

**ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS**

Pursuant to the authority vested in me, and in consultation with the Administrative Board of the Courts, I hereby amend, effective May 1, 2007, sections 138.3(b), 138.3(c), 138.3(e) and 138.5(a) of the Rules of the Chief Administrator, relating to the Justice Court Assistance Program, as set forth below. Notwithstanding any other provision of this Administrative Order or of section 138.3(b) of the Rules of the Chief Administrator of the Courts, for a town or village to be eligible for a disbursement from funds under the Justice Court Assistance Program made available by appropriation to the Unified Court System for the State fiscal year commencing April 1, 2007, any application therefor may be filed with the Chief Administrator at any time not later than August 31, 2007.

Section 138.3. Application procedures.

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(b) When and where to apply. For a town or village to be eligible for a disbursement from funds made available by appropriation to the Unified Court System for any State fiscal year, such town or village must file its application with the Chief Administrator on or before the first day of [~~May~~] February in such fiscal year.

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(c) Contents of Application. Each application filed with the Chief Administrator pursuant to this Part must be signed by at least one justice of the court(s) affected thereby other than an acting justice, and by the supervisor of any town, and the mayor of any village, that is party to the application. Each such application shall be in such form as the Chief Administrator shall prescribe and shall include [the following:

- (1) A specification of the amount of funding sought.

(2) A detailed description of the purpose or purposes to which the funding will be applied.

(3) A detailed description of the court or courts that will benefit from the funding, including information as to staffing, caseload, budget and facilities as well as general information about the community or communities served, where such general information would be pertinent to the purpose or purposes to which the funding will be applied.

(4) Information concerning past applications for funding.

(5) A] a certified copy of a resolution of the legislative body of each municipality that is a party to the application evidencing its authorization thereof; the information specified in paragraphs (a) through (c) of section 849-i(1) of the Judiciary Law, except to the extent that it already has been made available to the Chief Administrator; and such other information as the Chief Administrator shall require.

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[(e) Emergency applications. Notwithstanding the provisions of subdivision (b) of this section, a town or village having a justice court may file an application for a disbursement from Justice Court Assistance program funds at any time after the first day of May in the State fiscal year in which such funds are made available by appropriation to the Unified Court System, provided:

(1) the town or village has not filed any other application for such a disbursement during such State fiscal year; and

(2) the justice or justices signing the application certify that the need for funding arose on or after such first day of May.

Except as otherwise noted herein, all provisions of this section shall apply to any application filed pursuant to this subdivision.]

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Section 138.5. Payment.

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(a) General. Once the Chief Administrator approves an application for funding pursuant to this Part, he or she shall authorize a disbursement of funds in any amount up to the amount sought in the application and shall specify the purpose or purposes to which such funds may be applied; provided, however, he or she shall not approve a disbursement of funds exceeding [\$20,000] \$30,000, unless the application is a joint application in which event he or she shall not approve a disbursement of funds

exceeding the product of the number of joint applicants and [~~\$20,000~~] \$30,000. Any disbursement of funds hereunder shall at all times be subject to the availability of appropriations.

Chief Administrative Judge of the Courts

Dated:

AO/ /07