants awarded through the JCAP Program from \$20,000 to \$30,000. The Legislature also simplified and clarified various state law provisions governing the temporary assignment of Justices from one locality to another, by authorizing the Chief Administrative Judge, in the event of illness, death or other unavailability of a Justice, to temporarily assign another Justice or a City Court Judge from the county or an adjoining county, with related expenses to be paid by the Unified Court System. Most recently, statutory changes were made that will simplify the process for merging town and village courts for localities that desire to do so.

In 2006, then Chief Judge Judith S. Kaye appointed the Special Commission on the Future of the New York State Courts to assess the effectiveness of the State's current court structure and propose reforms to better meet the needs and expectations of New Yorkers. The Commission was comprised of respected lawyers, civic leaders, government and private sector representatives, academicians, and sitting and former trial and appellate court judges. The chairman of the Commission was Carey R. Dunne, a partner at the law firm of Davis Polk & Wardwell in New York City.

The Commission released its report in September of 2008. The report is based on the most extensive review of the Justice Court System in New York's history, including visits to town and village courts in every judicial district in the State. The Commission also held public hearings in Albany, Ithaca, Rochester and White Plains, where it heard testimony and received submissions from 85 witnesses. Among the Commission's findings and recommendations are:

Legislative Enactment of a Process for the Consolidation of Justice Courts

The current array of nearly 1,300 Justice Courts has grown on an ad hoc basis over hundreds of years, with no rational assessment of state or local needs. This large number of local courts imposes enormous burdens on taxpayer-funded resources, such as state and county law enforcement, legal and probation services. The Commission proposed that the Legislature establish a locally-based process that will result in a reduction in the number of Justice Courts. In addition to increasing efficiency and reducing redundancy, fewer town and village courts would allow more targeted and meaningful support to upgrade facilities and security of the courts that remain, and would also make it more feasible to provide higher judicial salaries, which could in turn encourage more qualified candidates to seek office.

Promulgation of Minimum Standards

The Commission found a wide range of conditions under which the Justice Courts function. The Commission, therefore, proposed the promulgation of minimum standards for court facilities, resources, security and other areas to ensure that all Justice Courts are safe and fit for judicial proceedings.

Protecting Litigants' Rights and Improving the Bench

The Commission found that the majority of town and village justices are hardworking, experienced and are adequately performing their important duties; and that the rights of those who appear in our Justice Courts can be protected without abolishing non-attorney justices. The Commission proposed to further improve the quality of the Justice Court bench and safeguard the rights of litigants through the legislative enactment of a minimum age requirement of 25 for incoming justices, and a minimum education requirement of a two-year degree from an accredited college. The Commission also recommended further training for town and village justices as well as legislation granting defendants who appear before a non-attorney justice in a misdemeanor criminal case with an automatic "op-out" right to have his or her case heard by an attorney judge.

Reform of Justice Court Funding

The Commission found that achieving Justice Court reforms would require a rethinking of funding sources and mechanisms. The Commission proposed that the Legislature and OCA undertake a study of the Justice Court fine and fee system and propose reforms that, in part, would ensure that revenues generated are used to provide courts with the basic resources needed to operate properly.

**Summary of 2011-12 Funding Request:
Town and Village - State Operations**

2011-12 Budget Request:	\$7,038,017
<i>Personal Service:</i>	<i>4,410,230</i>
<i>Nonpersonal Service:</i>	<i>1,627,787</i>
<i>Maintenance Undistributed:</i>	<i>1,000,000</i>

The 2011-12 request of \$7,038,017 is a decrease of \$3,292,071 (-31.9%) from the current adjusted appropriation. This change consists of a decrease in personal service of \$712,854 (-13.9%), a decrease in nonpersonal service of \$135,719 (-7.7%) and a decrease in maintenance undistributed funds of \$2,443,498 (-71%).

The personal service funding request supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request of \$1,627,787 will fund the significant travel, training and software costs incurred by the Unified Court System as it provides support to these geographically-dispersed courts.

In addition to these ongoing costs, a maintenance undistributed request of \$1,000,000 is reflected. This request reflects a decrease of \$3,292,071 (-71%) which is attributable to UCS efforts to control costs. The remaining funds are requested to continue current year efforts to provide technology, security and facility equipment, and to continue development of a case management system for the town and village courts.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURTS OF ORIGINAL JURISDICTION
TOWN AND VILLAGE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	4,873,727	4,197,971	(675,756)
PS Overtime	30,683	30,783	100
PS Temporary	218,674	181,476	(37,198)
Total Personal Service	<u>5,123,084</u>	<u>4,410,230</u>	<u>(712,854)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	8,500	8,500	0
Travel	308,564	261,425	(47,139)
Prof Services Other	310,477	292,914	(17,563)
Other NPS	1,135,965	1,064,948	(71,017)
Total Nonpersonal Service	<u>1,763,506</u>	<u>1,627,787</u>	<u>(135,719)</u>
<u>Maintenance Undistributed</u>			
Town & Village Court	<u>3,443,498</u>	<u>1,000,000</u>	<u>(2,443,498)</u>
Total Maintenance Undistributed	<u>3,443,498</u>	<u>1,000,000</u>	<u>(2,443,498)</u>
Grand Total	10,330,088	7,038,017	(3,292,071)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	4,873,727	4,197,971	(675,756)
PS Overtime	30,683	30,783	100
PS Temporary	218,674	181,476	(37,198)
Total Personal Service	<u>5,123,084</u>	<u>4,410,230</u>	<u>(712,854)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	8,500	8,500	0
Travel	308,564	261,425	(47,139)
Prof Services Other	310,477	292,914	(17,563)
Other NPS	1,135,965	1,064,948	(71,017)
Total Nonpersonal Service	<u>1,763,506</u>	<u>1,627,787</u>	<u>(135,719)</u>
<u>Maintenance Undistributed</u>			
Town & Village Court	3,443,498	1,000,000	(2,443,498)
Total Maintenance Undistributed	<u>3,443,498</u>	<u>1,000,000</u>	<u>(2,443,498)</u>
Grand Total	10,330,088	7,038,017	(3,292,071)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
THIRD DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	125,849	129,860	4,011
PS Overtime	200	100	(100)
PS Temporary	25,000	12,900	(12,100)
Total Personal Service	<u>151,049</u>	<u>142,860</u>	<u>(8,189)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	5,000	5,000	0
Travel	14,667	18,600	3,933
Prof Services Other	2,000	7,000	5,000
Other NPS	21,288	14,700	(6,588)
Total Nonpersonal Service	<u>42,955</u>	<u>45,300</u>	<u>2,345</u>
Grand Total	194,004	188,160	(5,844)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
FOURTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	103,396	108,756	5,360
PS Overtime	1,000	4,750	3,750
PS Temporary	20,000	25,400	5,400
Total Personal Service	<u>124,396</u>	<u>138,906</u>	<u>14,510</u>
<u>Nonpersonal Service</u>			
Travel	5,867	150	(5,717)
Other NPS	7,992	2,550	(5,442)
Total Nonpersonal Service	<u>13,859</u>	<u>2,700</u>	<u>(11,159)</u>
Grand Total	138,255	141,606	3,351

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
FIFTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	248,422	257,913	9,491
PS Overtime	0	450	450
PS Temporary	26,000	21,000	(5,000)
Total Personal Service	<u>274,422</u>	<u>279,363</u>	<u>4,941</u>
<u>Nonpersonal Service</u>			
Travel	14,667	3,000	(11,667)
Other NPS	6,080	3,200	(2,880)
Total Nonpersonal Service	<u>20,747</u>	<u>6,200</u>	<u>(14,547)</u>
Grand Total	295,169	285,563	(9,606)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
SIXTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	114,893	119,682	4,789
PS Overtime	1,500	1,500	0
PS Temporary	7,000	10,000	3,000
Total Personal Service	<u>123,393</u>	<u>131,182</u>	<u>7,789</u>
<u>Nonpersonal Service</u>			
Travel	5,867	5,200	(667)
Other NPS	11,427	8,375	(3,052)
Total Nonpersonal Service	<u>17,294</u>	<u>13,575</u>	<u>(3,719)</u>
Grand Total	140,687	144,757	4,070

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
SEVENTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	225,950	231,628	5,678
PS Overtime	400	1,200	800
PS Temporary	15,000	15,000	0
Total Personal Service	<u>241,350</u>	<u>247,828</u>	<u>6,478</u>
<u>Nonpersonal Service</u>			
Travel	5,182	3,309	(1,873)
Other NPS	13,714	14,453	739
Total Nonpersonal Service	<u>18,896</u>	<u>17,762</u>	<u>(1,134)</u>
Grand Total	260,246	265,590	5,344

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
EIGHTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	86,399	109,693	23,294
PS Overtime	1,500	1,700	200
PS Temporary	40,000	14,000	(26,000)
Total Personal Service	<u>127,899</u>	<u>125,393</u>	<u>(2,506)</u>
<u>Nonpersonal Service</u>			
Travel	21,512	20,000	(1,512)
Other NPS	3,367	2,400	(967)
Total Nonpersonal Service	<u>24,879</u>	<u>22,400</u>	<u>(2,479)</u>
Grand Total	152,778	147,793	(4,985)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
NINTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	131,980	132,045	65
PS Overtime	390	390	0
PS Temporary	10,000	10,000	0
Total Personal Service	<u>142,370</u>	<u>142,435</u>	<u>65</u>
<u>Nonpersonal Service</u>			
Travel	<u>17,601</u>	<u>13,386</u>	<u>(4,215)</u>
Total Nonpersonal Service	<u>17,601</u>	<u>13,386</u>	<u>(4,215)</u>
Grand Total	159,971	155,821	(4,150)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
NASSAU COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	248,365	274,211	25,846
PS Overtime	318	318	0
PS Temporary	2,000	2,000	0
Total Personal Service	<u>250,683</u>	<u>276,529</u>	<u>25,846</u>
<u>Nonpersonal Service</u>			
Travel	5,867	700	(5,167)
Prof Services Other	2,000	2,000	0
Other NPS	1,956	2,250	294
Total Nonpersonal Service	<u>9,823</u>	<u>4,950</u>	<u>(4,873)</u>
Grand Total	260,506	281,479	20,973

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
SUFFOLK COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	119,672	125,738	6,066
PS Overtime	375	375	0
PS Temporary	4,004	4,004	0
Total Personal Service	<u>124,051</u>	<u>130,117</u>	<u>6,066</u>
<u>Nonpersonal Service</u>			
Travel	7,334	2,080	(5,254)
Other NPS	9,117	1,020	(8,097)
Total Nonpersonal Service	<u>16,451</u>	<u>3,100</u>	<u>(13,351)</u>
Grand Total	140,502	133,217	(7,285)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
COURT SUPPORT SERVICES

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	3,468,801	2,708,445	(760,356)
PS Overtime	25,000	20,000	(5,000)
PS Temporary	69,670	67,172	(2,498)
Total Personal Service	<u>3,563,471</u>	<u>2,795,617</u>	<u>(767,854)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	3,500	3,500	0
Travel	210,000	195,000	(15,000)
Prof Services Other	306,477	283,914	(22,563)
Other NPS	1,061,024	1,016,000	(45,024)
Total Nonpersonal Service	<u>1,581,001</u>	<u>1,498,414</u>	<u>(82,587)</u>
Grand Total	5,144,472	4,294,031	(850,441)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

TOWN AND VILLAGE
MAINTENANCE UNDISTRIBUTED

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Maintenance Undistributed</u>			
Town & Village Court	3,443,498	1,000,000	(2,443,498)
Total Maintenance Undistributed	<u>3,443,498</u>	<u>1,000,000</u>	<u>(2,443,498)</u>
Grand Total	3,443,498	1,000,000	(2,443,498)

Town and Village - State Operations Position Staffing

March 31, 2012 Schedule of Positions

<u>District</u>	No. of Positions
Third District Justice Courts	2
Fourth District Justice Courts	2
Fifth District Justice Courts	3
Sixth District Justice Courts	2
Seventh District Justice Courts	3
Eighth District Justice Courts	2
Ninth District Justice Courts	2
Nassau County Justice Courts	3
Suffolk County Justice Courts	2
Total	21

Court Support Services

<u>Unit</u>	No. of Positions
Justice Courts State Ops - Town & Village	11
Justice Courts State Ops - DOT	14
Justice Courts State Ops - Internal Affairs	10
Total	35

Town and Village State Operations - Summary

<u>District/Unit</u>	No. of Positions
Total	56

PUBLIC SAFETY

2011-12 Budget Request: \$341,288,559

The New York State Unified Court System (UCS) is dedicated to meeting the safety and security needs of the judges and nonjudicial personnel who work in the courts and the public who rely on the courts to meet their judicial needs. In addition to providing resources to support the security needs of the courts, the Public Safety Program includes funding for the Department of Public Safety and the Court Officers Training Academy.

Two pieces of legislation enacted in 2010 impact the public safety program. Effective May 22, 2010, chapter 10 of the Laws of 2010 allowed all state-paid uniformed court officers to execute bench warrants in the courthouses in which they serve. Previously, only those state-paid uniformed court officers in New York City, Long Island and Westchester County had this authority; now that there are state-paid officers in almost every district of the court system, there is no reason to differentiate between them in this regard. By expanding the authority to serve bench warrants to all state-paid uniformed court officers, local police and sheriff department personnel will be relieved of this function in courthouses, thus enhancing the most efficient use of law enforcement resources.

The more significant piece of legislation in terms of operational and fiscal impacts on the UCS is chapter 491 of the Laws of 2010. This law combines the separate registries of police officers and peace officers into a single one. Peace officers in the court system include not only court security titles but court clerks in New York City, Long Island and the 9th Judicial District. Effective January 1, 2011, the minimum number of hours of training for peace officers appointed on or after that date will increase from 35 to 180. The uniformed court officers already receive more than the higher minimum number of hours of training but the court clerks do not. Complying with this law will necessitate the hiring of additional trainers and will result in more overtime for court clerks who will have to attend the training outside of their normal work hours.

Court Support Services

Department of Public Safety

The Department of Public Safety advises the Deputy Chief Administrative Judge on security operations and public safety policies including emergency management plans and safety education for the UCS. The Department of Public Safety also develops safety protocols and emergency action plans for local courts and agencies; and is responsible for the monitoring of uniform standards, policies, regulations and practices, and training.

One of the objectives of the Department of Public Safety is to implement recommendations set forth by the Task Force on Court Security which was established in 2005. These recommendations are intended to ensure that security personnel are effectively and efficiently trained, equipped and deployed throughout the state. The Task Force also requests that appropriate safety measures be implemented to improve the court system's capability to quickly respond to emergencies.

Court Officer Training Academy

The Court Officer Training Academy provides a 14-week training program to all NYS Court Officer candidates. The training curriculum includes civil and criminal procedural law, basic firearm training, defensive tactics, first aid, CPR training and gang intelligence. There are currently two UCS training academies, one located in Cohoes and the other in New York City. A third academy located at a former school complex in Kings County is in the design phase. One of the primary recommendations of the Task Force on Court Security

was the need to expand training for court security officers by establishing residential facilities. Once the residential facility in Kings is operational, it will enhance the overall training experience and facilitate court officer recruitment.

Applicant Verification Unit

The Applicant Verification Unit conducts background investigations of all NYS Court Officer-Trainee candidates. With UCS staff providing security in more and more areas of the state, the number of applicants has grown, necessitating a greater number of background checks.

Courts of Original Jurisdiction

Security Personnel

The Public Safety Program currently includes 4,218 positions which constitute all security personnel throughout the courts and districts as well as administrative staff. Travel, supplies and other expenses associated with daily support of the Public Safety staff are included in this request.

Contractual Security

In many upstate districts, the UCS contracts with local municipalities in order to provide security to the court users, judges and court staff. In order to insure that the public's safety and security needs are met, the court system will continue its ongoing review of security arrangements at each court facility. Where and when it deems it appropriate, the UCS will replace locally-furnished court security personnel (e.g., employees of a county sheriff's office or city police department) with UCS state-paid security officers, in accordance with time frames as established by the Chief Administrative Judge.

Summary of 2011-12 Funding Request:

Public Safety

2011-12 Budget Request: \$341,288,559

<i>Personal Service:</i>	304,576,538
<i>Nonpersonal Service:</i>	36,712,021
<i>Maintenance Undistributed:</i>	0

The 2011-12 request of \$341,288,559 is a decrease of \$4,255,568 (-1.2%) from the current adjusted appropriation. This request is comprised of personal service in the amount of \$304,576,538 and nonpersonal service of \$36,712,021.

The personal service request reflects an overall decrease of \$6,518,418 (-2.1%) from the current adjusted appropriation. The personal service funding request supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request includes \$31,665,117 in security services to fund contractual security in the 3rd, 4th, 5th, 6th, 7th and 8th Judicial Districts. This request reflects an increase of \$2,464,020 (8.4%) over the current adjusted appropriation, which is primarily attributable to collective bargaining increases,

but also includes funding for enhanced coverage in Allegany County. This is necessitated by the anticipated completion of a courthouse expansion project early in the next fiscal year.

Funding is included for real estate rentals in the amount of \$1,358,836, an increase of \$231,102 (20.5%) over current adjusted appropriations. This increase is attributable to rising rates in the building lease for the Court Officer Training Academy at 123 William Street in Manhattan and increased rent for the new training academy in Kings.

In addition, the nonpersonal service request includes \$851,705 for medical services. This funding supports the background investigations of NYS Court Officer-Trainees.

In order to meet the safety and security needs of the UCS, \$500,000 is included for essential security equipment.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURTS OF ORIGINAL JURISDICTION
PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	281,724,728	275,338,369	(6,386,359)
PS Overtime	27,108,702	26,510,525	(598,177)
PS Temporary	2,261,526	2,727,644	466,118
Total Personal Service	311,094,956	304,576,538	(6,518,418)
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,500	2,500	0
Travel	649,516	508,193	(141,323)
Prof Services Other	1,414,001	1,494,063	80,062
Security Services	29,201,097	31,665,117	2,464,020
Equipment	1,000,000	500,000	(500,000)
Other NPS	2,182,057	2,542,148	360,091
Total Nonpersonal Service	34,449,171	36,712,021	2,262,850
Grand Total	345,544,127	341,288,559	(4,255,568)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NEW YORK CITY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	174,498,137	170,606,942	(3,891,195)
PS Overtime	22,112,901	21,706,344	(406,557)
Total Personal Service	196,611,038	192,313,286	(4,297,752)
<u>Nonpersonal Service</u>			
Travel	7,079	4,645	(2,434)
Prof Services Other	28,923	35,014	6,091
Other NPS	102,831	101,412	(1,419)
Total Nonpersonal Service	138,833	141,071	2,238
Grand Total	196,749,871	192,454,357	(4,295,514)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY NEW YORK CITY NY SUPREME CIVIL PUBLIC SAFETY	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	7,758,141	7,340,885	(417,256)
PS Overtime	675,200	731,200	56,000
Total Personal Service	8,433,341	8,072,085	(361,256)
<u>Nonpersonal Service</u>			
Travel	1,051	0	(1,051)
Prof Services Other	2,843	3,000	157
Other NPS	7,072	7,140	68
Total Nonpersonal Service	10,966	10,140	(826)
Grand Total	8,444,307	8,082,225	(362,082)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NEW YORK CITY
NY SUPREME CRIM PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	16,137,440	15,301,580	(835,860)
PS Overtime	1,150,200	1,309,200	159,000
Total Personal Service	17,287,640	16,610,780	(676,860)
<u>Nonpersonal Service</u>			
Travel	512	545	33
Prof Services Other	2,866	3,000	134
Other NPS	5,553	6,560	1,007
Total Nonpersonal Service	8,931	10,105	1,174
Grand Total	17,296,571	16,620,885	(675,686)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NEW YORK CITY
KINGS SUPREME PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	21,158,995	20,245,462	(913,533)
PS Overtime	2,526,200	2,667,900	141,700
Total Personal Service	23,685,195	22,913,362	(771,833)
<u>Nonpersonal Service</u>			
Travel	1,115	500	(615)
Prof Services Other	5,000	5,000	0
Other NPS	17,001	13,000	(4,001)
Total Nonpersonal Service	23,116	18,500	(4,616)
Grand Total	23,708,311	22,931,862	(776,449)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NEW YORK CITY
QUEENS SUPREME PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	17,102,555	15,036,957	(2,065,598)
PS Overtime	1,385,600	1,228,400	(157,200)
Total Personal Service	18,488,155	16,265,357	(2,222,798)
<u>Nonpersonal Service</u>			
Travel	489	300	(189)
Prof Services Other	2,840	2,840	0
Other NPS	7,252	6,610	(642)
Total Nonpersonal Service	10,581	9,750	(831)
Grand Total	18,498,736	16,275,107	(2,223,629)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NEW YORK CITY
BRONX SUPREME PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	25,360,413	25,000,363	(360,050)
PS Overtime	3,650,300	3,626,600	(23,700)
Total Personal Service	29,010,713	28,626,963	(383,750)
<u>Nonpersonal Service</u>			
Travel	489	400	(89)
Prof Services Other	0	3,000	3,000
Other NPS	2,934	7,320	4,386
Total Nonpersonal Service	3,423	10,720	7,297
Grand Total	29,014,136	28,637,683	(376,453)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NEW YORK CITY
RICHMOND SUPREME PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	3,343,965	3,005,832	(338,133)
PS Overtime	457,500	390,500	(67,000)
Total Personal Service	<u>3,801,465</u>	<u>3,396,332</u>	<u>(405,133)</u>
<u>Nonpersonal Service</u>			
Travel	489	500	11
Prof Services Other	1,374	1,374	0
Other NPS	7,251	7,312	61
Total Nonpersonal Service	<u>9,114</u>	<u>9,186</u>	<u>72</u>
Grand Total	3,810,579	3,405,518	(405,061)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NEW YORK CITY
NY CITYWIDE FAM PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	24,891,256	24,975,544	84,288
PS Overtime	4,100,000	4,000,000	(100,000)
Total Personal Service	<u>28,991,256</u>	<u>28,975,544</u>	<u>(15,712)</u>
<u>Nonpersonal Service</u>			
Travel	1,467	1,400	(67)
Prof Services Other	1,500	4,500	3,000
Other NPS	23,386	23,220	(166)
Total Nonpersonal Service	<u>26,353</u>	<u>29,120</u>	<u>2,767</u>
Grand Total	29,017,609	29,004,664	(12,945)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

NYC SURROGATE PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	613,037	492,824	(120,213)
PS Overtime	17,093	17,150	57
Total Personal Service	630,130	509,974	(120,156)
Grand Total	630,130	509,974	(120,156)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NEW YORK CITY
NY CITYWIDE CIV PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	20,108,102	20,238,954	130,852
PS Overtime	3,542,100	3,400,000	(142,100)
Total Personal Service	<u>23,650,202</u>	<u>23,638,954</u>	<u>(11,248)</u>
<u>Nonpersonal Service</u>			
Prof Services Other	4,500	4,800	300
Other NPS	9,776	5,350	(4,426)
Total Nonpersonal Service	<u>14,276</u>	<u>10,150</u>	<u>(4,126)</u>
Grand Total	23,664,478	23,649,104	(15,374)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NEW YORK CITY
NY CITYWIDE CRIM PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	36,939,422	37,647,340	707,918
PS Overtime	4,576,000	4,302,500	(273,500)
Total Personal Service	41,515,422	41,949,840	434,418
<u>Nonpersonal Service</u>			
Travel	1,467	1,000	(467)
Prof Services Other	8,000	7,500	(500)
Other NPS	22,606	24,900	2,294
Total Nonpersonal Service	32,073	33,400	1,327
Grand Total	41,547,495	41,983,240	435,745

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

NYC JURY PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	647,009	670,256	23,247
PS Overtime	13,000	14,571	1,571
Total Personal Service	<u>660,009</u>	<u>684,827</u>	<u>24,818</u>
Grand Total	660,009	684,827	24,818

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

NYC CO CLERKS PUBLIC SAFETY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	437,802	453,890	16,088
PS Overtime	19,708	18,323	(1,385)
Total Personal Service	457,510	472,213	14,703
Grand Total	457,510	472,213	14,703

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NEW YORK CITY
NYC PUBLIC SAFETY UNDIST

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	0	197,055	197,055
Total Personal Service	0	197,055	197,055
Grand Total	0	197,055	197,055

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
THIRD DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	5,026,275	5,078,375	52,100
PS Overtime	259,100	303,700	44,600
Total Personal Service	<u>5,285,375</u>	<u>5,382,075</u>	<u>96,700</u>
<u>Nonpersonal Service</u>			
Travel	24,445	25,000	555
Prof Services Other	6,534	4,700	(1,834)
Security Services	4,593,670	5,105,732	512,062
Other NPS	16,249	29,650	13,401
Total Nonpersonal Service	<u>4,640,898</u>	<u>5,165,082</u>	<u>524,184</u>
Grand Total	9,926,273	10,547,157	620,884

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
FOURTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	7,339,788	7,594,695	254,907
PS Overtime	190,400	228,450	38,050
PS Temporary	162,298	68,480	(93,818)
Total Personal Service	<u>7,692,486</u>	<u>7,891,625</u>	<u>199,139</u>
<u>Nonpersonal Service</u>			
Travel	62,776	40,000	(22,776)
Prof Services Other	102,000	116,000	14,000
Security Services	634,475	634,653	178
Other NPS	35,921	52,660	16,739
Total Nonpersonal Service	<u>835,172</u>	<u>843,313</u>	<u>8,141</u>
Grand Total	8,527,658	8,734,938	207,280

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
FIFTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	5,049,507	5,330,207	280,700
PS Overtime	193,000	192,600	(400)
Total Personal Service	<u>5,242,507</u>	<u>5,522,807</u>	<u>280,300</u>
<u>Nonpersonal Service</u>			
Travel	24,837	4,600	(20,237)
Prof Services Other	8,800	5,100	(3,700)
Security Services	4,098,131	3,945,497	(152,634)
Other NPS	31,486	42,500	11,014
Total Nonpersonal Service	<u>4,163,254</u>	<u>3,997,697</u>	<u>(165,557)</u>
Grand Total	9,405,761	9,520,504	114,743

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
SIXTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	6,214,296	6,254,506	40,210
PS Overtime	211,205	211,205	0
Total Personal Service	<u>6,425,501</u>	<u>6,465,711</u>	<u>40,210</u>
<u>Nonpersonal Service</u>			
Travel	83,115	74,880	(8,235)
Prof Services Other	9,778	42,960	33,182
Security Services	486,741	503,824	17,083
Other NPS	6,075	17,633	11,558
Total Nonpersonal Service	<u>585,709</u>	<u>639,297</u>	<u>53,588</u>
Grand Total	7,011,210	7,105,008	93,798

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
SEVENTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	77,999	0	(77,999)
Total Personal Service	77,999	0	(77,999)
<u>Nonpersonal Service</u>			
Travel	1,115	520	(595)
Security Services	13,944,138	14,794,800	850,662
Other NPS	51,283	51,244	(39)
Total Nonpersonal Service	13,996,536	14,846,564	850,028
Grand Total	14,074,535	14,846,564	772,029

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
EIGHTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	11,558,494	11,327,461	(231,033)
PS Overtime	630,500	591,400	(39,100)
Total Personal Service	12,188,994	11,918,861	(270,133)
<u>Nonpersonal Service</u>			
Travel	39,895	15,300	(24,595)
Security Services	4,309,681	4,647,824	338,143
Other NPS	3,422	68,450	65,028
Total Nonpersonal Service	4,352,998	4,731,574	378,576
Grand Total	16,541,992	16,650,435	108,443

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NINTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	22,665,782	21,549,046	(1,116,736)
PS Overtime	1,189,000	931,000	(258,000)
Total Personal Service	<u>23,854,782</u>	<u>22,480,046</u>	<u>(1,374,736)</u>
<u>Nonpersonal Service</u>			
Travel	39,113	32,878	(6,235)
Prof Services Other	4,889	4,889	0
Other NPS	40,620	36,332	(4,288)
Total Nonpersonal Service	<u>84,622</u>	<u>74,099</u>	<u>(10,523)</u>
Grand Total	23,939,404	22,554,145	(1,385,259)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
NASSAU COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	21,116,812	20,725,207	(391,605)
PS Overtime	795,809	795,809	0
Total Personal Service	<u>21,912,621</u>	<u>21,521,016</u>	<u>(391,605)</u>
<u>Nonpersonal Service</u>			
Travel	12,086	9,150	(2,936)
Prof Services Other	33,000	33,000	0
Other NPS	86,396	82,128	(4,268)
Total Nonpersonal Service	<u>131,482</u>	<u>124,278</u>	<u>(7,204)</u>
Grand Total	22,044,103	21,645,294	(398,809)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
SUFFOLK COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	23,447,948	22,275,383	(1,172,565)
PS Overtime	1,329,232	1,362,462	33,230
Total Personal Service	<u>24,777,180</u>	<u>23,637,845</u>	<u>(1,139,335)</u>
<u>Nonpersonal Service</u>			
Travel	22,555	18,720	(3,835)
Prof Services Other	19,520	22,843	3,323
Other NPS	83,062	88,301	5,239
Total Nonpersonal Service	<u>125,137</u>	<u>129,864</u>	<u>4,727</u>
Grand Total	24,902,317	23,767,709	(1,134,608)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
COURT SUPPORT SERVICES

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	4,729,690	4,596,547	(133,143)
PS Overtime	197,555	187,555	(10,000)
PS Temporary	2,099,228	2,659,164	559,936
Total Personal Service	<u>7,026,473</u>	<u>7,443,266</u>	<u>416,793</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,500	2,500	0
Travel	332,500	282,500	(50,000)
Prof Services Other	1,200,557	1,229,557	29,000
Other NPS	1,724,712	1,971,838	247,126
Total Nonpersonal Service	<u>3,260,269</u>	<u>3,486,395</u>	<u>226,126</u>
Grand Total	10,286,742	10,929,661	642,919

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

PUBLIC SAFETY
MAINTENANCE UNDISTRIBUTED

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Security Services	1,134,261	2,032,787	898,526
Equipment	1,000,000	500,000	(500,000)
Total Nonpersonal Service	<u>2,134,261</u>	<u>2,532,787</u>	<u>398,526</u>
Grand Total	2,134,261	2,532,787	398,526

Public Safety Position Staffing

March 31, 2012 Schedule of Positions

New York City Supreme & County

<u>Locality</u>	Number of Positions
Supreme Civil NY	111
Supreme Criminal NY	249
Supreme Kings	305
Supreme Queens	250
Supreme Bronx	388
Supreme Richmond	45
Total	1,348

New York City Family

<u>Locality</u>	Number of Positions
NYC Family	360

New York City Surrogate's

<u>Locality</u>	Number of Positions
NYC Surrogate's	9

NYC Citywide City & District

<u>Locality</u>	Number of Positions
NYC Citywide Civil	279
NYC Citywide Criminal	548
Total	827

Public Safety Position Staffing

March 31, 2012 Schedule of Positions

New York City Jury

<u>Locality</u>	Number of Positions
NYC Jury	11

New York City County Clerks

<u>Locality</u>	Number of Positions
NYC County Clerks	6

Third District

<u>Locality</u>	Number of Positions
Greene County	6
Rensselaer County	19
Sullivan County	14
Ulster County	18
Albany City	1
Cohoes City	2
Kingston City	5
Rensselaer City	4
Troy City	7
3 rd District	3
Total	79

Public Safety Position Staffing

March 31, 2012 Schedule of Positions

Fourth District

<u>Locality</u>	Number of Positions
Clinton County	8
Essex County	5
Franklin County	6
Fulton County	6
Montgomery County	7
St. Lawrence County	9
Saratoga County	13
Schenectady County	18
Warren County	7
Washington County	7
Amsterdam City	3
Glens Falls City	3
Gloversville City	3
Ogdensburg City	3
Plattsburgh City	2
Saratoga Springs	4
Schenectady City	10
4 th District	2
Total	116

Public Safety Position Staffing

March 31, 2012 Schedule of Positions

Fifth District

<u>Locality</u>	Number of Positions
Herkimer County	12
Jefferson County	14
Lewis County	8
Onondaga County	43
Syracuse City	11
Watertown City	1
5 th District	3
Total	92

Sixth District

<u>Locality</u>	Number of Positions
Broome County	19
Chemung County	11
Chenango County	5
Cortland County	7
Delaware County	5
Madison County	6
Otsego County	9
Schuyler County	3
Tioga County	8
Tompkins County	6
Binghamton City	6
Cortland City	3
Elmira City	5
Ithaca City	2
Norwich City	1
Oneida City	2
Oneonta City	1
6 th District	3
Total	102

Public Safety Position Staffing

March 31, 2012 Schedule of Positions

Seventh District

<u>Locality</u>	Number of Positions
7 th District	0

Eighth District

<u>Locality</u>	Number of Positions
Erie County	139
Niagara County	25
Lockport City	3
Niagara Falls City	18
8 th District	3
Total	188

Public Safety Position Staffing

March 31, 2012 Schedule of Positions

Ninth District

<u>Locality</u>	<u>Number of Positions</u>
Dutchess County	30
Orange County	39
Putnam County	11
Rockland County	28
Westchester County	126
Beacon City	4
Middletown City	3
Mt. Vernon City	12
Newburgh City	10
New Rochelle City	8
Peekskill City	5
Port Jervis City	3
Poughkeepsie City	7
Rye City	2
White Plains City	8
Yonkers City	19
9 th District	3
Total	318

Public Safety Position Staffing

March 31, 2012 Schedule of Positions

Nassau County

<u>Locality</u>	Number of Positions
Nassau County	290
Glen Cove	3
Long Beach	3
Total	296

Suffolk County

<u>Locality</u>	Number of Positions
Suffolk County	337

Court Support Services

<u>Unit</u>	Number of Positions
Dept. of Public Safety	32
Court Officer Training	22
Personnel Sec. Verification	4
Total	58

Maintenance Undistributed

<u>Locality</u>	Number of Positions
Undistributed	71

**COURTS OF ORIGINAL JURISDICTION
MAINTENANCE UNDISTRIBUTED**

2011-12 Budget Request: \$17,209,622

This program includes funding for the Permanent Commission on Justice for Children, the Center for Court Innovation, the Criminal Disposition Reconciliation Project, grants to support problem-solving courts and initiatives, and equipment associated with new or renovated court facilities. Funding is also reflected to meet anticipated operational needs for additional court reporters and peace officer training.

Summary of 2011-12 Funding Request: Maintenance Undistributed

<u>2011-12 Budget Request</u>	<u>\$17,209,622</u>
Permanent Commission on Justice for Children	426,858
Center for Court Innovation	2,018,716
Criminal Disposition Reconciliation	748,673
Special Revenue-Federal Funds	10,500,000
Special Revenue-Other Funds	1,500,000
New Equipment and Furnishings	1,822,151
Other Nonpersonal Service	193,224

The Courts of Original Jurisdiction Maintenance Undistributed Program request of \$17,209,622 consists of \$1,570,490 in personal service funding and \$15,639,132 in nonpersonal service funding.

The personal service request supports four permanent positions in the Center for Court Innovation. Temporary service positions in the Commission on Justice for Children, the Center for Court Innovation and the Criminal Disposition Reconciliation Program are funded in support of ongoing operations.

The nonpersonal service request of \$15,639,132 primarily reflects anticipated Special Revenue grants. The Special Revenue-Federal Funds grants (\$10.5 million) support projects in problem-solving courts; alternative dispute resolution initiatives which support mediation in foster care and adoption proceedings; and improvements in data accountability. In addition, anticipated Special Revenue-Other Funds grants are funded by the City of New York (\$1.5 million) for problem-solving courts, the juvenile Alternative to Detention Program, and data accountability initiatives.

The nonpersonal service request also includes funding for the Center for Court Innovation contracts (\$1.4 million) and furnishings and equipment needed for the opening of new or renovated facilities (\$1.8 million).

Program Summary

Permanent Commission on Justice for Children

The staff of the Permanent Judicial Commission on Justice for Children support the Chief Judge's efforts to address the unique problems of children who come into contact with the Unified Court System, particularly in the Family Courts.

Center for Court Innovation

Founded as a public/private partnership between the New York State Unified Court System and the Fund for the City of New York, the Center for Court Innovation is a nonprofit think tank that helps courts and criminal justice agencies aid victims, reduce crime and improve public trust in justice. The Center combines action and reflection to spark problem-solving innovation both locally and nationally.

Criminal Disposition Reconciliation

The court system will continue to work with the Division of Criminal Justice Services (DCJS), the Department of Motor Vehicles (DMV), the Office of the State Comptroller (OSC), district attorney offices and law enforcement agencies throughout the State to resolve missing dispositions and to improve criminal disposition reporting practices. In addition, the court system will work cooperatively with DCJS in the development of an improved electronic interface to better identify disposition errors that can be corrected in a more timely manner. As of October 2010, approximately 715,000 missing dispositions have been updated and approximately 279,000 remain open.

The court system is also working with town and village courts to assist them with electronic reporting of criminal dispositions. This process allows for the disposition information to be transmitted to the "rapsheet" within 24 hours of the upload and also gives the court the ability to check for errors. As of October 2010, there are approximately 1,138 town and village courts actively transmitting about 22,500 criminal dispositions electronically each month.

New Equipment and Furnishings

The 2011-12 budget includes essential funding for furnishings and equipment for new or renovated court facilities in the counties of Albany, Ulster, Columbia, Seneca, Suffolk, Bronx, Kings and Richmond.

Other Nonpersonal Service

Funding is also included for emergency per diem court reporters whose service may be needed due to the large number of court reporter retirements in the current fiscal year, and for additional peace officer training as required by chapter 491 of the Laws of 2010. Under this legislation, the minimum number of hours of training for peace officers appointed on or after January 1, 2011 will increase from 35 to 180. Peace officers in the court system include not only court security titles but court clerks in New York City, Long Island and the 9th Judicial District. Though uniformed court officers already receive more than 180 hours of training, the affected court clerks do not. Additional trainers will be required for this group of peace officers.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. MAINTENANCE UNDISTRIBUTED

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	26,583,667	444,368	(26,139,299)
PS Overtime	5,050	3,850	(1,200)
PS Temporary	4,556,128	1,122,272	(3,433,856)
Total Personal Service	<u>31,144,845</u>	<u>1,570,490</u>	<u>(29,574,355)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	0	2,300	2,300
Travel	227,004	150,000	(77,004)
Prof Services Other	8,757,000	13,387,200	4,630,200
In-Part Services	0	79,655	79,655
Jury Fees	516,965	0	(516,965)
Equipment	2,349,851	1,822,151	(527,700)
Other NPS	138,432	197,826	59,394
Total Nonpersonal Service	<u>11,989,252</u>	<u>15,639,132</u>	<u>3,649,880</u>
Grand Total	43,134,097	17,209,622	(25,924,475)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. MAINTENANCE UNDISTRIBUTED
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	26,583,667	444,368	(26,139,299)
PS Overtime	5,050	3,850	(1,200)
PS Temporary	4,556,128	1,122,272	(3,433,856)
Total Personal Service	<u>31,144,845</u>	<u>1,570,490</u>	<u>(29,574,355)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	0	2,300	2,300
Travel	227,004	150,000	(77,004)
Prof Services Other	1,407,000	1,387,200	(19,800)
In-Part Services	0	79,655	79,655
Jury Fees	516,965	0	(516,965)
Equipment	2,349,851	1,822,151	(527,700)
Other NPS	138,432	197,826	59,394
Total Nonpersonal Service	<u>4,639,252</u>	<u>3,639,132</u>	<u>(1,000,120)</u>
Grand Total	35,784,097	5,209,622	(30,574,475)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. MAINTENANCE UNDISTRIBUTED
FED SPEC REVENUE OPERATING

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Prof Services Other	4,500,000	5,500,000	1,000,000
Total Nonpersonal Service	<u>4,500,000</u>	<u>5,500,000</u>	<u>1,000,000</u>
Grand Total	4,500,000	5,500,000	1,000,000

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. MAINTENANCE UNDISTRIBUTED
FEDERAL DHHS GRANT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Prof Services Other	2,100,000	5,000,000	2,900,000
Total Nonpersonal Service	2,100,000	5,000,000	2,900,000
Grand Total	2,100,000	5,000,000	2,900,000

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. MAINTENANCE UNDISTRIBUTED
STATE SPECIAL REVENUE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Prof Services Other	750,000	1,500,000	750,000
Total Nonpersonal Service	750,000	1,500,000	750,000
Grand Total	750,000	1,500,000	750,000

**Maintenance Undistributed
Courts of Original Jurisdiction
Position Staffing**

March 31, 2012 Schedule of Positions

	Nonjudicial
Center for Court Innovation	4

ADMINISTRATION

2011-12 Budget Request: \$21,376,887

Trial court administration in the New York State Unified Court System is the responsibility of Administrative Judges who are charged with managing court operations within the policy guidelines of the Chief Judge and Chief Administrative Judge. These Administrative Judges are under the general supervision of the Deputy Chief Administrative Judge for the NYC Courts and the Deputy Chief Administrative Judge for the Courts Outside NYC. The functions of the Administrative Judges' offices include, but are not limited to, the following areas:

Trial Court Case Management

- Judicial Assignments
- Nonjudicial Assignments
- Court Reporter Management
- Court Interpreter Management
- Judicial Hearing Officer Assignments
- Small Claims Assessment Review
- Family Court Support Magistrate Program
- Compulsory Arbitration Program
- Alternative Dispute Resolution Program
- Court Security
- Case Management Reports
- Trial Court Support Activity
- Case Management Tracking Systems
- Caseload Activity Reporting
- Criminal Disposition Reporting
- Microfilm and Records Management

Budgeting and Financial Management

- Budget Preparation and Implementation
- Expenditure Monitoring and Controls
- Auditing and Internal Controls
- Procurement and Encumbrance Processing
- Payment Processing and Control
- Revenue Collection and Processing
- Internal Control Documentation
- Budget Management Plan Preparation

Human Resource Administration

- Classification and Compensation
- List Administration and Canvassing
- Selection and Hiring
- Equal Employment Opportunity
- Benefits
- Education and Training
- Employment Level Monitoring
- Time and Leave
- Recruitment
- Personnel Management
- Workers Compensation
- Employee Relations
- Temporary Service Management
- Employee Award Programs and Community Service Activities

Administration and Operational Management

- Office Management
- Central Services
- Mail
- Equipment and Inventory Control
- Driver/Messenger Services
- Legal Reference Services
- Newsletters
- Web Sites

Automation and Personal Computer Planning, Technical Assistance and Training

Liaison with the Press and Public

Facilities Planning and Management

Federal Funds and Grant Management

The following is a listing of the administrative offices in the Courts of Original Jurisdiction:

Deputy Chief Administrative Judge - NYC Courts and Director, Access to Justice Programs

First Judicial District, Supreme Court, Criminal Term
New York County

First Judicial District, Supreme Court, Civil Term
New York County

Second Judicial District, Supreme Court, Criminal Term
Kings County

Second Judicial District, Supreme Court, Civil Term
Kings County

Eleventh Judicial District, Supreme Court, Criminal Term
Queens County

Eleventh Judicial District, Supreme Court, Civil Term
Queens County

Twelfth Judicial District, Supreme Court, Criminal Term
Bronx County

Twelfth Judicial District, Supreme Court, Civil Term
Bronx County

Thirteenth Judicial District, Supreme Court
Richmond County

New York City Family Court

Deputy Chief Administrative Judge - Courts Outside New York City

Third Judicial District

Albany County	Rensselaer County
Columbia County	Schoharie County
Greene County	Sullivan County
Ulster County	

Fourth Judicial District

Clinton County	Montgomery County
Essex County	St. Lawrence County
Franklin County	Saratoga County
Fulton County	Schenectady County
Hamilton County	Warren County
Washington County	

Fifth Judicial District

Herkimer County	Oneida County
Jefferson County	Onondaga County
Lewis County	Oswego County

Sixth Judicial District

Broome County	Madison County
Chemung County	Otsego County
Chenango County	Schuyler County
Cortland County	Tioga County
Delaware County	Tompkins County

Seventh Judicial District

Cayuga County	Seneca County
Livingston County	Steuben County
Monroe County	Wayne County
Ontario County	Yates County

Eighth Judicial District

Allegany County	Genesee County
Cattaraugus County	Niagara County
Chautauqua County	Orleans County
Erie County	Wyoming County

Ninth Judicial District

Dutchess County	Putnam County
Orange County	Rockland County
Westchester County	

Tenth Judicial District

Nassau County

Tenth Judicial District

Suffolk County

Court of Claims

This program provides funding for the Offices of the District Administrative Judges for Judicial Districts 3 through 9, Nassau and Suffolk Counties and the Office of the Deputy Chief Administrative Judge for the NYC Courts. Administration for the Court of Claims is funded through the Trial Court budget.

Summary of 2011-12 Funding Request:

Trial Court Administration

2011-12 Budget Request:	\$21,376,887
<i>Personal Service:</i>	<i>19,062,800</i>
<i>Nonpersonal Service:</i>	<i>2,314,087</i>
<i>Maintenance Undistributed:</i>	<i>0</i>

The 2011-12 request of \$21,376,887 is an increase of \$188,082 (0.9%) over the current adjusted appropriation. This change is comprised of an increase in personal service of \$315,958 (1.7%) and a decrease in nonpersonal service of \$127,876 (-5.2%).

The personal service funding request supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request will provide ongoing support of current operations, including \$128,125 in travel, a reduction of \$89,118 (-41.0%) from the current adjusted appropriation. Travel is necessary for administrative office staff in supporting trial court operations. Also included is \$830,296 for rental of office space for the 3rd, 4th, 5th, 6th and 8th Judicial District Administrative Offices. This amount reflects an increase of \$40,433 (5.1%) over existing allocations.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	18,597,026	18,984,084	387,058
PS Overtime	22,556	33,798	11,242
PS Temporary	127,260	44,918	(82,342)
Total Personal Service	<u>18,746,842</u>	<u>19,062,800</u>	<u>315,958</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,201	1,642	(559)
Travel	217,243	128,125	(89,118)
Prof Services Other	400,691	387,674	(13,017)
JHO's	1,800	0	(1,800)
Other NPS	1,820,028	1,796,646	(23,382)
Total Nonpersonal Service	<u>2,441,963</u>	<u>2,314,087</u>	<u>(127,876)</u>
Grand Total	21,188,805	21,376,887	188,082

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	17,987,131	18,368,362	381,231
PS Overtime	21,956	33,698	11,742
PS Temporary	127,260	44,918	(82,342)
Total Personal Service	<u>18,136,347</u>	<u>18,446,978</u>	<u>310,631</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,201	1,642	(559)
Travel	217,243	128,125	(89,118)
Prof Services Other	400,691	387,674	(13,017)
JHO's	1,800	0	(1,800)
Other NPS	1,820,028	1,796,646	(23,382)
Total Nonpersonal Service	<u>2,441,963</u>	<u>2,314,087</u>	<u>(127,876)</u>
Grand Total	20,578,310	20,761,065	182,755

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
COURT FACILITIES INCENTIVE AID
FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	609,895	615,722	5,827
PS Overtime	600	100	(500)
Total Personal Service	<u>610,495</u>	<u>615,822</u>	<u>5,327</u>
Grand Total	610,495	615,822	5,327

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
NEW YORK CITY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	936,973	1,031,172	94,199
PS Temporary	39,293	44,918	5,625
Total Personal Service	<u>976,266</u>	<u>1,076,090</u>	<u>99,824</u>
<u>Nonpersonal Service</u>			
Travel	950	625	(325)
Prof Services Other	266,767	289,000	22,233
JHO's	1,800	0	(1,800)
Other NPS	21,290	16,376	(4,914)
Total Nonpersonal Service	<u>290,807</u>	<u>306,001</u>	<u>15,194</u>
Grand Total	1,267,073	1,382,091	115,018

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
THIRD DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,593,046	1,596,008	2,962
PS Overtime	3,700	4,000	300
PS Temporary	62,880	0	(62,880)
Total Personal Service	<u>1,659,626</u>	<u>1,600,008</u>	<u>(59,618)</u>
<u>Nonpersonal Service</u>			
Travel	16,560	10,000	(6,560)
Prof Services Other	11,300	11,300	0
Other NPS	355,478	343,633	(11,845)
Total Nonpersonal Service	<u>383,338</u>	<u>364,933</u>	<u>(18,405)</u>
Grand Total	2,042,964	1,964,941	(78,023)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
FOURTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,607,629	1,509,947	(97,682)
PS Overtime	200	600	400
Total Personal Service	<u>1,607,829</u>	<u>1,510,547</u>	<u>(97,282)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	250	250	0
Travel	24,070	15,000	(9,070)
Prof Services Other	9,471	8,550	(921)
Other NPS	<u>348,055</u>	<u>330,250</u>	<u>(17,805)</u>
Total Nonpersonal Service	<u>381,846</u>	<u>354,050</u>	<u>(27,796)</u>
Grand Total	1,989,675	1,864,597	(125,078)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
FIFTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,784,804	1,811,852	27,048
PS Overtime	500	600	100
PS Temporary	25,087	0	(25,087)
Total Personal Service	<u>1,810,391</u>	<u>1,812,452</u>	<u>2,061</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	1,500	1,000	(500)
Travel	19,326	10,200	(9,126)
Prof Services Other	3,350	3,550	200
Other NPS	308,979	295,150	(13,829)
Total Nonpersonal Service	<u>333,155</u>	<u>309,900</u>	<u>(23,255)</u>
Grand Total	2,143,546	2,122,352	(21,194)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
SIXTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,500,527	1,528,215	27,688
PS Overtime	1,629	700	(929)
Total Personal Service	<u>1,502,156</u>	<u>1,528,915</u>	<u>26,759</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	250	171	(79)
Travel	23,188	20,800	(2,388)
Prof Services Other	55,000	30,800	(24,200)
Other NPS	266,452	272,860	6,408
Total Nonpersonal Service	<u>344,890</u>	<u>324,631</u>	<u>(20,259)</u>
Grand Total	1,847,046	1,853,546	6,500

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
SEVENTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,849,609	2,006,109	156,500
PS Overtime	700	1,000	300
Total Personal Service	<u>1,850,309</u>	<u>2,007,109</u>	<u>156,800</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	201	221	20
Travel	24,933	16,000	(8,933)
Prof Services Other	13,500	11,800	(1,700)
Other NPS	65,648	66,568	920
Total Nonpersonal Service	<u>104,282</u>	<u>94,589</u>	<u>(9,693)</u>
Grand Total	1,954,591	2,101,698	147,107

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
EIGHTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,120,989	2,107,804	(13,185)
PS Overtime	11,100	22,100	11,000
Total Personal Service	<u>2,132,089</u>	<u>2,129,904</u>	<u>(2,185)</u>
<u>Nonpersonal Service</u>			
Travel	53,592	29,700	(23,892)
Prof Services Other	13,451	5,750	(7,701)
Other NPS	187,137	183,759	(3,378)
Total Nonpersonal Service	<u>254,180</u>	<u>219,209</u>	<u>(34,971)</u>
Grand Total	2,386,269	2,349,113	(37,156)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
NINTH DISTRICT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,496,133	2,507,802	11,669
PS Overtime	1,900	1,900	0
Total Personal Service	<u>2,498,033</u>	<u>2,509,702</u>	<u>11,669</u>
<u>Nonpersonal Service</u>			
Travel	21,478	18,000	(3,478)
Prof Services Other	18,250	17,250	(1,000)
Other NPS	117,241	127,462	10,221
Total Nonpersonal Service	<u>156,969</u>	<u>162,712</u>	<u>5,743</u>
Grand Total	2,655,002	2,672,414	17,412

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
NASSAU COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,193,275	2,448,806	255,531
Total Personal Service	2,193,275	2,448,806	255,531
<u>Nonpersonal Service</u>			
Travel	8,729	1,560	(7,169)
Prof Services Other	4,100	4,100	0
Other NPS	59,222	63,482	4,260
Total Nonpersonal Service	72,051	69,142	(2,909)
Grand Total	2,265,326	2,517,948	252,622

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

C.O.J. ADMINISTRATION
SUFFOLK COUNTY

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,514,041	2,436,369	(77,672)
PS Overtime	2,827	2,898	71
Total Personal Service	<u>2,516,868</u>	<u>2,439,267</u>	<u>(77,601)</u>
<u>Nonpersonal Service</u>			
Travel	24,417	6,240	(18,177)
Prof Services Other	5,502	5,574	72
Other NPS	90,526	97,106	6,580
Total Nonpersonal Service	<u>120,445</u>	<u>108,920</u>	<u>(11,525)</u>
Grand Total	2,637,313	2,548,187	(89,126)

Administration
Position Staffing

March 31, 2012 Schedule of Positions

Locality	Nonjudicial
New York City	12
Third District	25
Fourth District	22
Fifth District	24
Sixth District	19
Seventh District	25
Eighth District	28
Ninth District	33
Nassau	28
Suffolk	32
Total	248

Major Purpose Summary

2011-12 Budget Request: \$15,652,618

**COURT OF APPEALS AND LAW
REPORTING BUREAU**

The Court of Appeals, New York State's highest court, is composed of a Chief Judge and six Associate Judges, each appointed to a 14-year term. New York's highest appellate court was established to articulate statewide principles of law in the context of deciding particular lawsuits. The Court thus generally focuses on broad issues of law as distinguished from individual factual disputes.

The Court's jurisdiction is outlined in section 3, Article VI of the New York State Constitution. There is no jurisdictional limitation based upon the amount of money at stake in a case or the status or rank of the parties. However, the Court is limited to the review of questions of law, except in its review of determinations of the Commission on Judicial Conduct, and in criminal cases where the appellate division reverses or modifies a final or interlocutory judgment or order based on a finding of new facts, and a final judgment or order is entered pursuant to that finding.

An appeal may be taken directly from the court of original jurisdiction to the Court of Appeals from a final judgment or order in an action or proceeding where the only question is the constitutionality of a statute. The Constitution provides that certain types of civil cases can be taken to the Court of Appeals as a matter of right after an appeal has been taken in an intermediate appellate court. In other types of civil cases, an appeal may be taken to the Court of Appeals only with the leave or certification of the appellate division or the Court of Appeals. In most criminal appeals, permission of an Appellate Division Justice or a Court of Appeals judge is required for further review by the Court of Appeals.

The judges of the Court of Appeals are each provided with legal research and secretarial assistance. A central legal research staff, supervised by the Clerk of the Court, conducts necessary research and prepares confidential memoranda relative to motions and certain appeals pending before the Court.

The Law Reporting Bureau is a separate unit responsible for publishing the decisions of the New York courts in the Official Reports. The Bureau is responsible for publishing all decisions of the Court of Appeals and the Appellate Divisions, as well as selected opinions of the lower court and motion decisions of the appellate courts.

The day-to-day operations of the Court of Appeals, under the direction of the Chief Clerk, include the following primary responsibilities:

- Reviewing all incoming records and briefs for completeness and appropriateness of form;
- Maintaining the Court's calendar;
- Reviewing and reproducing decisions and opinions of the Court;
- Providing building and courtroom security;
- Providing all administrative services to the Court, including personnel, budget and finance and public information;

- Processing petitions for waiver of the Court's Rules for Admission of Attorneys and Counselors at Law and licensing of Foreign Legal Consultants; and,
- Advising the Court and its individual judges on legal or procedural questions upon request.

The public safety program in the Court of Appeals includes 15 positions to provide security needs for the judges and nonjudicial staff who work in the Court of Appeals and to ensure a safe and secure environment for the Court of Appeals building and offices. Travel, supplies and other expenses associated with the daily support of the public safety staff are included in this budget request.

Summary of 2011-12 Funding Request:
Court of Appeals and Law Reporting Bureau

2011-12 Budget Request: \$15,652,618	
<i>Personal Service:</i>	12,827,784
<i>Nonpersonal Service:</i>	2,824,834
<i>Maintenance Undistributed:</i>	0

The 2011-12 budget request of \$15,652,618 represents a decrease of \$493,347 (-3.1%) from the current year adjusted allocation. This change consists of decreases in personal service of \$271,100 (-2.1%) and in nonpersonal service of \$222,247 (-7.3%).

The personal service funding request of \$12.8 million supports existing judicial and nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request includes an increase of \$50,000 for utilities associated with the relocation of the Law Reporting Bureau to the newly renovated Centennial Hall. The cost is offset by the elimination of lease costs (-190,321) for the agency's existing space. The nonpersonal service request also includes expenditure-based reductions in legal reference (-59,776) and travel (-23,317).

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURT OF APPEALS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	12,875,933	12,697,945	(177,988)
PS Overtime	82,789	91,741	8,952
PS Temporary	140,162	38,098	(102,064)
Total Personal Service	13,098,884	12,827,784	(271,100)
<u>Nonpersonal Service</u>			
Legal Reference/CALR	855,254	800,528	(54,726)
Travel	444,338	421,021	(23,317)
Prof Services Other	187,738	181,713	(6,025)
Other NPS	1,559,751	1,421,572	(138,179)
Total Nonpersonal Service	3,047,081	2,824,834	(222,247)
Grand Total	16,145,965	15,652,618	(493,347)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

COURT OF APPEALS
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	12,875,933	12,697,945	(177,988)
PS Overtime	82,789	91,741	8,952
PS Temporary	140,162	38,098	(102,064)
Total Personal Service	<u>13,098,884</u>	<u>12,827,784</u>	<u>(271,100)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	855,254	800,528	(54,726)
Travel	444,338	421,021	(23,317)
Prof Services Other	187,738	181,713	(6,025)
Other NPS	1,559,751	1,421,572	(138,179)
Total Nonpersonal Service	<u>3,047,081</u>	<u>2,824,834</u>	<u>(222,247)</u>
Grand Total	16,145,965	15,652,618	(493,347)

Court of Appeals Workload & Staffing

3-Year Workload

<u>Reporting Category</u>	2007	2008	2009	% Change 2009 vs 2008
Applications for Leave to Appeal in Criminal Cases Decided	2,371	2,637	2,380	-9.7
Records on Appeal Filed	221	231	226	-2.2
Appeals Calendared	179	221	207	-6.3
Appeals Decided	185	225	212	-5.8
Motions Decided	1,440	1,459	1,370	-6.1
Judicial Conduct Commission Determinations Reviewed	2	3	3	0.0
Opinions Published	18,063	18,601	19,438	4.5
Motion Decisions Published	17,512	33,719	34,910	3.5

March 31, 2012 Schedule of Positions

<u>Court</u>	Judicial	Nonjudicial	Total
Court of Appeals	7	155	162

Major Purpose Summary

2011-12 Budget Request: \$79,904,356

APPELLATE COURT OPERATIONS

The Appellate Divisions of the Supreme Court, established under the New York State Constitution in 1894, serve as the State's courts of intermediate appeal in both civil and criminal proceedings. There are four Appellate Divisions of the Supreme Court; one in each of the State's four judicial departments. Pursuant to the New York State Constitution and Judiciary Law, the Governor has the authority to appoint the Presiding Justice of each Appellate Division from among those who have been elected as Justices of the Supreme Court.

Article VI, section 8 of the New York State Constitution permits the Appellate Division in each department to establish Appellate Terms composed of not less than three, nor more than five justices. The Appellate Terms are empowered to hear appeals from designated lower courts. Appellate Terms have been established in the 1st and 2nd Departments, and handle appeals in criminal and civil cases determined in the New York City Criminal and Civil Courts, as well as civil and criminal cases determined in district, city, town and village courts within the jurisdiction of each Department, respectively.

The principal objective of this major purpose is the resolution of appeals from the judgements or orders of the courts of original jurisdiction in civil and criminal cases. The 1st and 2nd Appellate Divisions also hear appeals taken from the Appellate Terms. In addition to appellate jurisdiction, the Appellate Divisions have responsibility for the admission of attorneys to the State Bar, for the discipline of attorneys for unprofessional conduct, and for the administrative supervision of the Attorney for the Child, Assigned Counsel and the Mental Hygiene Legal Service programs.

In an effort to reform the judicial election process and to promote informed voter participation in judicial elections, Chief Judge Judith Kaye established a statewide network of screening panels in February 2007 to review the qualifications of judicial election candidates. Judicial Election Qualifications Commissions have been established in every judicial district, and each Appellate Division coordinates the activities of these commissions through a Director of Judicial Elections Qualifications and support staff.

Justices of the Appellate Divisions are designated by the Governor from among the State's Supreme Court Justices. The Presiding Justice is designated to serve until the end of his or her term, while associate justices are designated to serve for five years or until the end of their respective terms. Justices reaching 70 years of age may be certificated for two-year intervals until they reach age 76.

1st Judicial Department

The jurisdiction of the Appellate Division of the Supreme Court in the 1st Judicial Department includes the counties of New York and the Bronx within New York City. There are currently 20 justices sitting in the 1st Judicial Department.

2nd Judicial Department

The jurisdiction of the Appellate Division of the Supreme Court in the 2nd Judicial Department includes the counties of Kings, Queens, Richmond, Nassau, Suffolk, Westchester, Dutchess, Putnam, Orange and Rockland. There are currently 22 justices sitting in the 2nd Judicial Department.

3rd Judicial Department

The jurisdiction of the Appellate Division of the Supreme Court in the 3rd Judicial Department includes the 28 counties located in the 3rd, 4th and 6th Judicial Districts. There are currently 12 justices sitting in the 3rd Judicial Department.

4th Judicial Department

The jurisdiction of the Appellate Division of the Supreme Court in the 4th Judicial Department includes the 22 counties located in the 5th, 7th, and 8th Judicial Districts. The 4th Judicial Department also is responsible for the Appellate Division Law Library. This law library is unique in that it is the only public appellate court library in the State. There are currently 12 justices sitting in the 4th Judicial Department.

Appellate Term - 1st Judicial Department

The Appellate Term, 1st Judicial Department, consists of five Supreme Court justices serving pursuant to the appointment of the Chief Administrative Judge, with the approval of the Presiding Justice. The Appellate Term in the 1st Judicial Department hears appeals from the Civil and Criminal Courts in New York and Bronx Counties.

Appellate Term - 2nd Judicial Department

In the Appellate Term, 2nd Judicial Department, five justices serve the 9th and 10th Judicial Districts and five others hear matters originating from the 2nd, 11th and 13th Judicial Districts. These Supreme Court justices serve pursuant to the appointment of the Chief Administrative Judge, with the approval of the Presiding Justice. The Appellate Term in the 2nd Judicial Department hears appeals from the Civil and Criminal Courts in Kings, Queens and Richmond Counties; from the city, town and village courts in the 9th and 10th Judicial Districts; and from the district courts in Nassau and Suffolk Counties.

Public Safety

The Public Safety program in the Appellate Operations major purpose includes 52 Unified Court System positions to provide security and to ensure public safety throughout the courts and offices of the 1st, 2nd, and 3rd Appellate Divisions. Security is provided in the 4th Appellate Division through a contract with the Monroe County Sheriff's Department for seven full time court deputies. Travel, supplies and other expenses associated with daily support of the Public Safety staff are included in this request.

Summary of 2011-12 Funding Request:

Appellate Court Operations

2011-12 Budget Request: \$79,904,356	
<i>Personal Service:</i>	74,125,777
<i>Nonpersonal Service:</i>	5,778,579
<i>Maintenance Undistributed:</i>	0

The \$79,904,356 request for the Appellate Court Operations for fiscal year 2011-12 represents an increase of \$2,930,501 (3.8%) over the current year adjusted allocation. This change consists of an increase in personal service of \$2,899,162 (4.1%) and in nonpersonal service of \$31,339 (0.5%).

The personal service funding request of \$74.1 million supports existing judicial and nonjudicial positions as well as salary increments for all eligible nonjudicial employees. Personal service funding for nonjudicial positions also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The temporary service request of \$596,524 includes \$83,269 for legal staff, \$111,850 for legal interns and seasonal aides, \$16,380 for security staff, \$22,500 to support the 4th Judicial Department Law Library and \$362,525 to provide back-office support and for staffing shortages.

The requested nonpersonal service budget includes inflationary and expenditure-based increases for a contractual security agreement (38,250) in the 4th Department and for legal reference (31,040) primarily in the 4th Judicial Department Law Library for its large collection of reference material. These increases are offset by expenditure-based reductions for EDP charges (-13,500) in the 1st Department, building and property services (-25,000) in the 3rd Department and telephones (-8,274) in all four departments.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE COURT OPERATIONS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	69,643,136	73,300,323	3,657,187
PS Overtime	225,930	228,930	3,000
PS Temporary	1,357,549	596,524	(761,025)
Total Personal Service	<u>71,226,615</u>	<u>74,125,777</u>	<u>2,899,162</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,061,130	2,093,270	32,140
Travel	533,475	536,475	3,000
Prof Services Other	700,756	678,786	(21,970)
Legal Services	6,000	6,000	0
In-Part Services	140	500	360
JHO's	308,000	308,000	0
Security Services	603,750	642,000	38,250
Other NPS	1,533,989	1,513,548	(20,441)
Total Nonpersonal Service	<u>5,747,240</u>	<u>5,778,579</u>	<u>31,339</u>
Grand Total	76,973,855	79,904,356	2,930,501

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE COURT OPERATIONS
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	69,643,136	73,300,323	3,657,187
PS Overtime	225,930	228,930	3,000
PS Temporary	1,357,549	596,524	(761,025)
Total Personal Service	<u>71,226,615</u>	<u>74,125,777</u>	<u>2,899,162</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,061,130	2,093,270	32,140
Travel	533,475	536,475	3,000
Prof Services Other	700,756	678,786	(21,970)
Legal Services	6,000	6,000	0
In-Part Services	140	500	360
JHO's	308,000	308,000	0
Security Services	603,750	642,000	38,250
Other NPS	1,533,989	1,513,548	(20,441)
Total Nonpersonal Service	<u>5,747,240</u>	<u>5,778,579</u>	<u>31,339</u>
Grand Total	76,973,855	79,904,356	2,930,501

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE DIVISION OPERATIONS
APPELLATE OPERATIONS 1ST DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	17,469,606	18,849,873	1,380,267
PS Overtime	500	500	0
PS Temporary	302,733	44,000	(258,733)
Total Personal Service	<u>17,772,839</u>	<u>18,894,373</u>	<u>1,121,534</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	485,000	490,000	5,000
Travel	107,700	110,000	2,300
Prof Services Other	77,000	81,000	4,000
Legal Services	6,000	6,000	0
Other NPS	287,380	270,680	(16,700)
Total Nonpersonal Service	<u>963,080</u>	<u>957,680</u>	<u>(5,400)</u>
Grand Total	18,735,919	19,852,053	1,116,134

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE DIVISION OPERATIONS
APPELLATE OPERATIONS 2ND DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	22,411,213	23,027,095	615,882
PS Overtime	60,000	60,000	0
PS Temporary	339,648	188,044	(151,604)
Total Personal Service	<u>22,810,861</u>	<u>23,275,139</u>	<u>464,278</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	374,500	374,500	0
Travel	159,043	159,043	0
Prof Services Other	397,926	397,926	0
JHO's	165,000	165,000	0
Other NPS	499,873	499,873	0
Total Nonpersonal Service	<u>1,596,342</u>	<u>1,596,342</u>	<u>0</u>
Grand Total	24,407,203	24,871,481	464,278

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE DIVISION OPERATIONS
APPELLATE OPERATIONS 3RD DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	9,900,156	10,416,625	516,469
PS Temporary	416,700	181,686	(235,014)
Total Personal Service	<u>10,316,856</u>	<u>10,598,311</u>	<u>281,455</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	172,500	165,000	(7,500)
Travel	117,000	119,000	2,000
Prof Services Other	71,950	65,400	(6,550)
JHO's	80,000	80,000	0
Other NPS	304,426	308,116	3,690
Total Nonpersonal Service	<u>745,876</u>	<u>737,516</u>	<u>(8,360)</u>
Grand Total	11,062,732	11,335,827	273,095

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE DIVISION OPERATIONS
APPELLATE OPERATIONS 4TH DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	10,192,575	11,184,667	992,092
PS Overtime	8,000	10,000	2,000
PS Temporary	265,160	115,794	(149,366)
Total Personal Service	<u>10,465,735</u>	<u>11,310,461</u>	<u>844,726</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	988,200	1,023,240	35,040
Travel	139,115	138,000	(1,115)
Prof Services Other	68,742	66,310	(2,432)
JHO's	15,000	15,000	0
Other NPS	354,443	348,512	(5,931)
Total Nonpersonal Service	<u>1,565,500</u>	<u>1,591,062</u>	<u>25,562</u>
Grand Total	12,031,235	12,901,523	870,288

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE DIVISION OPERATIONS
APPELLATE TERM 1ST. DEPT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	2,462,049	2,364,428	(97,621)
PS Overtime	500	500	0
Total Personal Service	<u>2,462,549</u>	<u>2,364,928</u>	<u>(97,621)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	1,000	600	(400)
Travel	400	400	0
In-Part Services	140	500	360
JHO's	15,000	15,000	0
Other NPS	14,800	14,300	(500)
Total Nonpersonal Service	<u>31,340</u>	<u>30,800</u>	<u>(540)</u>
Grand Total	2,493,889	2,395,728	(98,161)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE DIVISION OPERATIONS
APPELLATE TERM 2ND. DEPT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	3,003,617	3,328,101	324,484
PS Overtime	0	1,000	1,000
PS Temporary	63,010	67,000	3,990
Total Personal Service	<u>3,066,627</u>	<u>3,396,101</u>	<u>329,474</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	39,930	39,930	0
Travel	6,532	6,532	0
Prof Services Other	55,593	55,593	0
JHO's	33,000	33,000	0
Other NPS	67,640	66,640	(1,000)
Total Nonpersonal Service	<u>202,695</u>	<u>201,695</u>	<u>(1,000)</u>
Grand Total	3,269,322	3,597,796	328,474

Appellate Division - 1st Department Workload & Staffing

3-Year Workload

<u>Category</u>	2007	2008	2009	% Change 2009 vs 2008
Records on Appeal Filed	2,462	2,473	2,355	-4.8
Total Dispositions	3,217	3,040	2,816	-7.4
Oral Arguments	1,231	1,253	1,216	-3.0
Motions Decided	4,987	4,781	4,648	-2.8
Admissions to the Bar	3,173	3,642	3,819	4.9
Attorney Disciplinary Proceedings Decided	90	741	1,691	128.2

March 31, 2012 Schedule of Positions

<u>Department</u>	Judicial	Nonjudicial	Total
Appellate Division - 1 st Department	20	171	191

Appellate Division - 2nd Department
Workload & Staffing

3-Year Workload

Category	2007	2008	2009	% Change 2009 vs 2008
Records on Appeal Filed	4,174	4,099	3,911	-4.6
Total Dispositions	11,637	17,403	11,665	-33.0
Oral Arguments	2,401	2,314	2,321	0.3
Motions Decided	10,810	10,427	10,321	-1.0
Admissions to the Bar	2,528	2,429	2,712	11.7
Attorney Disciplinary Proceedings Decided	221	140	176	25.7

March 31, 2012 Schedule of Positions

Department	Judicial	Nonjudicial	Total
Appellate Division - 2 nd Department	21	220	241

Appellate Division - 3rd Department Workload & Staffing

3-Year Workload

<u>Category</u>	2007	2008	2009	% Change 2009 vs 2008
Records on Appeal Filed	1,863	1,812	1,878	3.6
Total Dispositions	1,714	1,838	1,828	-0.5
Oral Arguments	678	713	715	0.3
Motions Decided	5,562	6,062	6,195	2.2
Admissions to the Bar	2,898	3,281	3,360	2.4
Attorney Disciplinary Proceedings Decided	43	64	54	-15.6

March 31, 2012 Schedule of Positions

<u>Department</u>	Judicial	Nonjudicial	Total
Appellate Division - 3 rd Department	12	113	125

Appellate Division - 4th Department Workload & Staffing

3-Year Workload

<u>Category</u>	2007	2008	2009	% Change 2009 vs 2008
Records on Appeal Filed	1,705	1,559	1,553	-0.4
Total Dispositions	2,249	2,078	1,554	-25.2
Oral Arguments	881	933	1,027	10.1
Motions Decided	4,326	4,245	3,489	-17.8
Admissions to the Bar	302	347	322	-7.2
Attorney Disciplinary Proceedings Decided	49	221	63	-71.5

March 31, 2012 Schedule of Positions

<u>Department</u>	Judicial	Nonjudicial	Total
Appellate Division - 4 th Department	12	109	121

Appellate Term - 1st Department Workload & Staffing

3-Year Workload

<u>Category</u>	2007	2008	2009	% Change 2009 vs 2008
Records on Appeal Filed	463	507	428	-15.6
Total Dispositions	370	448	495	10.5
Oral Arguments	329	308	263	-14.6
Motions Decided	1,469	1,509	1,568	3.9

March 31, 2012 Schedule of Positions

<u>Department</u>	<u>Nonjudicial</u>
Appellate Term - 1 st Department	23

Appellate Term - 2nd Department Workload & Staffing

3-Year Workload

<u>Category</u>	2007	2008	2009	% Change 2009 vs 2008
Records on Appeal Filed	1,795	1,644	2,241	36.3
Total Dispositions	1,504	1,426	2,138	49.9
Oral Arguments	372	334	347	3.9
Motions Decided	3,228	3,432	4,416	28.7

March 31, 2012 Schedule of Positions

<u>Department</u>	<u>Nonjudicial</u>
Appellate Term - 2 nd Department	32

Major Purpose Summary

APPELLATE AUXILIARY OPERATIONS

2011-12 Budget Request: \$201,739,792
--

<i>General Fund:</i> 154,264,475
<i>Special Revenue Funds:</i> 47,475,317

The Appellate Auxiliary Operations major purpose budget includes funding for the Candidate Examination, Candidate Fitness, Assigned Counsel, Attorney for the Child and the Mental Hygiene Legal Service (MHLS) programs. With the exception of the Candidate Examination program, which operates under the direction of the Court of Appeals, all of the programs within this major purpose are under the administrative supervision of the Presiding Justices of the Appellate Divisions.

The Assigned Counsel and MHLS programs are solely supported by the General Fund. The Attorney for the Child program is supported by both the General Fund and the Indigent Legal Services Fund. The Indigent Legal Services Fund was established in 2003 to support costs associated with an increase in the statutory fees charged by attorneys for the child and assigned counsel (L. 2003, c. 62). The Attorney Licensing Fund, established in 1990, provides operating support for the Candidate Fitness, Candidate Examination and Attorney Discipline programs.

Both the Indigent Legal Services Fund and the Attorney Licensing Fund are supported by a biennial attorney registration fee paid by attorneys who are licensed to practice law in New York State. The annual fee was increased to \$375 in 2010 (L. 2010, c. 56) and also provides support to the Lawyers Fund for Client Protection and the Legal Services Assistance Fund. For each fee collected, \$50 supports the Indigent Legal Services Fund, \$60 supports the Lawyers Fund for Client Protection, \$25 supports the Legal Services Assistance Fund and the balance of \$240 supports the Attorney Licensing Fund. The Indigent Legal Services Fund is also supported by surcharges on various Vehicle and Traffic offenses (L. 2003, c. 62).

The 2011-12 Appellate Auxiliary Operations budget request includes funding to support caseload standards adopted in 2010 for attorneys who provide representation to indigent clients in criminal matters in New York City pursuant to Article 18-B of County Law. Under the legislation, the caseload standards are to be phased-in over a four year period beginning in 2010 (L. 2009, c. 56). Funding to support the second year of the implementation of the standards is included in the Assigned Counsel program.

Summary of 2011-12 Funding Request:

Appellate Auxiliary Operations

2011-12 Budget Request: \$201,739,792
--

<i>Personal Service:</i> 44,953,399
<i>Nonpersonal Service:</i> 156,786,393

The 2011-12 Appellate Auxiliary Major Purpose all funds budget request of \$201.7 million reflects an increase of \$19 million (10.4%) over the current year adjusted appropriation. This change consists of an increase in personal service of \$693,982 (1.6%) and an increase in nonpersonal service of \$18.4 million (13.3%). A summary of the budget request by fund follows:

Fund	2010-11 Adjusted Appropriation	2011-12 Request	Change
General Fund	\$134,700,963	\$154,264,475	\$19,563,512
Indigent Legal Services Fund	25,000,000	25,000,000	0
Attorney Licensing Fund	<u>22,963,344</u>	<u>22,475,317</u>	<u>(488,027)</u>
All Funds	\$182,664,307	\$201,739,792	\$19,075,485

The personal service funding request of \$45 million supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The temporary service request of \$1.5 million supports attorneys and staff in the 2nd Department MHLS offices who handle guardianship cases, legal staff in the Attorney Discipline program, and clerical support staff and legal interns for the Candidate Examination, Attorney Discipline, MHLS, and Attorney for the Child programs.

The requested nonpersonal service budget of \$156.8 million supports usual and necessary expenses associated with the operations, support and administration of the Appellate Auxiliary Operations programs. Expenses include: contractual services for legal aid providers and payments to attorneys and expert witnesses in family court matters, contractual services for candidate examination testing sites, real estate agreements for various offices and satellite locations, legal reference materials and online services; rentals of equipment and maintenance agreements for hardware, software and office equipment.

The Assigned Counsel program budget request includes \$21.8 million to support the second year of the implementation of caseload standards for attorneys representing indigent defendants in criminal matters in New York City pursuant to chapter 56 of the Laws of 2009. Under the legislation, the caseload standards are to be fully implemented by April 2014.

The nonpersonal service budget includes \$121.6 million for the representation of children in family court matters through the Attorney for the Child program. The request reflects an increase of \$5.7 million over the current year adjusted allocation to support contractual inflationary increases as well as an expenditure-based increase in voucher payments for the panel attorneys due to workload growth.

Other nonpersonal service changes include an increase in expert witnesses (216,000) associated with workload growth in the Assigned Counsel, Attorney for the Child and MHLS programs. An inflationary increase for real estate rentals (27,639) in the Attorney Discipline and MHLS programs is also included as well as an increase in IT services (21,522) for wiring for new MHLS offices and updated software needs for the Attorney Discipline program. These costs are partially offset by overall expenditure-based reductions in telephones (-16,133), rentals of equipment (-12,212) and travel (-11,107). Funding reductions are also included in other general services (-27,595) in the MHLS program associated with completion of office renovations and in conferences and training (-10,000) for the Attorney for the Child and MHLS programs.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE AUXILIARY OPERATIONS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	42,769,725	43,419,172	649,447
PS Overtime	19,250	19,800	550
PS Temporary	1,470,442	1,514,427	43,985
Total Personal Service	<u>44,259,417</u>	<u>44,953,399</u>	<u>693,982</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	278,474	277,744	(730)
Travel	691,758	680,651	(11,107)
Prof Services Other	2,476,207	2,471,234	(4,973)
Legal Services	126,908,185	145,088,481	18,180,296
In-Part Services	2,353,260	2,569,260	216,000
JHO's	18,000	18,000	0
Transcripts	480,348	481,750	1,402
Other NPS	5,198,658	5,199,273	615
Total Nonpersonal Service	<u>138,404,890</u>	<u>156,786,393</u>	<u>18,381,503</u>
Grand Total	182,664,307	201,739,792	19,075,485

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE AUXILIARY OPERATIONS
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	26,600,338	27,728,614	1,128,276
PS Overtime	1,500	1,500	0
PS Temporary	906,826	977,873	71,047
Total Personal Service	<u>27,508,664</u>	<u>28,707,987</u>	<u>1,199,323</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	158,666	155,336	(3,330)
Travel	537,595	533,625	(3,970)
Prof Services Other	185,957	169,179	(16,778)
Legal Services	101,843,295	120,022,841	18,179,546
In-Part Services	2,347,460	2,564,460	217,000
Transcripts	277,098	276,000	(1,098)
Other NPS	1,842,228	1,835,047	(7,181)
Total Nonpersonal Service	<u>107,192,299</u>	<u>125,556,488</u>	<u>18,364,189</u>
Grand Total	134,700,963	154,264,475	19,563,512

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE AUXILIARY OPERATIONS
STATE SPECIAL REVENUE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	16,169,387	15,690,558	(478,829)
PS Overtime	17,750	18,300	550
PS Temporary	563,616	536,554	(27,062)
Total Personal Service	<u>16,750,753</u>	<u>16,245,412</u>	<u>(505,341)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	119,808	122,408	2,600
Travel	154,163	147,026	(7,137)
Prof Services Other	2,290,250	2,302,055	11,805
Legal Services	64,890	65,640	750
In-Part Services	5,800	4,800	(1,000)
JHO's	18,000	18,000	0
Transcripts	203,250	205,750	2,500
Other NPS	3,356,430	3,364,226	7,796
Total Nonpersonal Service	<u>6,212,591</u>	<u>6,229,905</u>	<u>17,314</u>
Grand Total	22,963,344	22,475,317	(488,027)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

APPELLATE AUXILIARY OPERATIONS
INDIGENT LEGAL SERVICES FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	25,000,000	25,000,000	0
Total Nonpersonal Service	25,000,000	25,000,000	0
Grand Total	25,000,000	25,000,000	0

Appellate Auxiliary Operations

Summary of Position Staffing

March 31, 2012 Schedule of Positions by Staffing Category

<u>Program</u>	Nonjudicial
Candidate Examination	24
Candidate Fitness	14
Attorney Discipline	138
Attorney for the Child	21
MHLS	290
Total	487

ASSIGNED COUNSEL PROGRAM

2011-12 Budget Request: \$23,668,392

Pursuant to section 35 of the Judiciary Law, the Courts are empowered to appoint State-reimbursed counsel to indigent persons in: (1) habeas corpus proceedings involving prisoners in State institutions; (2) commitment proceedings involving individuals who are mentally ill, mentally defective or narcotic addicts; (3) hearings in proceedings for the commitment of the guardianship or custody of a child to an authorized agency by reason of mental illness or retardation of a parent; (4) hearings to determine best interests of the child when the parent revokes adoption consent; (5) any adoption or custody hearing where assignment of counsel is constitutionally mandated; (6) matters heard in Supreme Court in which Family Court could have exercised jurisdiction, and that are eligible for assigned counsel under section 262 of the Family Court Act; and (7) appeals from court orders when it has been determined that the assignment of county-paid counsel is not appropriate.

Through the statute, the Assigned Counsel Program provides legal services to wards of the State; provides medical and psychiatric examinations to indigent defendants before the courts; and provides necessary legal services in certain types of proceedings to indigent persons to whom such representation would otherwise be unavailable. The program also supports attorney fees and costs associated with the appointment of Article 18-B attorneys in civil confinement proceedings for sex offenders (L. 2007, c.7).

In each judicial department, the Appellate Division appoints panels of attorneys to serve as counsel in the aforementioned proceedings. Upon the request of the court, attorneys are appointed from the established list. Similarly, the court may order a medical or psychiatric examination if deemed necessary, the costs of which are paid from funds appropriated for this program. The funding requested for this program represents funds for the reimbursement of assigned counsel, psychiatrists and physicians appointed pursuant to section 35 of the Judiciary Law.

Landmark legislation was enacted in 2009 to ensure appropriate caseloads for attorneys representing individuals charged with crimes in New York City (L. 2009, c.56). As a result of the legislation, in April 2010, the Chief Administrative Judge established caseload standards for attorneys who provide representation to indigent clients in criminal matters in New York City pursuant to Article 18-B of County Law. The caseload-standards are to be phased-in over four years. Caseload standards of no more than 400 misdemeanors or 150 felonies over a 12-month period are to be fully implemented by April 2014. Funding to support the second year of implementation is included in this budget request.

The request also includes funding to continue the contract between the Unified Court System (UCS) and the Wyoming County - Attica Legal Aid Bureau for representation of inmates in various proceedings emanating from the Attica Correctional Facility in the 4th Department.

**Wyoming Co. - Attica Legal Aid Bureau
Workload Analysis**

Wyoming County - <u>Attica Legal Aid Bureau</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>% Change 2009 vs 2008</u>
Habeas Corpus Proceedings and Article 78 Proceedings	80	101	57	-43.6
Appeals Assigned	27	25	16	-36.0

Summary of 2011-12 Funding Request:

Assigned Counsel Program

2011-12 Budget Request: \$23,668,392	
<i>Personal Service:</i>	0
<i>Nonpersonal Service:</i>	23,668,392
<i>Maintenance Undistributed:</i>	0

The 2011-12 Assigned Counsel budget request of \$23,668,392 reflects an increase of \$12,517,294 (112.3%) over the current year adjusted appropriation. The majority of the increase (\$11.8M) is included to support the new statutory requirements for caseload standards for attorneys representing indigent defendants in criminal matters in New York City. The legislation requires the caseload standards to be phased-in over four years (L. 2009, c. 56). The 2011-12 budget includes \$21.8 million for the second year of the implementation of the caseload standards.

The remaining budget request of \$1,868,392 supports forensic evaluations and legal services in a variety of judicial proceedings, primarily emanating from section 35 of the Judiciary Law, as well as attorney fees and costs associated with the appointment of Article 18-B attorneys in civil confinement proceedings for sex offenders. An increase of \$668,794 is included to support attorneys representing parents in custody and support proceedings being heard in Supreme Court pursuant to Judiciary Law Section 35 (8). Funding for these matters was previously included in the Courts of Original Jurisdiction major purpose budget. An offset of the same amount is reflected in that section of the UCS budget request.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ASSIGNED COUNSEL

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	11,094,598	23,563,392	12,468,794
In-Part Services	52,500	100,000	47,500
Transcripts	4,000	5,000	1,000
Total Nonpersonal Service	<u>11,151,098</u>	<u>23,668,392</u>	<u>12,517,294</u>
Grand Total	11,151,098	23,668,392	12,517,294

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ASSIGNED COUNSEL
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	11,094,598	23,563,392	12,468,794
In-Part Services	52,500	100,000	47,500
Transcripts	4,000	5,000	1,000
Total Nonpersonal Service	<u>11,151,098</u>	<u>23,668,392</u>	<u>12,517,294</u>
Grand Total	11,151,098	23,668,392	12,517,294

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ASSIGNED COUNSEL
CT OF APPEALS ASSIGNED COUNSEL

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	40,000	40,000	0
Total Nonpersonal Service	<u>40,000</u>	<u>40,000</u>	<u>0</u>
Grand Total	40,000	40,000	0

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ASSIGNED COUNSEL
APP 1ST AUX ASSIGNED COUNSEL

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	10,000	110,000	100,000
In-Part Services	27,500	75,000	47,500
Total Nonpersonal Service	<u>37,500</u>	<u>185,000</u>	<u>147,500</u>
Grand Total	37,500	185,000	147,500

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ASSIGNED COUNSEL
APP 2ND AUX ASSIGNED COUNSEL

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	375,000	700,000	325,000
Total Nonpersonal Service	375,000	700,000	325,000
Grand Total	375,000	700,000	325,000

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ASSIGNED COUNSEL
APP 3RD AUX ASSIGNED COUNSEL

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	43,000	93,000	50,000
Total Nonpersonal Service	<u>43,000</u>	<u>93,000</u>	<u>50,000</u>
Grand Total	43,000	93,000	50,000

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ASSIGNED COUNSEL
APP 4TH AUX ASSIGNED COUNSEL

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	336,392	820,392	484,000
In-Part Services	25,000	25,000	0
Transcripts	4,000	5,000	1,000
Total Nonpersonal Service	<u>365,392</u>	<u>850,392</u>	<u>485,000</u>
Grand Total	365,392	850,392	485,000

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ASSIGNED COUNSEL
ASSIGNED COUNSEL MAINTENANCE
UNDISTRIBUTED

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	10,290,206	21,800,000	11,509,794
Total Nonpersonal Service	<u>10,290,206</u>	<u>21,800,000</u>	<u>11,509,794</u>
Grand Total	10,290,206	21,800,000	11,509,794

ATTORNEY FOR THE CHILD PROGRAM

2011-12 Budget Request:	\$125,391,370
<i>General Fund:</i>	<i>100,391,370</i>
<i>Special Revenue Funds:</i>	<i>25,000,000</i>

The purpose of the Attorney for the Child program is to provide high quality legal services for children. Such representation is provided by the State through the mechanism established in Article 2, Part 4 of the Family Court Act. Attorneys for the child are appointed in all delinquency and supervision proceedings under Articles 3 and 7, all child protective proceedings under Article 10, all termination of parental rights proceedings under Article 6 and Social Services Law §384-b (1981), all proceedings to place a child in protective custody under Family Court Act §158 (1982) and in certain foster care review proceedings under section 392 of the Social Services Law. In addition, the court has the discretion to appoint an attorney for the child in any proceeding when such representation is deemed appropriate under the Family Court Act.

The Attorney for the Child program operates under the administrative supervision of the Appellate Divisions where Directors are appointed in each Department and are responsible for overseeing operations. The Attorney for the Child program provides legal representation to children via contracts with legal providers and through individual attorneys assigned from county panels. There are approximately 2,700 attorneys statewide who are eligible to serve as an attorney for the child. The program compensates attorneys for their work and reimburses them for reasonable expenses associated with the representation of their clients, including fees for mental health and child welfare experts, investigators and process services. In addition, the Attorney for the Child program provides a variety of support services for attorneys, including continuing legal education, litigation support and reference materials. A quarterly newsletter is also produced containing helpful articles and digests of recent case law and legislative developments.

The Office of Court Administration (OCA) administers 11 contracts statewide including three in New York City (NYC) and separate contracts in Erie, Monroe, Suffolk, Orange, Rockland, Tompkins, Genesee and Chemung Counties. The 3rd and 4th Appellate Divisions also contract for legal representation with providers in Schuyler, Franklin, Otsego, Clinton and Fulton Counties in the 3rd Department; and in Erie County in the 4th Department. Throughout the remainder of the State, individual attorneys for the child are assigned from county panels.

Over the past decade, statewide Attorney for the Child workload has escalated at a rapid pace. Attorneys have been appointed more frequently by the State's family court judges, reflecting the benefits provided to the courts through their involvement on behalf of children in these cases. In addition to the increase in assignments, there have been statutory changes affecting the scope and role of the attorney for the child.

The most consequential legislation affecting the Attorney for the Child Program is the comprehensive child welfare permanency law enacted in 2005 (L. 2005, c. 3 and L. 2006, c. 437). This statute significantly alters the Family Court process for all children in out-of-home care (both foster care and direct placements). The goal is to move children more quickly through foster care, whether to reunite them with their birth families or to place them for adoption. By facilitating permanency planning for these children, this law enhances the State's compliance with the Adoption and Safe Families Act of 1997 (ASFA) enacted to improve the safety of children, to promote adoption and other permanent homes for children who need them and to support families. These laws impose significant responsibilities upon both the court and the attorneys for the child and require more frequent judicial review and monitoring of cases. Cases are continuously calendared with hearings scheduled at least every six months until permanency is achieved.

In response to permanency planning statutory changes, the Child Welfare Court Improvement Project Initiative (CIP) was developed to improve child protective practices in family courts. The objectives of the initiative are to improve the timeliness of child protective court proceedings, decrease the time to disposition in child protective cases and utilize court resources to enable children to receive stable permanency at an earlier time. As part of this initiative, court attorneys are conducting initial, preliminary and pre-trial/compliance conferences with attorneys for children and other stakeholders. As a result of both the permanency planning laws and this new initiative, attorneys for the child are spending more time meeting with their clients, attending court hearings and conferencing with court staff.

In an effort to address the dynamics of domestic violence and its impact on children, attorneys representing children are required to receive ongoing domestic violence training. The purpose of the training is to increase knowledge of domestic violence issues and to provide better counsel and representation to children in cases where domestic violence is a factor. The Attorney for the Child Directors, in collaboration with the New York State Office for the Prevention of Domestic Violence, provide the required training (L. 2009, c. 476).

In response to the growing and complex workload of the Attorney for the Child Program, the Legislature enacted chapter 626 of the Laws of 2007 requiring the Unified Court System to promulgate court rules prescribing workload standards for attorneys for the child. As a result, a caseload limit of 150 cases per attorney was established in 2008. The limit may be adjusted after consideration of factors such as the complexity of cases, where the cases are in the adjudication process, the availability of support staff and whether a guardian is being asked to represent siblings. In the two years since implementation, the caseload standards have fostered higher quality representation as attorneys are more accessible to their clients, as well as the court for case conferencing and related proceedings.

Programmatic changes have been implemented in the Attorney for the Child Program to enhance the delivery of services for children subject to court proceedings. In an effort to improve the juvenile justice system, a weekend arraignment part in NYC was opened in May 2008. The Attorneys for the Child Directors in the First and Second Departments assign individual panel attorneys to this court on a rotating basis.

The Appellate Divisions of the First and Second Departments, through the efforts of the Mental Health Professional Certification Committee, adopted joint rules in 2008 for the establishment of standards for mental health professionals. The joint rules formalize a certification and recertification process for mental health professionals and help to ensure that these professionals have met recommended criteria. A resource directory is available containing the contact information for the mental health professionals who have been screened.

The individual panel attorneys produce approximately 90,000 vouchers for payment on an annual basis in this program. A web-based voucher system was developed by OCA for more efficient processing of this large volume of work. The system allows attorneys and experts to submit compensation claims via the Internet in a more prompt, efficient and reliable manner. The system has been operational for three years.

Workload Summary

The tables below summarize the proceedings handled within the jurisdictions where OCA presently contracts with legal aid societies for child representation. It should be noted that the workload does not include the workload of the individual attorneys for the child assigned from the county panels.

**Juvenile Rights Practice - City of New York
Workload Analysis**

FAMILY COURT PETITIONS:				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
JDs	3,381	3,244	3,089	-4.8
PINS	831	1,109	1,071	-3.4
Custody	602	726	846	16.5
Child Protective	9,580	9,302	8,832	-5.1
Guardianship	n/a	56	53	-5.4
Paternity	n/a	37	33	-10.8
Support	n/a	23	41	78.3
Family Offense	n/a	83	124	49.4
Approval of Foster Care	n/a	174	208	19.5
Termination of Parental Rights	1,173	1,174	1,129	-3.8
Designated Felonies	73	73	85	16.4
Permanency Hearings	19,767	20,009	19,542	-2.3
Supplemental Petitions	n/a	580	1,078	85.9
Other	433	420	434	3.3
Foster Care Review	<u>145</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
TOTAL	35,985	37,010	36,565	-1.2
<u>Appellate Activity:</u>				
Appellate Briefs Perfected	189	185	169	-8.6
Motions/Stays/Writs	220	243	250	2.9

**Lawyers for Children
City of New York
Workload Analysis**

FAMILY COURT PETITIONS:				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
JDs	n/a	n/a	n/a	n/a
PINS	n/a	n/a	n/a	n/a
Custody	819	781	903	15.6
Child Protective	1,177	1,313	1,403	6.9
Guardianship	n/a	n/a	n/a	n/a
Paternity	n/a	n/a	n/a	n/a
Support	n/a	n/a	n/a	n/a
Family Offense	n/a	n/a	n/a	n/a
Approved Foster Care	0	3,063	2,985	-2.5
Termination of Parental Rights	641	632	686	8.5
Designated Felonies	n/a	n/a	n/a	n/a
Permanency Hearings	n/a	n/a	n/a	n/a
Supplemental Petitions	n/a	n/a	n/a	n/a
Other	452	325	412	26.8
Foster Care Review	<u>3,058</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
TOTAL	6,147	6,114	6,389	4.5
<u>Appellate Activity:</u>				
Appellate Briefs Perfected	37	39	42	7.7
Motions/Stays/Writs	43	44	47	6.8

**Children's Law Center
City of New York
Workload Analysis**

FAMILY COURT PETITIONS:				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
JDs	n/a	n/a	n/a	n/a
PINS	0	2	n/a	n/a
Custody	5,033	4,940	5,097	3.2
Child Protective	138	145	108	-25.5
Guardianship	633	685	726	6.0
Paternity	108	108	112	3.7
Support	11	5	5	0.0
Family Offense	1,220	1,214	1,182	-2.6
Approval of Foster Care	4	5	5	0.0
Termination of Parental Rights	9	9	8	-11.1

Children's Law Center - Continued
City of New York
Workload Analysis

FAMILY COURT PETITIONS:				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
Designated Felonies	n/a	n/a	n/a	n/a
Permanency Hearings	n/a	46	186	304.3
Supplemental Petitions	n/a	n/a	n/a	n/a
Other	7	n/a	4	n/a
Matrimonial	<u>62</u>	<u>50</u>	<u>n/a</u>	<u>n/a</u>
TOTAL	7,225	7,209	7,433	3.1
<u>Appellate Activity:</u>				
Appellate Briefs Perfected	26	28	37	32.1
Motions/Stays/Writs	150	151	164	8.6

Suffolk County Legal Aid
Workload Analysis

FAMILY COURT PETITIONS:				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
JDs	563	661	404	-38.9
PINS	99	113	101	-10.6
Custody	584	1,000	1,627	62.7
Child Protective	1,657	962	967	0.5
Guardianship	n/a	31	41	32.3
Paternity	n/a	23	56	143.5
Support	n/a	6	4	-33.3
Family Offense	n/a	169	501	196.5
Approval of Foster Care	16	21	10	-52.4
Termination of Parental Rights	45	67	84	25.4
Designated Felonies	6	5	16	220.0
Permanency Hearings	932	1,199	978	-18.4
Supplemental Petitions	3,093	4,707	4,174	-11.3
Other	<u>592</u>	<u>155</u>	<u>80</u>	<u>-48.4</u>
TOTAL	7,587	9,119	9,043	-0.8
<u>Appellate Activity:</u>				
Appellate Briefs Perfected	11	23	12	-47.8
Motions/Stays/Writs	11	10	3	-70.0

Orange County Legal Aid - Children's Rights Society, Inc.
Workload Analysis

FAMILY COURT PETITIONS:				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
JDs	260	175	194	10.9
PINS	124	86	74	-14.0
Custody	1,560	1,388	1,596	15.0
Child Protective	441	448	424	-5.4
Guardianship	30	38	39	2.6
Paternity	33	40	47	17.5
Support	5	20	7	-65.0
Family Offense	294	285	360	26.3
Approval of Foster Care	38	29	36	24.1
Termination of Parental Rights	9	9	13	44.4
Designated Felonies	6	1	5	400.0
Permanency Hearings	693	828	824	-0.5
Supplemental Petitions	645	559	515	-7.9
Other	154	172	217	26.2
IDV	193	n/a	n/a	n/a
Foster Care Review	<u>18</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
TOTAL	4,503	4,078	4,351	6.7
<u>Appellate Activity:</u>				
Appellate Briefs Perfected	n/a	n/a	n/a	n/a
Motions/Stays/Writs	25	23	19	-17.4

Rochester Legal Aid
Workload Analysis

FAMILY COURT PETITIONS				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
JDs	393	379	370	-2.4
PINS	276	255	254	-0.4
Custody	2,150	1,894	1,857	-2.0
Child Protective	170	226	171	-24.3
Guardianship	37	51	41	-19.6
Paternity	29	55	57	3.6
Support	15	16	7	-56.3
Family Offense	41	51	68	33.3
Approval of Foster Care	40	29	46	58.6
Termination of Parental Rights	127	82	56	-31.7
Designated Felonies	15	11	10	-9.1

Rochester Legal Aid - Continued
Workload Analysis

FAMILY COURT PETITIONS				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
Permanency Hearings	913	541	515	-4.8
Supplemental Petitions	420	299	970	224.4
Other	22	27	n/a	n/a
Foster Care Review	<u>11</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
TOTAL	4,659	3,916	4,422	12.9
 <u>Appellate Activity:</u>				
Appellate Briefs Perfected	7	5	6	20.0
Motions/Stays/Writs	7	21	5	-76.2

Buffalo Legal Aid
Workload Analysis

FAMILY COURT PETITIONS:				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
JDs	530	453	448	-1.1
PINS	260	269	233	-13.4
Custody	919	1,935	1,622	-16.2
Child Protective	888	1,155	833	-27.9
Guardianship	n/a	n/a	3	n/a
Paternity	n/a	n/a	47	n/a
Support	n/a	n/a	n/a	n/a
Family Offense	n/a	n/a	117	n/a
Approval of Foster Care	0	16	9	-43.8
Termination of Parental Rights	390	299	332	11.0
Designated Felonies	0	0	0	n/a
Permanency Hearings	n/a	n/a	2,754	n/a
Supplemental Petitions	1,260	871	999	14.7
Other	497	418	275	-34.2
Foster Care Review	<u>5</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
TOTAL	4,749	5,416	7,672	41.7
 <u>Appellate Activity:</u>				
Appellate Briefs Perfected	25	19	15	-21.1
Motions/Stays/Writs	40	40	37	-7.5

**Tompkins County - Citizens Concerned for Children
Workload Analysis**

FAMILY COURT PETITIONS				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
JDs	61	40	34	-15.0
PINS	40	30	30	0.0
Custody & Visitation	245	283	233	-17.7
Child Protective	80	96	88	-8.3
Guardianship	n/a	n/a	n/a	n/a
Paternity	n/a	n/a	3	n/a
Support	n/a	n/a	1	n/a
Family Offense	n/a	108	82	-24.1
Approval of Foster Care	5	1	1	0.0
Termination of Parental Rights	32	53	34	-35.8
Designated Felonies	n/a	n/a	n/a	n/a
Permanency Hearings	n/a	182	310	70.3
Supplemental Petitions	240	228	241	5.7
Other	110	15	44	193.3
Family Treatment Court	47	n/a	n/a	n/a
Foster Care Review	<u>149</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
TOTAL	1,009	1,036	1,101	6.3
<u>Appellate Activity:</u>				
Appellate Briefs Perfected	n/a	n/a	n/a	n/a
Motions/Stays/Writs	n/a	n/a	n/a	n/a

**Rockland County Legal Aid
Workload Analysis**

FAMILY COURT PETITIONS				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
JDs	94	55	85	54.5
PINS	22	26	25	-3.8
Custody	303	350	288	-17.7
Child Protective	101	173	129	-25.4
Guardianship	n/a	23	13	-43.5
Paternity	n/a	15	0	n/a
Support	n/a	1	0	n/a
Family Offense	n/a	92	105	14.1
Approval of Foster Care	0	0	0	n/a
Termination of Parental Rights	29	0	19	n/a
Designated Felonies	n/a	n/a	0	n/a
Permanency Hearings	n/a	110	84	-23.6

Rockland County Legal Aid - Continued
Workload Analysis

FAMILY COURT PETITIONS				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
Supplemental Petitions	1,140	974	1,021	4.8
Other	190	6	19	216.7
Foster Care Review	<u>26</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
TOTAL	1,905	1,825	1,788	-2.0

Appellate Activity:

Appellate Briefs Perfected	n/a	n/a	3	n/a
Motions/Stays/Writs	n/a	n/a	n/a	n/a

Sullivan Trail Legal Aid Society
Workload Analysis

FAMILY COURT PETITIONS				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
JDs	52	55	43	-21.8
PINS	12	21	37	76.2
Custody	772	660	693	5.0
Child Protective	213	299	186	-37.8
Guardianship	n/a	3	0	-100.00
Paternity	n/a	9	2	-77.78
Support	n/a	5	1	-80.00
Family Offense	n/a	45	46	2.22
Approval of Foster Care	n/a	n/a	0	n/a
Termination of Parental Rights	13	13	19	46.2
Designated Felonies	2	2	0	-100.0
Permanency Hearings	248	386	270	-30.1
Supplemental Petitions	597	755	775	2.6
Other	36	26	20	-23.1
Foster Care Review	<u>2</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
TOTAL	1,947	2,279	2,092	-8.2

Appellate Activity:

Appellate Briefs Perfected	n/a	1	2	100.0
Motions/Stays/Writs	n/a	n/a	n/a	n/a

Genesee County Public Defender's Office
Workload Analysis

FAMILY COURT PETITIONS				% Change
<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2009 vs 2008</u>
JDs	49	45	48	6.7
PINS	27	18	32	77.8
Custody	n/a	n/a	n/a	n/a
Child Protective	n/a	n/a	n/a	n/a
Guardianship	n/a	n/a	n/a	n/a
Paternity	n/a	n/a	n/a	n/a
Support	n/a	n/a	n/a	n/a
Family Offense	n/a	n/a	n/a	n/a
Approval of Foster Care	n/a	n/a	n/a	n/a
Termination of Parental Rights	n/a	n/a	n/a	n/a
Designated Felonies	n/a	n/a	n/a	n/a
Permanency Hearings	n/a	n/a	n/a	n/a
Supplemental Petitions	n/a	n/a	n/a	n/a
Other	n/a	n/a	n/a	n/a
Foster Care Review	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
TOTAL	76	63	80	27.0
Appellate Activity:				
Appellate Briefs Perfected	n/a	n/a	n/a	n/a
Motions/Stays/Writs	n/a	n/a	n/a	n/a

Summary of 2011-12 Funding Request:

Attorney for the Child Program

2011-12 Budget Request: \$125,391,370	
<i>Personal Service:</i>	2,064,227
<i>Nonpersonal Service:</i>	123,327,143
<i>Maintenance Undistributed:</i>	0

The 2011-12 Attorney for the Child program budget request of \$125.4 million reflects an increase of \$6 million (5%) over the current year adjusted appropriation. This change consists of an increase in personal service of \$132,838 (6.9%) and an increase in nonpersonal service of \$5.9 million (5%). A summary of the budget request by fund follows:

<u>Fund</u>	<u>2010-11 Adjusted Appropriation</u>	<u>2011-12 Request</u>	<u>Change</u>
General Fund	\$94,382,987	\$100,391,370	\$6,008,383
Indigent Legal Services Fund	<u>25,000,000</u>	<u>25,000,000</u>	<u>0</u>
All Funds	\$119,382,987	\$125,391,370	\$6,008,383

The personal service funding request of \$2 million supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The temporary service request of \$162,954 includes funding for clerical and support staff primarily to assist with the processing of voucher payments.

The nonpersonal service budget of \$123.3 million includes the legal aid contracts, voucher payments to individual attorneys, forensic evaluations and operational costs as follows:

	<u>2010-11 Appropriation</u>	<u>2011-12 Request</u>	<u>Change</u>
Attorney for the Child Contracts	\$63,455,697	\$65,440,449	\$1,984,752
Voucher Payments - Panel Attorneys	52,293,000	56,019,000	3,726,000
Forensics Evaluations	1,220,000	1,380,000	160,000
Attorney for the Child Offices	<u>482,901</u>	<u>487,694</u>	<u>4,793</u>
Total NPS	\$117,451,598	\$123,327,143	\$5,875,545

The nonpersonal service request reflects an increase of \$5.9 million over the current-year adjusted allocation due primarily to the growth in family court caseloads and in response to numerous legislative and programmatic changes in the processing of family court cases. The increases include \$2 million for the attorney for child contracts, \$3.8 million to support increased payments to the individual panel attorneys and \$160,000 for expanded use of mental health and child welfare experts.

Included within the requested total for the individual panel attorney voucher payments is \$25,000,000 from the Indigent Legal Services Fund and \$31,019,000 from the General Fund.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,780,931	1,900,273	119,342
PS Overtime	1,000	1,000	0
PS Temporary	149,458	162,954	13,496
Total Personal Service	<u>1,931,389</u>	<u>2,064,227</u>	<u>132,838</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	3,800	3,500	(300)
Travel	45,850	45,750	(100)
Prof Services Other	14,500	28,400	13,900
Legal Services	115,748,697	121,459,449	5,710,752
In-Part Services	1,220,500	1,380,500	160,000
Transcripts	101,000	103,500	2,500
Other NPS	317,251	306,044	(11,207)
Total Nonpersonal Service	<u>117,451,598</u>	<u>123,327,143</u>	<u>5,875,545</u>
Grand Total	119,382,987	125,391,370	6,008,383

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,780,931	1,900,273	119,342
PS Overtime	1,000	1,000	0
PS Temporary	149,458	162,954	13,496
Total Personal Service	<u>1,931,389</u>	<u>2,064,227</u>	<u>132,838</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	3,800	3,500	(300)
Travel	45,850	45,750	(100)
Prof Services Other	14,500	28,400	13,900
Legal Services	90,748,697	96,459,449	5,710,752
In-Part Services	1,220,500	1,380,500	160,000
Transcripts	101,000	103,500	2,500
Other NPS	317,251	306,044	(11,207)
Total Nonpersonal Service	<u>92,451,598</u>	<u>98,327,143</u>	<u>5,875,545</u>
Grand Total	94,382,987	100,391,370	6,008,383

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
INDIGENT LEGAL SERVICES FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	25,000,000	25,000,000	0
Total Nonpersonal Service	<u>25,000,000</u>	<u>25,000,000</u>	<u>0</u>
Grand Total	25,000,000	25,000,000	0

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
APP AUX AFC CONTRACTS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	61,480,870	63,402,294	1,921,424
Total Nonpersonal Service	61,480,870	63,402,294	1,921,424
Grand Total	61,480,870	63,402,294	1,921,424

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
ATTORNEY FOR THE CHILD 1ST DEPT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	273,353	289,494	16,141
PS Overtime	500	500	0
Total Personal Service	<u>273,853</u>	<u>289,994</u>	<u>16,141</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	300	0	(300)
Travel	800	700	(100)
Prof Services Other	2,500	15,400	12,900
Legal Services	2,241,000	2,174,000	(67,000)
In-Part Services	450,000	440,000	(10,000)
Transcripts	0	2,500	2,500
Other NPS	19,186	14,450	(4,736)
Total Nonpersonal Service	<u>2,713,786</u>	<u>2,647,050</u>	<u>(66,736)</u>
Grand Total	2,987,639	2,937,044	(50,595)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
ATTORNEY FOR THE CHILD 1ST ILS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	2,000,000	2,000,000	0
Total Nonpersonal Service	<u>2,000,000</u>	<u>2,000,000</u>	<u>0</u>
Grand Total	2,000,000	2,000,000	0

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
ATTORNEY FOR THE CHILD 2ND DEPT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	621,824	660,794	38,970
PS Temporary	53,690	59,690	6,000
Total Personal Service	<u>675,514</u>	<u>720,484</u>	<u>44,970</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	2,000	2,000	0
Travel	5,000	5,000	0
Prof Services Other	2,000	2,000	0
Legal Services	8,300,000	8,976,000	676,000
In-Part Services	450,000	610,000	160,000
Transcripts	33,000	33,000	0
Other NPS	65,300	65,300	0
Total Nonpersonal Service	<u>8,857,300</u>	<u>9,693,300</u>	<u>836,000</u>
Grand Total	9,532,814	10,413,784	880,970

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
ATTORNEY FOR THE CHILD 2ND ILS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	7,600,000	7,600,000	0
Total Nonpersonal Service	7,600,000	7,600,000	0
Grand Total	7,600,000	7,600,000	0

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
ATTORNEY FOR THE CHILD 3RD DEPT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	405,451	426,632	21,181
PS Temporary	49,618	51,632	2,014
Total Personal Service	<u>455,069</u>	<u>478,264</u>	<u>23,195</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	1,000	1,000	0
Travel	24,500	24,500	0
Legal Services	9,357,150	10,716,934	1,359,784
In-Part Services	160,000	170,000	10,000
Transcripts	42,000	42,000	0
Other NPS	89,390	83,314	(6,076)
Total Nonpersonal Service	<u>9,674,040</u>	<u>11,037,748</u>	<u>1,363,708</u>
Grand Total	10,129,109	11,516,012	1,386,903

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
ATTORNEY FOR THE CHILD 3RD ILS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	<u>7,500,000</u>	<u>7,500,000</u>	<u>0</u>
Total Nonpersonal Service	7,500,000	7,500,000	0
Grand Total	7,500,000	7,500,000	0

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
ATTORNEY FOR THE CHILD 4TH DEPT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	480,303	523,353	43,050
PS Overtime	500	500	0
PS Temporary	46,150	51,632	5,482
Total Personal Service	<u>526,953</u>	<u>575,485</u>	<u>48,532</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	500	500	0
Travel	15,550	15,550	0
Prof Services Other	10,000	11,000	1,000
Legal Services	8,327,000	10,127,000	1,800,000
In-Part Services	160,500	160,500	0
Transcripts	26,000	26,000	0
Other NPS	69,290	68,895	(395)
Total Nonpersonal Service	<u>8,608,840</u>	<u>10,409,445</u>	<u>1,800,605</u>
Grand Total	9,135,793	10,984,930	1,849,137

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
APP 4TH AUX LEGAL AID

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	1,042,677	1,063,221	20,544
Other NPS	59,085	59,085	0
Total Nonpersonal Service	1,101,762	1,122,306	20,544
Grand Total	1,101,762	1,122,306	20,544

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
ATTORNEY FOR THE CHILD 4TH ILS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Legal Services	7,900,000	7,900,000	0
Total Nonpersonal Service	7,900,000	7,900,000	0
Grand Total	7,900,000	7,900,000	0

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY FOR THE CHILD
ATTY FOR THE CHILD CONFERENCE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Other NPS	15,000	15,000	0
Total Nonpersonal Service	15,000	15,000	0
Grand Total	15,000	15,000	0

Attorney for the Child Program
Position Staffing

March 31, 2012 Schedule of Positions

<u>Program</u>	Nonjudicial
Attorney for the Child - 1 st Department	3
Attorney for the Child - 2 nd Department	7
Attorney for the Child - 3 rd Department	5
Attorney for the Child - 4 th Department	6
Total	21

**MENTAL HYGIENE LEGAL
SERVICE PROGRAM**

2011-12 Budget Request: \$30,204,713

The Mental Hygiene Legal Service (MHLS) program provides legal services, advice and assistance to persons receiving care at inpatient and community-based facilities for the mentally disabled. Created in 1964 and organized under Mental Hygiene Law (MHL) Article 47, the MHLS agencies operate under the administrative supervision of the Appellate Divisions where Directors are appointed in each Department and are responsible for overseeing operations.

The mission of the MHLS agencies is to ensure that persons with mental and/or developmental disabilities are afforded the treatment services to which they are entitled; to provide legal counsel for patients of mental hygiene facilities in judicial and administrative proceedings concerning admission, retention, transfer, care and treatment; to provide legal assistance to persons subject to the Sex Offender Management and Treatment Act; to act as court evaluator or counsel in guardianship proceedings; to investigate and take legal action relative to cases of abuse and mistreatment; to make appropriate referrals for other needed legal services; and to provide general day-to-day advocacy services meeting the myriad needs of the hundreds of thousands of individuals who reside in or pass through the mental health system annually. There are approximately 38 MHLS field offices located throughout the State.

The mandated core function of the MHLS program is statutorily prescribed by Article 47 of the MHL, and supplemented and defined by other provisions of law and the uniform regulations of the Presiding Justices of the Appellate Divisions. Pursuant to these mandates, service is provided to patients/clients under Articles 9, 10, 15, 29, 33, 79, 80 and 81 of the MHL; to prisoners under sections 402, 439 and 508 of the Correction Law; to persons committed and/or released under Article 730 and section 330.20 of the Criminal Procedure Law; to persons who are the subject of guardianship proceedings under Article 81 of the MHL and Article 17-A of the Surrogate's Court Procedure Act; and to patients who are confined under sections 251, 322.2 and 353.4 of the Family Court Act.

The MHLS agencies were originally established to act as the guardian of due process rights for the mentally disabled institutionalized subject to the MHL. However, legislative changes over the years have increased the duties and role of the MHLS agencies, especially in the areas of guardianship, involuntary outpatient treatment and sex offender management.

Guardianship Proceedings

The MHLS agencies act as counsel, court evaluator or guardian ad litem in guardianship proceedings pursuant to MHL Article 81 and Surrogate's Court Procedure Act Article 17-A (SCPA Art 17-A). Due to major problems in existing delivery systems in recent years, efforts have been made throughout the State to greater utilize the MHLS legal staff in guardianship proceedings where they serve as court evaluator or counsel. This has been a positive development, resulting in more professional services for these incapacitated persons; however, it has been a strain on the program's existing resources.

The MHLS agencies' responsibilities have also grown with respect to end of life and surrogate decision making. In 2002, the Health Care Decisions Act for Persons with Mental Retardation (HCDA) was enacted permitting guardians for mentally retarded persons to make decision to withhold or withdraw life sustaining treatments in the absence of a prior competent choice (L. 2002, c. 500). The procedural protections afforded under the HCDA include a requirement to provide notice to MHLS of the intent to withhold or withdraw life sustaining treatment (SCPA 1750-b). Subsequent amendments to the HCDA expanded the list of permissible surrogates who could make end of life decisions to include corporate guardians (L. 2003, c. 232), family members

(L. 2007, c. 105) and Surrogate Decision Making Committees (MHLS Art 80) (L. 2008, c. 262; L. 2009, c.12). As a result, there has been an increase in the number of cases and required investigatory work involving where MHLS receives notice of end of life decisions.

The MHLS offices will also see an increase in caseload and investigatory work with the enactment of the Family Health Care Decisions Act of 2010 (FHCDA) (L. 2010, c. 8). The FHCDA enables family members and others close to an incapacitated person in a hospital or nursing home to make health care decisions in accordance with special procedures and safeguards. The statute requires notice to MHLS when a doctor determines that a patient, who has been transferred to a hospital or nursing home from a mental hygiene facility, lacks capacity to make medical decisions. Also, the FHCDA made substantial amendments to existing laws governing Do-Not-Resuscitate (DNR) orders. As a result, MHLS must now be provided with notice of DNR orders when the patient is mentally retarded or developmentally disabled. This is a new responsibility for MHLS and typically requires immediate investigation.

Kendra's Law

The Outpatient Treatment Act of 1999 (MHL §9.60-“Kendra's Law”) authorizes a court to order an eligible mentally ill patient to comply with prescribed community-based outpatient treatments and services for renewable periods of commitment. The law also requires that MHLS agencies provide legal representation for these individuals. Each case requires a staff attorney to attend a pre-hearing psychiatric examination, interview the client and clinicians, review clinical records and represent the client at a hearing in Supreme Court (L. 1999, c. 409). In the ten years since its enactment, the related workload has increased greatly.

Civil Confinement of Sex Offenders

In 2007, the Sex Offender Management and Treatment Act (SOMTA) was enacted to establish standards and procedures governing the civil management of sex offenders upon expiration of their criminal sentences (L. 2007, c.7). This legislation created a new section of the MHL Article 10 setting forth procedures for management of sex offenders upon completion of their criminal sentence and requiring the MHLS agencies to provide legal representation. These individuals represent a completely new class of persons for whom the MHLS agencies have responsibility.

Upon completion of his/her sentence, a sex offender may be subject to civil confinement through various procedures established in the law and conducted by the New York State Office of Mental Health (OMH). If OMH determines that the individual is found to have a mental abnormality, the case can proceed to court. The respondents are represented by MHLS attorneys in the majority of these matters with conflict cases being handled by assigned counsel panel attorneys. If a mental abnormality is found, the individual is either placed in a secure treatment facility or released into the community and placed on a Strict and Intensive Supervision and Treatment (SIST) order. There are two secure treatment facilities in the State—Central New York Psychiatric Center in Marcy and St. Lawrence Psychiatric Center near Ogdensburg. Respondents who are placed in a secure treatment facility are entitled to an annual review of their case while those placed on SIST orders are subject to a biennial review. The MHLS legal staff represent the respondent through the entire process.

In the first three years since the SOMTA enactment, 377 petitions have been filed. From these filings, 349 probable cause hearings and 111 trials have been conducted. As a result of this legislation, 134 sex offenders have been admitted to secure treatment facilities, and 123 offenders have been released on SIST orders. The MHLS program provides representation in over 95% of these matters from inception through the annual and biennial review hearings.

The SOMTA has had a tremendous impact on the workload of the MHLS agencies. The cases are long in duration, extremely time-consuming and complex. The MHLS Directors have had to adjust resources and redefine agency objectives in order to balance this new caseload with existing mandates.

Workload Summary

The workload of the MHLS program is presented by Department in the following charts:

Mental Hygiene Legal Service - 1st Department
Workload Analysis

<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>% Change 2009 vs 2008</u>
I. Client Population:				
1. Population - Total	32,839	32,195	33,555	4.2
A. Inpatient Admissions	27,240	26,705	27,698	3.7
B. Community Beds	5,599	5,490	5,857	6.7
II. Service Categories:				
Total Client Services (all service categories)	36,296	36,173	39,818	10.1
A. Judicial Proceedings				
1. Cases - Total	5,565	5,833	5,873	0.7
a. commitment	2,973	2,966	2,976	0.3
b. treatment	1,978	2,166	2,462	13.7
c. guardianship				
i. served/reviewed	242	290	338	16.6
ii. participated	345	399	412	3.3
d. other	27	12	23	91.7
2. Hearings	3,222	3,391	3,788	11.7
3. Court Appearances	9,084	9,592	10,709	11.6
B. Administrative Proceedings (treatment, transfer, disciplinary)	1,123	1,269	1,410	11.1
C. Care & Treatment Complaints - Total	2,952	3,204	3,991	24.6
1. Abuse	6	2	3	50.0
2. Other	2,946	3,202	3,988	24.5
D. Status/Placement Plan Services (initial interview, annual review, release status review, placement plan review)	2,017	2,274	2,554	12.3
E. Other Advocacy Services (admission paper review, incident report review, review of Art. 81 accounting, general information service)	12,333	10,610	11,493	8.3

Mental Hygiene Legal Service - 2nd Department
Workload Analysis

<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>% Change</u> <u>2009 vs 2008</u>
I. Client Population:				
1. Population - Total	84,118	86,553	100,063	15.6
A. Inpatient Admissions	62,433	64,394	77,393	20.2
B. Community Beds	21,685	22,159	22,670	2.3
II. Service Categories:				
Total Client Services (all service categories)	279,061	278,963	317,896	14.0
A. Judicial Proceedings				
1. Cases - Total	10,137	10,505	11,703	11.4
a. commitment	4,767	4,846	5,138	6.0
b. treatment	2,584	2,815	3,083	9.5
c. guardianship				
i. served/reviewed	1,570	1,665	1,935	16.2
ii. participated	1,112	1,135	1,503	32.4
d. other	104	44	44	0.0
2. Hearings	4,607	4,688	4,970	6.0
3. Court Appearances	14,302	14,577	15,773	8.2
B. Administrative Proceedings (treatment, transfer, disciplinary)				
	2,570	2,731	2,981	9.2
C. Care & Treatment Complaints - Total				
1. Abuse	69,272	68,082	88,183	29.5
2. Other	3,538	3,820	2,345	-38.6
	65,734	64,262	85,838	33.6
D. Status/Placement Plan Services (initial interview, annual review, release status review, placement plan review)				
	45,984	42,739	50,471	18.1
E. Other Advocacy Services (admission paper review, incident report review, review of Art. 81 accounting, general information service)				
	132,189	135,641	143,815	6.0

Mental Hygiene Legal Service - 3rd Department
Workload Analysis

<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>% Change</u> <u>2009 vs 2008</u>
I. Client Population:				
1. Population - Total	28,769	29,175	29,835	2.3
A. Inpatient Admissions	18,122	18,382	19,064	3.7
B. Community Beds	10,647	10,793	10,771	-0.2
II. Service Categories:				
Total Client Services (all service categories)	45,809	48,029	46,842	-2.5
A. Judicial Proceedings				
1. Cases - Total	2,480	2,597	2,392	-7.9
a. commitment	1,291	1,299	1,238	-4.7
b. treatment	798	850	777	-8.6
c. guardianship				
i. served/reviewed	56	46	27	-41.3
ii. participated	298	367	306	-16.6
d. other	37	35	44	25.7
2. Hearings	1,117	1,280	1,165	-9.0
3. Court Appearances	2,273	2,386	2,054	-13.9
B. Administrative Proceedings (treatment, transfer, disciplinary)				
	473	589	672	14.1
C. Care & Treatment Complaints - Total				
1. Abuse	7,974	8,623	9,012	4.5
2. Other	3,396	4,347	3,890	-10.5
	4,578	4,276	5,122	19.8
D. Status/Placement Plan Services (initial interview, annual review, release status review, placement plan review)				
	8,038	7,593	8,416	10.8
E. Other Advocacy Services (admission paper review, incident report review, review of Art. 81 accounting, general information service)				
	23,454	24,961	23,131	-7.3

Mental Hygiene Legal Service - 4th Department
Workload Analysis

<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>% Change</u> <u>2009 vs 2008</u>
I. Client Population:				
1. Population - Total	49,380	50,837	52,332	2.9
A. Inpatient Admissions	34,807	36,913	36,828	-0.2
B. Community Beds	14,573	13,924	15,504	11.3
II. Service Categories:				
Total Client Services (all service categories)	70,635	69,416	70,976	2.2
A. Judicial Proceedings				
1. Cases - Total	4,058	4,027	4,133	2.6
a. commitment	2,876	2,854	2,805	-1.7
b. treatment	792	825	922	11.8
c. guardianship				
i. served/reviewed	510	461	517	12.1
ii. participated	383	331	374	13.0
d. other	7	17	32	88.2
2. Hearings	1,027	1,015	1,203	18.5
3. Court Appearances	n/a	n/a	n/a	n/a
B. Administrative Proceedings (treatment, transfer, disciplinary)				
	1,805	1,624	1,801	10.9
C. Care & Treatment Complaints - Total				
1. Abuse	8,122	7,797	8,156	4.6
2. Other	5,680	5,371	5,611	4.5
	2,442	2,426	2,545	4.9
D. Status/Placement Plan Services (initial interview, annual review, release status review, placement plan review)				
	20,694	20,708	21,024	1.5
E. Other Advocacy Services (admission paper review, incident report review, review of Art. 81 accounting, general information service)				
	35,956	35,260	35,862	1.7

Summary of 2011-12 Funding Request:
Mental Hygiene Legal Service Program

2011-12 Budget Request: \$30,204,713	
<i>Personal Service:</i>	26,643,760
<i>Nonpersonal Service:</i>	3,560,953
<i>Maintenance Undistributed:</i>	0

The 2011-12 MHLS program budget request of \$30.2 million reflects an increase of \$1,054,970 (3.6%) from the current year adjusted appropriation. This change consists of an increase in personal service of \$1,083,620 (4.2%) and a decrease in nonpersonal service of \$28,650 (-0.8%).

The personal service funding request of \$26.6 million supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The temporary service request of \$814,919 includes \$441,347 to support attorneys and staff in the 2nd Department MHLS offices who handle guardianship cases. The revenue generated from these guardianship cases offsets these costs. The remaining funding (373,572) supports clerical staff and legal interns.

The nonpersonal service request of \$3.6 million reflects a net decrease of \$28,650 primarily attributable to a decrease in other general services (-43,900) primarily associated with the completed expansion of the 3rd Department's Binghamton office. The request also includes expenditure based reductions in telephones (-13,633) in the 1st and 3rd Departments, office clerical services (-3,000) in the 4th Department and a reduction in travel expenses (-3,870) statewide. These decreases are offset by increases in real estate rentals (9,073) and IT Services (16,122) for expanded office space in the 2nd Department. An increase in expert witness costs (9,500) is also included for the Fourth Department in connection with the SOMTA matters.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MENTAL HYGIENE LEGAL SERVICES

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	24,819,407	25,828,341	1,008,934
PS Overtime	500	500	0
PS Temporary	740,233	814,919	74,686
Total Personal Service	<u>25,560,140</u>	<u>26,643,760</u>	<u>1,083,620</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	154,866	151,836	(3,030)
Travel	491,745	487,875	(3,870)
Prof Services Other	171,457	140,779	(30,678)
In-Part Services	1,074,460	1,083,960	9,500
Transcripts	172,098	167,500	(4,598)
Other NPS	1,524,977	1,529,003	4,026
Total Nonpersonal Service	<u>3,589,603</u>	<u>3,560,953</u>	<u>(28,650)</u>
Grand Total	29,149,743	30,204,713	1,054,970

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MENTAL HYGIENE LEGAL SERVICES
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	24,819,407	25,828,341	1,008,934
PS Overtime	500	500	0
PS Temporary	740,233	814,919	74,686
Total Personal Service	<u>25,560,140</u>	<u>26,643,760</u>	<u>1,083,620</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	154,866	151,836	(3,030)
Travel	491,745	487,875	(3,870)
Prof Services Other	171,457	140,779	(30,678)
In-Part Services	1,074,460	1,083,960	9,500
Transcripts	172,098	167,500	(4,598)
Other NPS	1,524,977	1,529,003	4,026
Total Nonpersonal Service	<u>3,589,603</u>	<u>3,560,953</u>	<u>(28,650)</u>
Grand Total	29,149,743	30,204,713	1,054,970

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MENTAL HYGIENE LEGAL SERVICES
APP 1ST AUX MHLS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	5,326,150	5,602,540	276,390
Total Personal Service	<u>5,326,150</u>	<u>5,602,540</u>	<u>276,390</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	65,600	62,520	(3,080)
Travel	30,870	28,000	(2,870)
Prof Services Other	15,100	12,100	(3,000)
In-Part Services	200,500	200,000	(500)
Transcripts	40,000	53,500	13,500
Other NPS	100,971	93,150	(7,821)
Total Nonpersonal Service	<u>453,041</u>	<u>449,270</u>	<u>(3,771)</u>
Grand Total	5,779,191	6,051,810	272,619

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MENTAL HYGIENE LEGAL SERVICES
APP 2ND AUX MHLS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	11,110,192	11,396,502	286,310
PS Temporary	393,381	441,347	47,966
Total Personal Service	<u>11,503,573</u>	<u>11,837,849</u>	<u>334,276</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	32,625	32,625	0
Travel	195,875	195,875	0
Prof Services Other	86,375	101,497	15,122
In-Part Services	274,460	274,460	0
Transcripts	80,000	80,000	0
Other NPS	910,001	929,300	19,299
Total Nonpersonal Service	<u>1,579,336</u>	<u>1,613,757</u>	<u>34,421</u>
Grand Total	13,082,909	13,451,606	368,697

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MENTAL HYGIENE LEGAL SERVICES
APP 3RD AUX MHLS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	3,461,345	3,695,700	234,355
PS Temporary	196,901	214,441	17,540
Total Personal Service	<u>3,658,246</u>	<u>3,910,141</u>	<u>251,895</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	28,241	27,891	(350)
Travel	108,000	110,000	2,000
Prof Services Other	52,982	13,182	(39,800)
In-Part Services	249,500	249,500	0
Transcripts	43,098	14,000	(29,098)
Other NPS	207,377	194,559	(12,818)
Total Nonpersonal Service	<u>689,198</u>	<u>609,132</u>	<u>(80,066)</u>
Grand Total	4,347,444	4,519,273	171,829

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

MENTAL HYGIENE LEGAL SERVICES
APP 4TH AUX MHLS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	4,921,720	5,133,599	211,879
PS Overtime	500	500	0
PS Temporary	149,951	159,131	9,180
Total Personal Service	<u>5,072,171</u>	<u>5,293,230</u>	<u>221,059</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	28,400	28,800	400
Travel	157,000	154,000	(3,000)
Prof Services Other	17,000	14,000	(3,000)
In-Part Services	350,000	360,000	10,000
Transcripts	9,000	20,000	11,000
Other NPS	306,628	311,994	5,366
Total Nonpersonal Service	<u>868,028</u>	<u>888,794</u>	<u>20,766</u>
Grand Total	5,940,199	6,182,024	241,825

Mental Hygiene Legal Service Position Staffing

March 31, 2012 Schedule of Positions

<u>Program</u>	Nonjudicial
MHLS - 1 st Department	58
MHLS - 2 nd Department	135
MHLS - 3 rd Department	38
MHLS - 4 th Department	59
Total	290

CANDIDATE EXAMINATION PROGRAM

2011-12 Budget Request: \$5,431,247

The State Board of Law Examiners functions to ensure that only competent individuals, sufficiently learned in the law, are permitted to practice law within the State of New York. Pursuant to sections 53 and 56 of the Judiciary Law, the Court of Appeals is empowered to prescribe rules governing the admission of attorneys to practice within the State and to appoint, for three-year terms, the five members of the State Board of Law Examiners.

Under the Rules of the Court of Appeals, the Board administers the New York State Bar Examination twice each year, and also evaluates and makes determinations regarding the educational equivalence of those persons seeking admission to practice within the State of New York.

The examination, administered in February and July, consists of the New York State originated portion and the Multi-state Bar Examination (MBE). The MBE consists of 200 multiple-choice questions prepared by the National Conference of Bar Examiners, with considerable input from the New York State Board. The MBE, which is utilized by 50 jurisdictions throughout the country, is also thoroughly reviewed by the Board members and their assistants prior to its administration twice a year. The purpose of the review is to make certain that there are no conflicts with New York State law, as well as to determine the overall appropriateness of the examination for candidates for the New York State Bar.

The logistics of administering the Bar Exam to approximately 17,500 applicants throughout the State and grading all of those exams present enormous challenges. Examination sites must be procured, equipment rented, test sites wired to accommodate the laptop program, examination materials must be purchased and security precautions must be taken. The Board retains and trains over 800 proctors and 42 contract graders to grade essay answers as well. Also, special testing conditions must be made available to individuals with disabilities under the provisions of the Americans with Disabilities Act (ADA). Under these provisions, the Board is required to absorb the cost of any accommodations provided. In addition to administering the Bar Examination, the Board must also evaluate the academic credentials of applicants, both domestic and foreign, pursuant to Section 520 of the Rules of the Court of Appeals.

Considerable revenue is raised for the General Fund from the fees charged for the Bar Examination. This revenue stream grew in 2010 when the Legislature increased the fee paid by foreign educated applicants to \$750 from \$250 (L. 2010, c. 56). All other applicants pay a fee of \$250 to take the exam. In addition, there is a \$400 fee for all candidates presenting their academic credentials to the Board for review and certification as a first step toward admission without examination. As a result of the revised fee structure, revenues of approximately \$6.2 million are projected annually.

Summary of 2011-12 Funding Request:

Candidate Examination Program

2011-12 Budget Request:	\$5,431,247
<i>Personal Service:</i>	1,414,247
<i>Nonpersonal Service:</i>	4,017,000
<i>Maintenance Undistributed:</i>	0

The 2011-12 Candidate Examination Program budget request of \$5,431,247 reflects a decrease of \$137,395 (-2.5%) from the current year adjusted appropriation. This change consists solely of a decrease in personal service of the same amount.

The personal service funding request of \$1.4 million supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The temporary service request of \$51,184 supports existing temporary service lines for clerical support.

The nonpersonal service request includes \$2.067M for purchasing examinations, payment of proctors and graders and other fees related to the bar exam. The budget also includes \$1.45 million for real estate rentals associated with the rental of space for the bar examination.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

BOARD OF LAW EXAMINERS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,487,131	1,346,063	(141,068)
PS Overtime	17,000	17,000	0
PS Temporary	47,511	51,184	3,673
Total Personal Service	<u>1,551,642</u>	<u>1,414,247</u>	<u>(137,395)</u>
<u>Nonpersonal Service</u>			
Travel	50,000	50,000	0
Prof Services Other	2,067,000	2,067,000	0
Other NPS	1,900,000	1,900,000	0
Total Nonpersonal Service	<u>4,017,000</u>	<u>4,017,000</u>	<u>0</u>
Grand Total	5,568,642	5,431,247	(137,395)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

BOARD OF LAW EXAMINERS
STATE SPECIAL REVENUE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,487,131	1,346,063	(141,068)
PS Overtime	17,000	17,000	0
PS Temporary	47,511	51,184	3,673
Total Personal Service	<u>1,551,642</u>	<u>1,414,247</u>	<u>(137,395)</u>
<u>Nonpersonal Service</u>			
Travel	50,000	50,000	0
Prof Services Other	2,067,000	2,067,000	0
Other NPS	1,900,000	1,900,000	0
Total Nonpersonal Service	<u>4,017,000</u>	<u>4,017,000</u>	<u>0</u>
Grand Total	5,568,642	5,431,247	(137,395)

Candidate Examination Workload & Staffing

3-Year Workload

<u>Reporting Category</u>	2007	2008	2009	% Change 2009 vs 2008
Candidates for Examination	17,337	17,558	17,967	2.3
Individuals with Disabilities applying for Examination:				
Applicants for Certification	270	257	267	3.9
Request for MBE Transfers: Out*	785	786	789	0.4
In	300	375	2,414	543.7
MPRE Scores Transferred In	550	668	742	11.1
Foreign Evaluations	12,220	12,210	12,633	3.5
	3,000	3,250	3,200	-1.5

*The significant increase in the number of Multi-state Bar Exam (MBE) scores transferred out is due to a change in State Board of Law Examiner (SBLE) Rules (effective with the February 2009 exam) which provides for SBLE to process the transfer of MBE scores to other jurisdictions rather than requiring candidates to transfer MBE scores.

March 31, 2012 Schedule of Positions

<u>Program</u>	<u>Nonjudicial</u>
Candidate Examination	24

CANDIDATE FITNESS PROGRAM

2011-12 Budget Request: \$1,496,927

The Candidate Fitness Program serves to ensure that only individuals who are of the appropriate ethical character will be licensed to practice law within the State of New York.

In each Department, committees are established pursuant to sections 9401 through 9407 of the Civil Practice Law and Rules to review applications for admission to the Bar. Each departmental committee consists of not less than three practicing attorneys from each judicial district. Committee members are reimbursed only for actual and necessary expenses incurred in the performance of their duties.

The committees in the 1st and 2nd Departments are supported by full-time back-office staffs, while in the 3rd and 4th Departments, staff assistance is provided by Appellate Division personnel.

Summary of 2011-12 Funding Request:

Candidate Fitness Program

2011-12 Budget Request: \$1,496,927

<i>Personal Service:</i>	<i>1,178,362</i>
<i>Nonpersonal Service:</i>	<i>318,565</i>
<i>Maintenance Undistributed:</i>	<i>0</i>

The 2011-12 Candidate Fitness Program budget request of \$1,496,927 reflects a decrease of \$16,878 (-1.1%) from the current year adjusted appropriation. This change consists of a decrease in personal service of \$22,463 (-1.9%) and an increase in nonpersonal service of \$5,585 (1.8%).

The personal service funding request of \$1.2 million supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The 2011-12 requested appropriation for nonpersonal service reflects expenditure based and inflationary increases in other general services (5,105) for examinations and in records management (4,000) due to the expanding number of candidates. An increase in other court appointed services (1,000) supports a growing need for physical and psychiatric examinations of candidates and in increase in IT services (1,000) supports updated software needs. These costs are offset by expenditure-based reductions in office supplies (-3,190), telephones (-2,300) and postage and shipping (-1,525) primarily in the 1st and 2nd Departments.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CANDIDATE FITNESS

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,182,125	1,177,862	(4,263)
PS Overtime	500	500	0
PS Temporary	18,200	0	(18,200)
Total Personal Service	<u>1,200,825</u>	<u>1,178,362</u>	<u>(22,463)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	450	450	0
Travel	5,257	5,350	93
Prof Services Other	89,800	99,905	10,105
Legal Services	500	1,500	1,000
Transcripts	27,750	28,250	500
Other NPS	189,223	183,110	(6,113)
Total Nonpersonal Service	<u>312,980</u>	<u>318,565</u>	<u>5,585</u>
Grand Total	1,513,805	1,496,927	(16,878)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CANDIDATE FITNESS
STATE SPECIAL REVENUE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,182,125	1,177,862	(4,263)
PS Overtime	500	500	0
PS Temporary	18,200	0	(18,200)
Total Personal Service	<u>1,200,825</u>	<u>1,178,362</u>	<u>(22,463)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	450	450	0
Travel	5,257	5,350	93
Prof Services Other	89,800	99,905	10,105
Legal Services	500	1,500	1,000
Transcripts	27,750	28,250	500
Other NPS	189,223	183,110	(6,113)
Total Nonpersonal Service	<u>312,980</u>	<u>318,565</u>	<u>5,585</u>
Grand Total	1,513,805	1,496,927	(16,878)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CANDIDATE FITNESS
APPELLATE AUX OPS 1ST DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	657,287	629,522	(27,765)
PS Overtime	500	500	0
PS Temporary	18,200	0	(18,200)
Total Personal Service	<u>675,987</u>	<u>630,022</u>	<u>(45,965)</u>
<u>Nonpersonal Service</u>			
Travel	550	550	0
Prof Services Other	15,500	18,500	3,000
Transcripts	7,500	9,000	1,500
Other NPS	77,190	72,690	(4,500)
Total Nonpersonal Service	<u>100,740</u>	<u>100,740</u>	<u>0</u>
Grand Total	776,727	730,762	(45,965)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CANDIDATE FITNESS
APPELLATE AUX OPS 2ND DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	524,838	548,340	23,502
Total Personal Service	<u>524,838</u>	<u>548,340</u>	<u>23,502</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	450	450	0
Travel	1,500	1,500	0
Prof Services Other	18,900	19,900	1,000
Legal Services	500	1,500	1,000
Transcripts	17,000	17,000	0
Other NPS	43,850	41,850	(2,000)
Total Nonpersonal Service	<u>82,200</u>	<u>82,200</u>	<u>0</u>
Grand Total	607,038	630,540	23,502

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CANDIDATE FITNESS
APPELLATE AUX OPS 3RD DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Travel	2,207	2,300	93
Prof Services Other	54,400	60,505	6,105
Transcripts	2,500	1,500	(1,000)
Other NPS	58,933	59,320	387
Total Nonpersonal Service	<u>118,040</u>	<u>123,625</u>	<u>5,585</u>
Grand Total	118,040	123,625	5,585

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

CANDIDATE FITNESS
APPELLATE AUX OPS 4TH DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Nonpersonal Service</u>			
Travel	1,000	1,000	0
Prof Services Other	1,000	1,000	0
Transcripts	750	750	0
Other NPS	9,250	9,250	0
Total Nonpersonal Service	<u>12,000</u>	<u>12,000</u>	<u>0</u>
Grand Total	12,000	12,000	0

Candidate Fitness Workload & Staffing

3-Year Workload

Applications for Admission	2007	2008	2009	% Change 2009 vs 2008
1 st Department	3,200	3,641	3,838	5.4
2 nd Department	2,528	2,439	2,712	11.2
3 rd Department	2,899	3,283	3,339	1.7
4 th Department	310	347	323	-6.9
Total	8,937	9,710	10,212	5.2

March 31, 2012 Schedule of Positions

Program	Nonjudicial
Candidate Fitness - 1 st Department	7
Candidate Fitness - 2 nd Department	7
Total	14

ATTORNEY DISCIPLINE PROGRAM

2011-12 Budget Request: \$15,547,143

Lawyers who violate the Disciplinary Rules of the Code of Professional Responsibility (22 NYCRR Part 1200) are subject to professional discipline for their actions. Attorney Grievance Committees are appointed by each Appellate Division within their respective departments to enforce the disciplinary provisions of the Code and to preserve the integrity of the legal profession. The Attorney Discipline Committees are empowered to conduct investigations of misconduct, privately discipline attorneys in minor matters, and, in serious cases of misconduct, prosecute actions before the Appellate Divisions which may then lead to censure, suspension or disbarment pursuant to section 90 of the Judiciary Law.

In December 2008, the Administrative Board of the Unified Court System adopted a new set of attorney ethics rules that brings New York lawyers in line with their counterparts in most of the rest of the country. The new rules, which went into effect in April 2009, align ethics standards in form and numbering sequence with the American Bar Association's Model Rules of Professional Conduct. This change will make it easier for New York attorneys to reference ethics rules and advisory and legal opinions nationwide when researching issues.

The Attorney Grievance Committees handle a variety of cases, and the workload of this program continues to evolve. The committees are responsible for enforcing the attorney escrow account dishonored checks rule; monitoring multi-disciplinary practice in New York and enforcement of diversion rules; insuring compliance with the attorney registration requirements; and pursuing action against those attorneys who are delinquent in payment of their biennial registration fees. They are also involved in monitoring compliance with continuing legal education requirements.

The workload of the Attorney Grievance Committees has remained consistent over the years. However, the number of serious investigations resulting in formal charges and litigation has increased in the last few years. It is anticipated that the economic downturn will result in an increase in the number of grievance matters particularly for debtor-creditor collection matters. In addition, revised rules on attorney advertising have impacted the committees' caseloads. Under joint rules promulgated in February 2007, personal injury lawyers are now prohibited from soliciting clients within 30 days of accidents and all attorneys are subject to stricter guidelines on the use of web domain names.

In an effort to expedite fee disputes between attorneys and clients, the Attorney Grievance Committees have implemented a Fee Dispute Resolution Program to resolve matters through arbitration and mediation.

Summary of 2011-12 Funding Request:

Attorney Discipline Program

2011-12 Budget Request: \$15,547,143

<i>Personal Service:</i>	13,652,803
<i>Nonpersonal Service:</i>	1,894,340
<i>Maintenance Undistributed:</i>	0

The 2011-12 Attorney Discipline program budget request of \$15.5 million reflects a decrease of \$333,754 (-2.1%) from the current year adjusted appropriation. This change consists of a decrease in personal service of \$345,483 (-2.5%) and an increase in nonpersonal service of \$11,729 (0.6%). This program is solely

funded by the Attorney Licensing Fund which is supported by a biennial attorney registration fee paid by attorneys who are licensed to practice law in New York State.

The personal service funding request of \$13.7 million supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The temporary service request of \$485,370 supports existing temporary service lines for clerical staff and two attorney positions.

The nonpersonal service request of \$1,894,340 includes inflationary increases for real estate rentals (18,566) in the 2nd Department as well as an increase in transcript costs (2,000) and office supplies (5,500) in the 1st Department due to an increase in the number of serious misconduct matters. These increases are offset by expenditure-based reductions in travel (-7,230) in the 1st and 4th Departments and rentals of equipment (-4,188) in the 1st Department.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY DISCIPLINE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	13,500,131	13,166,633	(333,498)
PS Overtime	250	800	550
PS Temporary	497,905	485,370	(12,535)
Total Personal Service	<u>13,998,286</u>	<u>13,652,803</u>	<u>(345,483)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	119,358	121,958	2,600
Travel	98,906	91,676	(7,230)
Prof Services Other	133,450	135,150	1,700
Legal Services	64,390	64,140	(250)
In-Part Services	5,800	4,800	(1,000)
JHO's	18,000	18,000	0
Transcripts	175,500	177,500	2,000
Other NPS	1,267,207	1,281,116	13,909
Total Nonpersonal Service	<u>1,882,611</u>	<u>1,894,340</u>	<u>11,729</u>
Grand Total	15,880,897	15,547,143	(333,754)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY DISCIPLINE
STATE SPECIAL REVENUE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	13,500,131	13,166,633	(333,498)
PS Overtime	250	800	550
PS Temporary	497,905	485,370	(12,535)
Total Personal Service	<u>13,998,286</u>	<u>13,652,803</u>	<u>(345,483)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	119,358	121,958	2,600
Travel	98,906	91,676	(7,230)
Prof Services Other	133,450	135,150	1,700
Legal Services	64,390	64,140	(250)
In-Part Services	5,800	4,800	(1,000)
JHO's	18,000	18,000	0
Transcripts	175,500	177,500	2,000
Other NPS	1,267,207	1,281,116	13,909
Total Nonpersonal Service	<u>1,882,611</u>	<u>1,894,340</u>	<u>11,729</u>
Grand Total	15,880,897	15,547,143	(333,754)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY DISCIPLINE
APPELLATE AUX OPS 1ST DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	4,663,424	4,454,868	(208,556)
PS Overtime	250	800	550
PS Temporary	21,000	0	(21,000)
Total Personal Service	<u>4,684,674</u>	<u>4,455,668</u>	<u>(229,006)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	27,000	29,100	2,100
Travel	8,600	3,200	(5,400)
Prof Services Other	49,600	49,600	0
Legal Services	13,250	13,000	(250)
In-Part Services	4,300	3,300	(1,000)
Transcripts	70,000	72,000	2,000
Other NPS	167,450	164,700	(2,750)
Total Nonpersonal Service	<u>340,200</u>	<u>334,900</u>	<u>(5,300)</u>
Grand Total	5,024,874	4,790,568	(234,306)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY DISCIPLINE
APPELLATE AUX OPS 2ND DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	5,782,304	5,643,829	(138,475)
PS Temporary	386,337	402,955	16,618
Total Personal Service	<u>6,168,641</u>	<u>6,046,784</u>	<u>(121,857)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	65,675	65,675	0
Travel	31,289	31,289	0
Prof Services Other	30,200	33,600	3,400
Legal Services	46,000	46,000	0
Transcripts	77,000	77,000	0
Other NPS	711,164	726,125	14,961
Total Nonpersonal Service	<u>961,328</u>	<u>979,689</u>	<u>18,361</u>
Grand Total	7,129,969	7,026,473	(103,496)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY DISCIPLINE
APPELLATE AUX OPS 3RD DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,211,703	1,202,695	(9,008)
PS Temporary	56,311	58,325	2,014
Total Personal Service	<u>1,268,014</u>	<u>1,261,020</u>	<u>(6,994)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	4,000	4,500	500
Travel	32,787	32,787	0
Prof Services Other	45,900	44,200	(1,700)
Legal Services	5,140	5,140	0
Transcripts	8,500	8,500	0
Other NPS	124,845	126,071	1,226
Total Nonpersonal Service	<u>221,172</u>	<u>221,198</u>	<u>26</u>
Grand Total	1,489,186	1,482,218	(6,968)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ATTORNEY DISCIPLINE
APPELLATE AUX OPS 4TH DEPT.

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	1,842,700	1,865,241	22,541
PS Temporary	34,257	24,090	(10,167)
Total Personal Service	<u>1,876,957</u>	<u>1,889,331</u>	<u>12,374</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	22,683	22,683	0
Travel	26,230	24,400	(1,830)
Prof Services Other	7,750	7,750	0
In-Part Services	1,500	1,500	0
JHO's	18,000	18,000	0
Transcripts	20,000	20,000	0
Other NPS	263,748	264,220	472
Total Nonpersonal Service	<u>359,911</u>	<u>358,553</u>	<u>(1,358)</u>
Grand Total	2,236,868	2,247,884	11,016

Attorney Discipline - 1st Department

Workload & Staffing

3-Year Workload

<u>Reporting Category</u>	2007	2008	2009	% Change 2009 vs 2008
Matters Pending at Start of Period	1,111	1,039	1,267	21.9
Matters Received or Reactivated	3,584	3,333	3,363	0.9
Matters Disposed	3,656	3,105	3,441	10.8
Matters Pending at End of Period	1,039	1,267	1,189	-6.2
Matters Disposed Before Appellate Division	184	113	148	31.0

March 31, 2012 Schedule of Positions

<u>Department</u>	Nonjudicial
Attorney Discipline - 1 st Department	47

Attorney Discipline - 2nd Department Workload & Staffing

3-Year Workload

<u>Reporting Category</u>	2007	2008	2009	% Change 2009 vs 2008
Matters Pending at Start of Period	3,097	2,522	2,842	12.7
Matters Received or Reactivated	5,747	6,292	5,342	-15.1
Matters Disposed	6,322	5,972	5,652	-5.4
Matters Pending at End of Period	2,522	2,842	2,532	-10.9
Matters Disposed Before Appellate Division	528	274	371	35.4

March 31, 2012 Schedule of Positions

<u>Department</u>	Nonjudicial
Attorney Discipline - 2 nd Department	56

Attorney Discipline - 3rd Department Workload & Staffing

3-Year Workload

<u>Reporting Category</u>	2007	2008	2009	% Change 2009 vs 2008
Matters Pending at Start of Period	617	711	640	-10.0
Matters Received or Reactivated	1,709	1,664	3,073	84.7
Matters Disposed	1,615	1,735	3,078	77.4
Matters Pending at End of Period	711	640	635	-0.8
Matters Disposed Before Appellate Division	239	203	195	-3.9

March 31, 2012 Schedule of Positions

<u>Department</u>	<u>Nonjudicial</u>
Attorney Discipline - 3 rd Department	14

Attorney Discipline - 4th Department Workload & Staffing

3-Year Workload

<u>Reporting Category</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>% Change 2009 vs 2008</u>
Matters Pending at Start of Period	847	747	523	-30.0
Matters Received or Reactivated	2,224	2,674	2,550	-4.6
Matters Disposed	2,324	2,898	2,396	-17.3
Matters Pending at End of Period	747	523	677	29.4
Matters Disposed Before Appellate Division	65	209	72	-65.6

March 31, 2012 Schedule of Positions

<u>Department</u>	<u>Nonjudicial</u>
Attorney Discipline - 4 th Department	21

Major Purpose Summary

ADMINISTRATION AND GENERAL SUPPORT

2011-12 Budget Request: \$21,479,978

<i>General Fund: 18,314,008</i>

<i>Special Revenue Funds: 3,165,970</i>

The Office of Court Administration provides management and operational support services for the Unified Court System (UCS). Executive and policy direction is provided by the Chief Administrative Judge of the Courts, the respective Deputy Chief Administrative Judges for the courts and court-related agencies within and outside New York City, and the Chief of Operations and Administrative Director of the Courts. Legal support and analysis is provided by Counsel's Office.

Chief Administrative Judge

Office of Internal Affairs

This office conducts internal fiscal and operational audits for all courts and court-related agencies in the UCS.

Counsel's Office

Counsel's Office provides legal analysis in policy formation, negotiates and prepares contracts to which the UCS is a party, provides legislative services, and represents the UCS in litigation.

Deputy Chief Administrative Judges Within NYC and Outside NYC

On behalf of the Chief Judge and Chief Administrative Judge of the Courts, the Deputy Chief Administrative Judges supervise the operation of the trial courts and court-related agencies within their respective jurisdictions. In meeting this responsibility, staff prepare court calendars and administrative orders, formulate judicial assignments, monitor individual assignment caseload, and provide general management assistance for automation, budget and personnel matters.

Office of Court Administration

Executive Direction

The Chief Administrative Judge of the Courts, assisted by the Chief of Operations and Administrative Director of the Courts, provides management and policy direction for the UCS under the general direction of the Chief Judge of the State of New York.

Division of Human Resources

The Director of Human Resources supervises the operations of the Employee Relations Office and Personnel Office which provide the following functions:

-Employee Relations negotiates and administers collective bargaining agreements with designated bargaining units. The office is also responsible for processing workers' compensation claims, administering sick leave banks, and processing alternative work schedule requests. Staff of the Employee Relations Office review and analyze contract grievances and represent the UCS before the Public Employment Relations Board (PERB).

-Personnel provides central personnel services to the court system in civil service administration, classification and compensation evaluation, payroll certification and employee selection and placement. They are also responsible for a full range of examination services, certification of eligible lists and the processing of new appointments.

Division of Financial Management

The Director of Financial Management supervises the Budget Office and the Payroll Office which serve the following functions:

-The Budget Office is responsible for coordination, preparation and execution of the Judiciary Budget; promulgation of fiscal policies and procedures; liaison to the legislative fiscal committees; and, expenditure monitoring, control and reporting. The office also performs oversight of general accounting operations and coordination of the fiscal aspects of the Court Facilities Program.

-Payroll Operations provides a comprehensive range of payroll services to all judges and nonjudicial personnel of the UCS.

Office of Public Affairs

The Office of Public Affairs strives to keep the court community and the public informed about the work of the Judiciary. This goal is pursued through intergovernmental relations, a court tours program, a speakers bureau, and school programs, as well as through the publication of various newsletters distributed internally and externally.

Communications Office

The Communications Office handles all media related functions for the court system. This includes organizing press events, creating and disseminating press releases, responding to media inquiries, monitoring press coverage, publicizing court initiatives and promoting good relations between the Judiciary and media representatives.

Office of Court Research

This office provides caseload activity statistics, jury system support and operations research services to all courts within the UCS.

**ADMINISTRATION AND
GENERAL SUPPORT**

2011-12 Budget Request: \$18,314,008 General Fund
--

	<u>2010-11 Adjusted Appropriation</u>	<u>2011-12 Request</u>	<u>Change</u>
Personal Service	\$16,106,603	\$16,569,087	\$462,484
Nonpersonal Service	<u>1,827,579</u>	<u>1,744,921</u>	<u>(82,658)</u>
TOTAL	\$17,934,182	\$18,314,008	\$379,826

The personal service funding request supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request provides \$158,098 for supplies and materials, \$404,205 for travel and \$1,182,618 for contractual services. The nonpersonal service decrease of \$82,658 reflects decreases for supplies and materials (-28,161) and travel (-84,087), and an increase in contractual services (29,590).

**ATTORNEY REGISTRATION
ADMINISTRATION**

2011-12 Budget Request: \$1,497,529 Attorney Licensing Fund
--

	<u>2010-11 Adjusted Appropriation</u>	<u>2011-12 Request</u>	<u>Change</u>
Personal Service	\$ 845,704	\$ 884,034	38,330
Nonpersonal Service	<u>574,409</u>	<u>613,495</u>	<u>39,086</u>
TOTAL	\$1,420,113	\$1,497,529	77,416

The Attorney Registration unit, funded through the Attorney Licensing Fund, manages the Attorney Registration database which contains over 250,000 attorney records.

The personal service funding request supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request provides \$14,087 for supplies, \$1,500 for travel, and \$597,908 for contractual services. The nonpersonal service increase of \$39,086 reflects decreases for supplies and materials (-10,000) and travel (-1,740), offset by an increase in contractual services (50,826).

**COURT FACILITIES
MANAGEMENT**

2011-12 Budget Request:	\$1,668,441
Court Facilities Management	

	<u>2010-11 Adjusted Appropriation</u>	<u>2011-12 Request</u>	<u>Change</u>
Personal Service	\$1,134,834	\$1,157,109	\$22,275
Nonpersonal Service	<u>612,750</u>	<u>511,332</u>	<u>(101,418)</u>
TOTAL	\$1,747,584	\$1,668,441	(\$79,143)

The Court Facilities Incentive Aid Fund was established by chapter 825 of the Laws of 1987. Chapter 825 created a comprehensive program of planning requirements, technical and financing assistance and financial aid to local governments, all designed to address the need to maintain, renovate and build court facilities. Chapter 686 of the Laws of 1996, which transferred fiscal responsibility for court cleaning and minor repairs from local governments to New York State, provides full reimbursement to localities performing these vitally needed functions.

The personal service funding request supports existing nonjudicial positions as well as salary increments for all eligible employees. Personal service funding also reflects continuation of savings realized from participation in the early retirement incentive program as well as ongoing savings from the vacancy control initiative.

The nonpersonal service request provides \$4,000 for supplies, \$7,500 for travel, and \$499,832 for contractual services. Funds are provided to continue the contract with the Dormitory Authority for the statewide survey of court facilities and other automated databases, including an automated work order system for courts in New York City and ongoing maintenance of the information base.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ADMINISTRATION
& GENERAL SUPPORT

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	14,780,281	15,658,634	878,353
PS Overtime	43,675	46,175	2,500
PS Temporary	3,263,185	2,905,421	(357,764)
Total Personal Service	18,087,141	18,610,230	523,089
<u>Nonpersonal Service</u>			
Legal Reference/CALR	4,500	3,500	(1,000)
Travel	499,032	413,205	(85,827)
Prof Services Other	1,674,250	1,652,932	(21,318)
Legal Services	10,000	10,000	0
In-Part Services	35,000	35,000	0
Transcripts	37,900	36,865	(1,035)
Other NPS	754,056	718,246	(35,810)
Total Nonpersonal Service	3,014,738	2,869,748	(144,990)
Grand Total	21,101,879	21,479,978	378,099

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ADMINISTRATION
& GENERAL SUPPORT
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	13,579,231	14,319,003	739,772
PS Overtime	15,675	18,175	2,500
PS Temporary	2,511,697	2,231,909	(279,788)
Total Personal Service	16,106,603	16,569,087	462,484
<u>Nonpersonal Service</u>			
Legal Reference/CALR	4,000	3,000	(1,000)
Travel	488,292	404,205	(84,087)
Prof Services Other	659,000	728,600	69,600
Legal Services	10,000	10,000	0
In-Part Services	35,000	35,000	0
Transcripts	37,900	36,865	(1,035)
Other NPS	593,387	527,251	(66,136)
Total Nonpersonal Service	1,827,579	1,744,921	(82,658)
Grand Total	17,934,182	18,314,008	379,826

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ADMINISTRATION
& GENERAL SUPPORT
STATE SPECIAL REVENUE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	560,657	576,564	15,907
PS Overtime	28,000	28,000	0
PS Temporary	257,047	279,470	22,423
Total Personal Service	845,704	884,034	38,330
<u>Nonpersonal Service</u>			
Travel	3,240	1,500	(1,740)
Prof Services Other	414,500	424,500	10,000
Other NPS	156,669	187,495	30,826
Total Nonpersonal Service	574,409	613,495	39,086
Grand Total	1,420,113	1,497,529	77,416

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

ADMINISTRATION
& GENERAL SUPPORT
COURT FACILITIES INCENTIVE AID
FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	640,393	763,067	122,674
PS Temporary	494,441	394,042	(100,399)
Total Personal Service	<u>1,134,834</u>	<u>1,157,109</u>	<u>22,275</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	500	500	0
Travel	7,500	7,500	0
Prof Services Other	600,750	499,832	(100,918)
Other NPS	4,000	3,500	(500)
Total Nonpersonal Service	<u>612,750</u>	<u>511,332</u>	<u>(101,418)</u>
Grand Total	1,747,584	1,668,441	(79,143)

Major Purpose Summary

**JUDICIARY-WIDE MAINTENANCE
UNDISTRIBUTED**

2011-12 Budget Request: \$29,078,243

<i>General Fund: 27,109,985</i>

<i>Special Revenue Fund: 1,968,258</i>
--

Court Appointed Special Advocates (CASA)

\$1,100,886

A total of \$1,100,886 is included to provide grant funding for 31 CASA programs across New York State. Grants are made based upon factors such as the size of the county and number of children being served. This program, largely utilizing unpaid volunteers, has proven to be enormously successful in assisting the family court judges by investigating children's conditions, monitoring implementation of court orders, and making recommendations as appropriate to the court in foster care review proceedings.

Ethics Commission

\$355,066

The sum of \$355,066 is requested to fund the Judiciary's Ethics Commission. Since 1990, the Ethics Commission for the Unified Court System (UCS) has been responsible for the distribution, collection, review and maintenance of the financial disclosure statements required to be filed annually by approximately 5,000 judges, justices and other employees of the court system, pursuant to the Rules of the Chief Judge, 22 NYCRR Part 40. Effective September, 2006, certain candidates for public election to judicial office are also required to file financial disclosure statements, pursuant to the Rules of the Chief Administrator of the Courts, 22 NYCRR Part 100.

National Center for State Courts

\$350,000

A total of \$350,000 is requested to fund the annual dues requirement for the Unified Court System's participation in the National Center for State Courts. Membership in this organization provides the court system access to the National Center's broad range of administrative and operational services and expertise. This sum also provides funding for dues associated with membership in the Council of Chief Judges of State Courts of Appeals and the Consortium for State Court Interpreter Certifications.

Commission on Minorities

\$229,033

This amount is requested to fund the Commission on Minorities within the UCS. Funding for staff and miscellaneous nonpersonal service expenses will allow the Commission to continue its work with respect to minority representation within the Judiciary.

Health Maintenance Program

\$75,000

This request will allow a continuation of the mandated Hepatitis and Tuberculosis Control Plans for certain employees of the UCS. These programs encompass testing, evaluation and vaccination where indicated.

Continuing Legal Education

\$1,377,350

A major recommendation of the Committee on Profession and the Courts, also known as the Craco Commission, was a new requirement for continuing legal education for the State's attorneys. After careful consideration of the input received from the Bar and the public, the Administrative Board approved a mandatory program for continuing legal education for attorneys admitted to the Bar.

These funds are used to provide information and coordination regarding program requirements, course schedules, CLE training to attorneys employed by the UCS, certification of attendees and other operational policies of the Board. Funding for this program is provided from a share of the biennial attorney registration fees which are credited to the Attorney Licensing Fund.

Lawyer Assistance Trust

\$590,908

In 2001, the New York State Lawyer Assistance Trust was formed as a permanent entity within the UCS to bring statewide leadership and financial assistance to existing programs for the prevention and treatment of alcohol and substance abuse among lawyers, judges and law students and to encourage the development of new lawyer assistance programs to accomplish such goals. In addition, the Trust's mission includes developing and seeking the adoption of necessary court rules, providing education and outreach to the Bar and the legal profession about substance abuse and its effects, and sponsoring and promoting research in the field. Creation of the Trust was a key recommendation of the Commission on Alcohol and Substance Abuse in the Legal Profession, which was formed by former Chief Judge Judith S. Kaye and chaired by former Court of Appeals Judge Joseph Bellacosa. Funding for this program is provided from a share of the biennial attorney registration fees which are credited to the Attorney Licensing Fund.

Civil Legal Services

\$25,000,000

The 2011-12 budget includes funding for civil legal services to address the urgent problem of the growing unmet need for civil legal assistance for low income New Yorkers. The availability of affordable legal representation is indispensable to the court's constitutional mission to ensure equal justice for all. The economic downturn has led to an increase in the number of low income individuals and families facing significant legal problems while funding for civil legal assistance has declined. As a result, there is an increase in the number of unrepresented parties appearing before the courts. Without an attorney to navigate through the process, the individual is likely to face a less equitable outcome. In addition, more judicial time and resources are expended in cases where parties are unrepresented. Among other benefits, proper legal representation will prevent evictions, keep families together and prevent homelessness. On a broader scale, the provision of adequate legal services will generate a cost savings for the State and local governments and will increase economic activity for local economies.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JUDICIARY-WIDE
MAINTENANCE UNDISTRIBUTED

	Current Appropriation as Adjusted	UCS Recommended	Changes to Current Appropriation
<u>Personal Service</u>			
PS Regular	6,408,632	366,086	(6,042,546)
PS Temporary	1,412,354	1,611,953	199,599
Total Personal Service	7,820,986	1,978,039	(5,842,947)
<u>Nonpersonal Service</u>			
Legal Reference/CALR	500	0	(500)
Travel	37,243	35,000	(2,243)
Prof Services Other	1,856,528	1,923,886	67,358
Other NPS	159,748	141,318	(18,430)
Total Nonpersonal Service	2,054,019	2,100,204	46,185
<u>Maintenance Undistributed</u>			
Civil Legal Services	0	25,000,000	25,000,000
Total Maintenance Undistributed	0	25,000,000	25,000,000
Grand Total	9,875,005	29,078,243	19,203,238

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JUDICIARY-WIDE
MAINTENANCE UNDISTRIBUTED
STATE OPERATIONS - GENERAL FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	6,000,000	0	(6,000,000)
PS Temporary	411,538	524,599	113,061
Total Personal Service	<u>6,411,538</u>	<u>524,599</u>	<u>(5,886,939)</u>
<u>Nonpersonal Service</u>			
Travel	13,000	13,000	0
Prof Services Other	1,494,528	1,546,886	52,358
Other NPS	23,700	25,500	1,800
Total Nonpersonal Service	<u>1,531,228</u>	<u>1,585,386</u>	<u>54,158</u>
<u>Maintenance Undistributed</u>			
Civil Legal Services	0	25,000,000	25,000,000
Total Maintenance Undistributed	<u>0</u>	<u>25,000,000</u>	<u>25,000,000</u>
Grand Total	7,942,766	27,109,985	19,167,219

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

JUDICIARY-WIDE
MAINTENANCE UNDISTRIBUTED
STATE SPECIAL REVENUE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	408,632	366,086	(42,546)
PS Temporary	1,000,816	1,087,354	86,538
Total Personal Service	1,409,448	1,453,440	43,992
<u>Nonpersonal Service</u>			
Legal Reference/CALR	500	0	(500)
Travel	24,243	22,000	(2,243)
Prof Services Other	362,000	377,000	15,000
Other NPS	136,048	115,818	(20,230)
Total Nonpersonal Service	522,791	514,818	(7,973)
Grand Total	1,932,239	1,968,258	36,019

STATE OF NEW YORK
JUDICIARY BUDGET
FY 2011-12

Part II

Lawyers' Fund for Client Protection

SECTION

2

Major Purpose Summary
LAWYERS' FUND FOR CLIENT PROTECTION

2011-12 Budget Request: \$12,915,110

This budget request is submitted by the Board of Trustees of the Lawyers' Fund for Client Protection.

The Lawyers' Fund, originally known as the Clients' Security Fund, was created by the State Legislature in 1981. Chapter 714 of the Laws of 1981 established a central registry of lawyers admitted to practice in New York State, a law client reimbursement program, and imposed a biennial registration fee on all active practitioners. That fee is currently \$375, from which the Lawyers' Fund receives a statutory share of \$60.

The statutes assign to the Lawyers' Fund the responsibility of protecting law clients from the misappropriation or willful misapplication of money and property in the practice of law. The governing statutes are sections 468-a and 468-b of the Judiciary Law, and 97-t of the State Finance Law.

The Fund's responsibilities have been increased by court rules which require the Fund to administer the Appellate Divisions' Dishonored Check Reporting Rule for attorney special, trust and escrow accounts; assist in the implementation of judicial sanctions on counsel for frivolous conduct in litigation; and serve as the depository of funds belonging to missing clients and deceased attorneys and return funds to those clients located by the Fund.

Other programs of the Fund include the production of consumer education materials for law clients and the general public and practical help for members of the bar as regards their fiduciary and recordkeeping responsibilities when entrusted with trust and escrow property. The Fund also participates in the court system's Continuing Legal Education program for lawyers.

The Lawyers' Fund is administered by a Board of Trustees appointed by the Court of Appeals. The Board consists of five members of the bar and two business and community leaders who are not lawyers.

The Trustees serve three-year renewable terms without compensation. The Board has a five-person staff with offices in Albany. The Trustees meet four times each year to evaluate claims for reimbursement and attend to policy and administrative issues affecting the Fund.

Losses reimbursed by the Fund include the theft of estate and trust assets, proceeds from the purchase and sale of real property, settlements in personal injury litigation, money embezzled in investment transactions with clients and unearned legal fees where an attorney falsely promised to provide legal services in exchange for an advance fee. The Trustees' Regulations provide for a \$300,000 maximum limit on individual awards from the Fund. There is no limit on awards per lawyer.

Client protection funds exist in 50 states and the District of Columbia. New York's Fund is among the leaders in reimbursement to victims of lawyer theft: over \$147 million since 1982. In 2009, 99% of eligible claimants and 97% of all eligible client losses were fully reimbursed. New York's Fund is also among the leaders in the nation in claims processed to disposition each year.

The Lawyers' Fund is self-supporting financially, with no General Fund appropriations. The Fund's principal source of revenue is the \$60 share of the biennial registration fee imposed on members of the bar by section 468-a of the Judiciary Law, augmented by appropriations from the Attorney Licensing Fund.

Supplemental revenues are derived from interest earned on the Fund's special account in the State Treasury, restitution and subrogation receipts, and judicial sanctions imposed on counsel for frivolous conduct in the course of litigation.

The Fund was established in 1981. Since that time, claims activity has steadily increased. It is fully expected that this heavy claims activity will continue. As illustrated by the following claims activity chart, the Fund anticipates that in 2010 claim statistics will exceed those of recent years in virtually every category. The numbers for filed claims, losses alleged, claims approved, awards allowed, pending claims and exposure on pending claims will exceed the Fund's experience in recent years.

The Fund continues to face large law client losses as a result of the conviction in Federal Court of former New York attorney Andrew F. Capoccia and his law associates on fraud charges. Federal prosecutors advise that Capoccia and his attorney associates have been convicted of defrauding thousands of clients in their debt reduction law practice. Federal forfeiture and restitution proceedings against Capoccia and his associates remain pending but are expected to conclude in the near future. Once these proceedings are resolved, the Fund anticipates a heavy influx of claims and potential awards of reimbursement.

Claims Activity 2005 - 2010
(\$ Amounts in Millions)

	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010 Jan-Aug</u>
Claims Filed	729	520	454	480	489	412
Losses Alleged	\$28	\$19	\$31.8	\$43.7	\$40.6	\$50.6
Claims Approved	227	147	185	130	139	90
Awards Allowed	\$8.1	\$7.1	\$7.0	\$6.8	\$5.8	\$4.3
All Dispositions	554	431	492	481	396	242
Pending Claims	515	604	566	565	658	828
Liability Pending Claims	\$13.9	\$14.8	\$14.1	\$21.7	\$27.1	\$41.3

For fiscal year 2011-12, for personal service, the Trustees' budget requests an appropriation of \$600,110.

For nonpersonal service, the Board of Trustees requests appropriations from registration fee revenues totaling \$12,413,000. This includes \$12.0 million for reimbursement awards, a separate \$98,000 charge for employee fringe benefits, and \$196,000 for other nonpersonal service items including \$119,000 earmarked for the financing of an Assistant Attorney General position within the Department of Law assigned exclusively to the Fund's restitution litigation. This payment is in lieu of the Department's former charge to the Fund of 22% of each monetary recovery. The Attorney General financing provides for the Fund to pay the actual salary for the Assistant Attorney General assigned to the Fund.

The Fund's subrogation litigation seeks to recoup awards of reimbursement for the Fund from dishonest attorneys and other liable sources. The successful prosecution of these actions requires the full-time attention of an Assistant Attorney General. The financing arrangement with the Department of Law provides the Lawyers' Fund with all necessary legal litigation support. The Department of Law provides legal counsel with all necessary support staff and resources. This arrangement with the Department of Law continues to be economical and beneficial to the Lawyers' Fund.

2011-12 Requests

The Board of Trustees requests the following items of appropriation:

1) A total of \$12,000,000 from the Special Revenue Fund established by section 97-t of the State Finance Law, and the Attorney Licensing Fund established by section 468-a of the Judiciary Law, for the payment of awards of reimbursement; and,

2) \$1,013,110 from the section 97-t Special Revenue Fund for costs and expenses necessary to administer the Fund, which includes \$98,000 as General State Charges for employee fringe benefits.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAWYERS' CLIENT PROTECTION

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	736,281	600,110	(136,171)
PS Temporary	10,000	0	(10,000)
Total Personal Service	<u>746,281</u>	<u>600,110</u>	<u>(146,171)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	10,000	10,000	0
Travel	25,000	25,000	0
Prof Services Other	12,071,000	12,192,000	121,000
Equipment	4,000	0	(4,000)
Other NPS	88,000	88,000	0
Total Nonpersonal Service	<u>12,198,000</u>	<u>12,315,000</u>	<u>117,000</u>
Grand Total	12,944,281	12,915,110	(29,171)

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

LAWYERS' CLIENT PROTECTION
LAWYERS' FUND FOR CLIENT
PROTECTION

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Personal Service</u>			
PS Regular	736,281	600,110	(136,171)
PS Temporary	10,000	0	(10,000)
Total Personal Service	<u>746,281</u>	<u>600,110</u>	<u>(146,171)</u>
<u>Nonpersonal Service</u>			
Legal Reference/CALR	10,000	10,000	0
Travel	25,000	25,000	0
Prof Services Other	12,071,000	12,192,000	121,000
Equipment	4,000	0	(4,000)
Other NPS	88,000	88,000	0
Total Nonpersonal Service	<u>12,198,000</u>	<u>12,315,000</u>	<u>117,000</u>
Grand Total	12,944,281	12,915,110	(29,171)

STATE OF NEW YORK
JUDICIARY BUDGET
FY 2011-12

Part III

Aid to Localities

AID TO LOCALITIES
COURT FACILITIES INCENTIVE AID FUND

2011-12 Budget Request: \$123,377,787

Aid to Localities: 123,377,787

Since 1988, the Court Facilities Incentive Aid Fund (CFIAF) has given financial assistance to cities and counties to help them provide and maintain adequate court facilities. This aid is an integral part of the Court Facilities Program originally enacted into law in 1987. In the mid-1990s, the statutes governing the program were amended to provide further fiscal assistance to hard-pressed local governments, to target state aid more precisely and to provide full support for facilities' costs associated with the Appellate Divisions and the New York State Judicial Institute.

There are four different programs within the Fund that provide various forms of financial assistance for court facilities. An interest aid subsidy, which ranges from 25 to 33 percent, is paid to local governments to reduce the effective cost of borrowing money to finance improvements to court facilities. Localities also receive 100% reimbursement for current costs associated with the cleaning and minor repairs of court facilities. Those localities that provide local chambers for Court of Appeals Judges and facilities for the Appellate Divisions receive 100% reimbursement for the costs associated with providing, cleaning and maintaining those facilities. The CFIAF also supports debt service and operating expenses of the New York State Judicial Institute, which opened in 2003 as a permanent facility to meet statewide judicial training needs.

To provide adequate support for over \$4 billion in local government commitments for court facilities improvements, \$123,377,787 in new appropriation authority for CFIA is recommended for fiscal year 2011-12. Unexpended balances of up to \$20 million from the current year appropriation are recommended for reappropriation; these funds will be needed to pay obligations that are incurred in the current year but, for a variety of technical reasons, are not paid until the following year.

The recommended appropriations will fund \$34.2 million for the interest-aid subsidy, \$75.3 million for reimbursement of court cleaning and minor repair expenses, \$11.1 million for reimbursement for Appellate Division facilities' expenses, \$1.1 million for local chamber space for Court of Appeals Judges and \$1.6 million to support debt service and facility operating expenses of the New York State Judicial Institute.

Across the State, over \$4 billion in commitments from the city and county governments has resulted in the construction or renovation of many court facilities, with more to be designed and built in the upcoming years. Most of the cities and counties throughout the state have completed, or substantially completed, their legislatively-mandated Capital Plans for their court facilities. The Court System continues to work closely with numerous municipalities to ensure that those counties and cities that have not yet completed their Capital Plans to do so swiftly, and that those with Capital Plans that are no longer adequate provide updates as soon as possible.

This past year a number of cities and counties have advanced their court facility Capital Plans. Among those which reached completion include Greene County, which finished a comprehensive renovation of its historic courthouse. The renovated facility is now dedicated exclusively to court and court-related operations while county offices have been relocated to other locations. At the end of last year the City of Salamanca completed construction of a new, larger City Court in city-owned space; the new court facility was dedicated in April 2010. In New York City, the multi-year, multi-phased renovation of the Manhattan Family Court was completed providing a dramatically transformed and improved courthouse for the citizens of New York City.

Projects that are currently underway include a two-phase project in Allegany County which includes the construction of a 40,000 square foot addition to the old Courthouse and is scheduled for completion in spring 2011. A second phase will follow involving the renovation of almost 10,000 square feet within the old courthouse. The multi-phase renovation of the Albany County historic courthouse is advancing towards a 2011 completion date. Once this facility is finished, the County Courthouse will complement the County's new Judicial Center and Family Court facilities.

The multi-faceted efforts to upgrade the New York County court facilities are continuing. In the fall of 2010 the City initiated a study which represents the first step towards developing a comprehensive plan for the trial court facilities in Manhattan. The study involves the evaluation of the trial court operations located across ten separate court facilities and will provide planners with the detailed information necessary to develop a comprehensive set of solutions to the difficult issues associated with providing suitable, appropriate and affordable court facilities in New York County.

Elsewhere in New York City, following the 2009 opening of the Bronx County Hall of Justice, the City commenced a major redesign of the Bronx County courthouse and the Family Court courthouse. The initial phases of these two multi-year projects have commenced and once completed, the Civil Supreme, Lower Civil and Family Courts will expand their court operations within these buildings into space that was acquired when the Criminal Division of the Supreme Court relocated to the Bronx Hall of Justice. A similar renovation and expansion effort is underway in Kings County at the 360 Adams and 120 Schermerhorn Street court facilities. Once completed, the Civil Supreme and Lower Criminal Court will expand into spaces that were vacated when the Supreme Court's Criminal Term relocated to its new facility at 320 Jay Street. Finally, construction of the new Staten Island Courthouse is underway and scheduled for completion in 2013. The parking facility associated with this project was completed and opened in early 2010.

As part of a separate building systems renovation program managed and financed by the City, over \$300 million has been committed since 1989 to improve building systems and exteriors in existing court facilities. This program, which is aimed at stabilizing the condition of today's facilities, is ongoing.

The CFIAF is one of the State's many "special revenue" or "dedicated" funds; each year the proceeds from court filing fees and fee increases are credited to the Fund. The Court Facilities Act contemplated that annual Fund surpluses in the early years of the program would remain in the Fund to be used in later years. However, annual Fund surpluses were applied to overall statewide General Fund spending needs; in place of the funds, the State substituted a General Fund Guarantee which grew to \$229.9 million in 2001 and which was to be invoked when needed. The Guarantee was first invoked in 2002 and fully exhausted in 2009. For 2011-12, total disbursements, including those for prior year's obligations, are estimated at \$120 million; new revenues are projected to be approximately \$79 million. If civil revenues remain stable and the cash projections underlying this request remain true, this Fund will continue to require General Fund support to meet its ongoing statutory obligations to the localities.

**AID TO LOCALITIES
GENERAL FUND LOCAL ASSISTANCE**

2011-12 Budget Request:	\$4,945,584
--------------------------------	--------------------

The Justice Court Assistance Program (JCAP) was established by the Legislature to provide municipal governments with limited State funding to improve the operations of the locally-funded Justice Courts. Financial assistance is available for any purpose that enhances the Justice Court's ability to provide suitable and sufficient services to their communities. In general, the funding has been used to acquire various types of equipment, provide training for judges and court staff, obtain legal reference materials and make essential improvements to court facilities. Magistrates associations may also apply for grants to be used for judicial training programs. In 2008, the Legislature, at the Office of Court Administration's (OCA) request, raised the annual cap on grants awarded through the JCAP Program from \$20,000 to \$30,000 per annum per court.

The 2008-09 Judiciary Budget requested an appropriation of \$5 million in Local Assistance funding to support the JCAP Program. The Legislature, consistent with other Local Assistance appropriations, cut the requested funding to \$4.7 million. The 2009-10 Judiciary Budget requested continuation of the \$4.7 million in Local Assistance funding. The 2010-11 Judiciary Budget requested a slight increase in Local Assistance funding to the original \$5 million funding level. The Legislature approved the request; however, with the enactment of chapter 313 of the Laws of 2010 (the FMAP Contingency Allocation Plan), the Local Assistance appropriation was subsequently reduced to \$4.9 million.

The 2011-12 request for Local Assistance funding for the Town and Village Program totals \$4.9 million. This request reflects level funding as compared to the current year appropriation.

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

AID TO LOCALITIES

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Maintenance Undistributed</u>			
Court Facilities	34,237,634	34,237,634	0
State Supported Facilities	13,794,109	13,794,109	0
Cleaning and Repairs	75,346,044	75,346,044	0
Town & Village Court	4,945,584	4,945,584	0
Total Maintenance Undistributed	<u>128,323,371</u>	<u>128,323,371</u>	<u>0</u>
Grand Total	128,323,371	128,323,371	0

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

AID TO LOCALITIES
COURT FACILITIES INCENTIVE AID
FUND

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Maintenance Undistributed</u>			
Court Facilities	34,237,634	34,237,634	0
State Supported Facilities	13,794,109	13,794,109	0
Cleaning and Repairs	75,346,044	75,346,044	0
Total Maintenance Undistributed	<u>123,377,787</u>	<u>123,377,787</u>	<u>0</u>
Grand Total	123,377,787	123,377,787	0

State of New York - Judiciary
Budget Summary for Fiscal Year 2011-2012

AID TO LOCALITIES
LOCAL ASSISTANCE

	<u>Current Appropriation as Adjusted</u>	<u>UCS Recommended</u>	<u>Changes to Current Appropriation</u>
<u>Maintenance Undistributed</u>			
Town & Village Court	4,945,584	4,945,584	0
Total Maintenance Undistributed	<u>4,945,584</u>	<u>4,945,584</u>	<u>0</u>
Grand Total	4,945,584	4,945,584	0

STATE OF NEW YORK
JUDICIARY BUDGET
FY 2011-12

Part IV

Capital Projects

CAPITAL PROJECTS

2011-12 Budget Request:	\$0
--------------------------------	------------

The 2011-12 Judiciary budget request does not include any new appropriations for capital projects. It does seek to reappropriate capital funds originally appropriated in fiscal 2007-08 for two ongoing projects; the development of a Court Officer Training Academy in Kings County and the renovation of Centennial Hall in Albany.

Court Officer Academy in Kings County

One of the primary recommendations of the Task Force on Court Security—convened by the Chief Judge and Chief Administrative Judge in the aftermath of September 11, 2001—was the need to expand training for court security officers by establishing appropriate residential facilities similar to those in use by the Department of Corrections and the State Police. Such facilities are necessary because of the unique security environments in which court officers operate and because of certain insufficiencies in the Judiciary’s existing nonresidential program. Residential facilities would resolve many operational difficulties and would also facilitate court officer recruitment. Also, the creation of a residential training facility will assist the court system in meeting the newly established training requirements under Chapter 491 of the Laws of 2010.

Chapter 548 of the Laws of 2006 provided for the construction or acquisition of a court officer training academy to be located on specified property within Kings County. The Judiciary, with the assistance of the Dormitory Authority of the State of New York, has entered into a 49-year lease with a nonprofit entity for the purpose of renovating a former school complex into a state-of-the-art court officer training academy in Kings County. The project is in the design phase; funds needed for this project are estimated at \$49 million.

Centennial Hall in the City of Albany

This project seeks to restore this historic building for use as offices for the auxiliary agencies of the Court of Appeals, as well as for secure residential space for Court of Appeals Judges while in session in Albany. The Office of General Services is the general contractor for the project and is providing all design and construction services. Renovations began in 2007 and are expected to be completed in 2011. The project cost is estimated at \$23 million.