

JUDICIARY
2010-11 BUDGET REQUEST
EXECUTIVE SUMMARY

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JUDICIARY
2010-11 BUDGET REQUEST
EXECUTIVE SUMMARY

Last year, in response to the events unfolding in the economy and their impact on the State's fiscal condition, the Judiciary submitted a zero-growth budget request. That austere budget required that the Judiciary adopt stringent spending controls, including a freeze on filling administrative vacancies and strict review of vacancies in court operational positions. The court system also undertook a program to encourage targeted nonjudicial employees to leave State service. As a result of these efforts, the court system's nonjudicial workforce will be reduced by more than 200 positions by the end of the fiscal year. Other measures that the Judiciary undertook include a bar on all but essential travel, a sharp reduction in the purchase of equipment, and strict control of overtime.

In preparing the budget request for the next fiscal year, the Judiciary is acutely aware that the State's fiscal crisis persists, and the Judiciary remains committed to working with the Executive and Legislative Branches to address the serious challenges facing New York State. Toward that end, the Judiciary will continue its cost-containment programs and carefully manage its resources. However, the Judiciary cannot submit another zero-growth budget request.

Next year, the Judiciary budget must accommodate extraordinary mandatory cost increases, none of which will provide enhanced support or resources for court operations. At the same time, the workload of the Judiciary has reached historic levels. In light of these twin forces – the magnitude of the mandatory cost increases and the growing press of the courts' work – the Judiciary cannot do as it did this year and absorb these increases within existing resources.

The only discretionary increase the Judiciary seeks is \$6.3 million for the Judicial Supplemental Support Fund, which provides judges assistance with certain work-related expenses. With the approaching eleventh anniversary of the last cost-of-living adjustment received by New York's judges, this request is appropriate and necessary. This additional funding represents only a one-quarter of one percent increase in the Judiciary budget.

With the exception of this modest amount, all other cost increases facing the Judiciary are mandatory, and exceed a total of \$160 million. The single largest such increase that the Judiciary faces in the coming fiscal year is due entirely to the recent historic decline in the stock market. Because of those market losses, next fiscal year, the Judiciary will be required to increase its contribution to the pension fund by \$84.6 million. An increase of another \$7.5 million is required to cover mandatory increases in health insurance and other fringe benefit costs. These increases must be included in the Judiciary budget request, but are not included in Executive agency requests, because these so-called "General State Charges" are handled centrally for Executive agencies, rather than in each agency budget.

These mandatory increases thus uniquely inflate the Judiciary budget request, without providing any additional resources to support court operations. Other looming mandatory increases that provide

no additional resources for the courts include \$58.4 million for nonjudicial salary increases required by collective bargaining agreements. The budget request also includes significant increases in response to statutory mandates. Pursuant to chapter 56 of the Laws of 2009, the request includes \$10 million for implementation of caseload standards for criminal defense attorneys in New York City. Another \$4.1 million covers increased costs of legal representation for children, including full-year funding to implement the attorney for the child caseload caps established pursuant to chapter 626 of the Laws of 2007.

At the same time that these large mandatory cost increases are being imposed on the Judiciary, the courts' work has increased to record levels. Over the past four years, the work of the courts statewide has increased by more than 10 percent. For the current calendar year, the total caseload of the New York courts will, for the first time, exceed 4.7 million filings. It is expected that the economic downturn, and the resulting social dislocations, will continue to bring additional work to the courts.

As it has year after year, the work of the Family Court continues to grow. Statewide, the Family Court caseload has increased 16 percent since 2005. In the current calendar year, the Family Court caseload is expected to reach a record level of nearly 800,000 filings. Family offense cases are up sharply, with a 27 percent increase over 2008. More than 10,000 individuals have sought orders of protection under the "intimate relationship" legislation enacted (L.2008, c. 326). Over the first six months of 2009, there was a 17 percent increase in the number of orders of protection issued over the comparable period in 2008. The filing statistics alone do not tell the full story of the crushing work of the Family Courts. For example, since the enactment of the record-checking legislation (L. 2008, c. 595), court staff have conducted more than 1.5 million background checks, and the courts have reviewed the search results before issuing orders in custody and visitation cases.

Civil filings in Supreme Court are up more than 14 percent since 2005, with the sharpest increase coming, not surprisingly, in foreclosure cases, where filings have doubled since 2005. In five downstate counties alone, the courts have already scheduled more than 10,000 settlement conferences in subprime foreclosure cases. The work of the lower civil courts also continues its steady increase. The caseload of the New York City Civil Court has risen 13 percent since 2005, and the civil caseload of the city courts outside of New York City has risen by 17 percent over the same period. The Judiciary expects that conditions in the broader economy will lead to increased civil filings across the State, particularly in such areas as consumer debt and evictions.

The criminal caseload is also growing, with felony filings climbing back to 2006 peak levels and the workload of the New York City Criminal Court up 20 percent over 2005.

The Judiciary is closely monitoring these caseload trends, shifting resources and implementing targeted programs, such as the mortgage foreclosure initiative, to more effectively manage and resolve cases. In addition, special attention is being given to the needs of self-represented litigants, whose cases comprise a large percentage of those matters that are particularly affected by the economy, such as consumer debt, evictions, and foreclosures.

The Judiciary will continue these efforts into the next fiscal year. However, in the face of this ever-mounting workload, the Judiciary cannot absorb the looming mandatory increases within existing resources. There are no discretionary programs to cut and no nonessential initiatives to defer. The Judiciary budget is overwhelmingly dedicated to the salaries and other direct expenses of the nonjudicial personnel who manage and the Judges who decide the cases brought before the courts. Reducing the budget request to accommodate the mandatory cost increases facing the Judiciary would deprive the courts of the resources essential to meet their constitutional duty to the people of New York.

The Judiciary recognizes its duty to work with the Executive and Legislative branches to address the fiscal crisis that confronts the State. For that reason, last year, the Judiciary submitted a zero-growth budget, requiring that unavoidable cost increases be absorbed within stagnant fiscal resources. With this budget, the Judiciary is again seeking no additional operational resources, despite the ever-growing workload of the courts, much of it driven by the economy itself. However, this budget reflects the Judiciary's judgment that its constitutional obligation to hear and decide all cases brought before the courts precludes a reduction in support for core court operations to accommodate the extraordinary increases that will be imposed on the Judiciary next year, all of which are beyond the Judiciary's control and none of which support court operations.

The General Fund State Operations and Aid to Localities portion of the fiscal year 2010-11 request totals \$2.44 billion, which represents a \$168 million, or 7.4 percent increase over the prior year. With the single, modest exception of the increase for the Judicial Supplemental Support Fund, this entire increase is mandatory, and beyond the control of the Judiciary.

As with recent past budget requests, this request addresses the critical matter of judicial compensation. The budget bill includes a reappropriation for that purpose and language that would raise judicial compensation, retroactive to April 1, 2005.

Finally, at the request of legislative leaders, the Judiciary budget request addresses the shortfall in IOLA funding for civil legal services. The Judiciary experiences, first-hand, on a daily basis, the growing need for these vital services. The same forces in the economy that are propelling litigants into the courts are making legal services for the poor more critical than ever before. As a result of a decline in interest rates, as well as, to a lesser extent, a diminution in the total amount of funds that lawyers have deposited in escrow accounts, there has been a sharp drop in funding available to support indigent civil legal services, with the shortfall next year anticipated to be \$15 million. A supplemental appropriation for that amount is included in the Judiciary budget bill, separate from the funding requested to support court operations, and would be transferred to the IOLA Board for distribution to civil legal services providers.

THE 2010-11 JUDICIARY BUDGET REQUEST

The budget request for the Judiciary General Fund State Operations and Aid to Localities for fiscal year 2010-11 totals \$2.4 billion, an increase of \$168.2 million, or 7.4%, over the current year appropriation. The All Funds request totals \$2.7 billion, an increase of \$183.5 million, or 7.2% over the current year.

Key Elements of Change

Significant elements of change in the Judiciary's 2010-11 General Fund State Operations and Aid to Localities budget request include the following:

- \$58.5 million in net increases for increments, salary increases, longevity bonuses and other mandated collective bargaining costs.
- \$4.9 million to annualize the costs of current year line adjustments, including approved temporary service conversions and changes in certificated justice staffing.
- (\$2.0) million in miscellaneous personal service reductions.
- (\$2.8) million in baseline overtime savings resulting from administrative controls in this object.
- (\$3.6) million in temporary service reductions attributable to approved temporary service conversions.
- \$10.0 million for implementation of caseload standards for attorneys assigned to represent indigent criminal defendants in New York City pursuant to chapter 56 of the Laws of 2009.
- \$4.1 million in child legal representation costs, including full-year funding to fully implement attorney for the child caseload caps established pursuant to chapter 626 of the Laws of 2007.
- \$4.9 million in nonpersonal service increases related to inflation; real estate rental costs for additional court support office space; contractual increases for nondiscretionary obligations such as security, telecommunications charges, information technology services and computer assisted legal research; and workload-based increases for transcripts, judicial hearing officers and per diem interpreting services.
- (\$4.6) million in nonpersonal service savings attributable to a variety of cost savings measures including, but not limited to, reductions in travel and elimination of discretionary contractual obligations and services.
- \$92.1 million attributable to increased employee fringe benefit costs, including projected health insurance premium increases.
- \$6.3 million to increase the Judicial Supplemental Support Fund payments to judges.

Unified Court System
2010-11 Budget Request
All Funds Appropriation Requirements
Major Purpose/Fund Summary

<u>Category / Fund / Major Purpose</u>	<u>2009-10 Available</u>	<u>2010-11 Requested</u>	<u>Change</u>
<u>Court & Agency Operations:</u>			
<i>Courts of Original Jurisdiction</i>	1,543,829,911	1,599,844,300	56,014,389
<i>Court of Appeals</i>	16,064,636	16,269,002	204,366
<i>Appellate Court Operations</i>	74,735,935	77,634,262	2,898,327
<i>Appellate Auxiliary Operations</i>	119,327,309	134,859,209	15,531,900
<i>Administration & General Support</i>	24,231,731	18,025,478	(6,206,253)
<i>Judiciary Wide Maintenance Undistributed</i>	6,816,964	7,942,766	1,125,802
<i>Court & Agency Operations - General Fund Total</i>	1,785,006,486	1,854,575,017	69,568,531
<hr/>			
<i>Special Revenue Fund - Federal</i>	9,100,000	9,100,000	0
<u>Special Revenue Fund - Other</u>			
<i>NYC County Clerks Operations Offset Fund</i>	24,094,357	25,309,351	1,214,994
<i>Judiciary Data Processing Offset Fund</i>	18,064,995	19,167,697	1,102,702
<i>Miscellaneous Special Revenue</i>	1,500,000	1,500,000	0
<i>Attorney Licensing Fund</i>	25,615,035	26,315,696	700,661
<i>Indigent Legal Services Fund</i>	25,000,000	25,000,000	0
<i>Court Facilities Incentive Aid Fund</i>	2,351,976	2,520,877	168,901
<i>Court & Agency Operations - All Funds Total</i>	1,890,732,849	1,963,488,638	72,755,789
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<u>General State Charges</u>			
<i>General Fund</i>	479,332,585	577,720,268	98,387,683
<i>Lawyers' Fund for Client Protection</i>	98,000	98,000	0
<i>Attorney Licensing Fund</i>	4,525,020	7,198,294	2,673,274
<i>Court Facilities Incentive Aid Fund</i>	465,192	744,651	279,459
<i>New York City County Clerks' Offset Fund</i>	5,539,579	11,386,957	5,847,378
<i>Judiciary Data Processing Offset Fund</i>	3,890,675	7,167,267	3,276,592
<i>General State Charges - All Funds Total</i>	493,851,051	604,315,437	110,464,386
<hr/>			
<u>Lawyers' Fund for Client Protection</u>			
<i>Lawyers' Fund for Client Protection</i>	12,901,577	12,944,281	42,704
<i>Lawyers' Fund for Client Protection - Total</i>	12,901,577	12,944,281	42,704
<hr/>			
<u>Aid to Localities</u>			
<i>General Fund - Courts of Original Jurisdiction</i>	4,718,700	5,000,000	281,300
<i>Court Facilities Incentive Aid</i>	123,553,284	123,553,284	0
<i>Aid to Localities - All Funds Total</i>	128,271,984	128,553,284	281,300
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<u>Capital Projects</u>			
<i>General Fund</i>	0	0	0
<i>Special Revenue Funds</i>	0	0	0
<i>Capital Construction - All Funds Total</i>	0	0	0
<hr/>			
<i>Grand Total All Funds</i>	2,525,757,461	2,709,301,640	183,544,179

Unified Court System
2010-11 Budget Request
All Funds Appropriation Requirements
Major Purpose/Fund Summary
(Fund Detail)

<u>Category/Fund/Major Purpose</u>	<u>2009-10 Available</u>	<u>2010-11 Requested</u>	<u>Change</u>
<u>Court & Agency Operations:</u>			
Courts of Original Jurisdiction			
<i>General Fund</i>	1,543,829,911	1,599,844,300	56,014,389
<i>Special Revenue Funds</i>	53,472,023	55,850,341	2,378,318
Total - All Funds	1,597,301,934	1,655,694,641	58,392,707
Court of Appeals			
<i>General Fund</i>	16,064,636	16,269,002	204,366
<i>Special Revenue Funds</i>	0	0	0
Total - All Funds	16,064,636	16,269,002	204,366
Appellate Court Operations			
<i>General Fund</i>	74,735,935	77,634,262	2,898,327
<i>Special Revenue Funds</i>	0	0	0
Total - All Funds	74,735,935	77,634,262	2,898,327
Appellate Auxiliary Operations			
<i>General Fund</i>	119,327,309	134,859,209	15,531,900
<i>Special Revenue Funds</i>	47,427,221	47,963,344	536,123
Total - All Funds	166,754,530	182,822,553	16,068,023
Administration & General Support			
<i>General Fund</i>	24,231,731	18,025,478	(6,206,253)
<i>Special Revenue Funds</i>	2,966,339	3,167,697	201,358
Total - All Funds	27,198,070	21,193,175	(6,004,895)
Judiciary Wide Maintenance Undistributed			
<i>General Fund</i>	6,816,964	7,942,766	1,125,802
<i>Special Revenue Funds</i>	1,860,780	1,932,239	71,459
Total - All Funds	8,677,744	9,875,005	1,197,261
<u>Court & Agency Operations - Total</u>			
<i>General Fund</i>	1,785,006,486	1,854,575,017	69,568,531
<i>Special Revenue</i>	105,726,363	108,913,621	3,187,258
Total - All Funds	1,890,732,849	1,963,488,638	72,755,789
<u>General State Charges</u>			
<i>General Fund</i>	479,332,585	577,720,268	98,387,683
<i>Special Revenue</i>	14,518,466	26,595,169	12,076,703
Total - All Funds	493,851,051	604,315,437	110,464,386
<u>Lawyers' Fund for Client Protection</u>			
<i>General Fund</i>	0	0	0
<i>Special Revenue Funds</i>	12,901,577	12,944,281	42,704
Total - All Funds	12,901,577	12,944,281	42,704
<u>Aid to Localities</u>			
<i>General Fund</i>	4,718,700	5,000,000	281,300
<i>Special Revenue Funds</i>	123,553,284	123,553,284	0
Total - All Funds	128,271,984	128,553,284	281,300
<u>Capital Projects</u>			
<i>General Fund</i>	0	0	0
<i>Special Revenue Fund</i>	0	0	0
Total - All Funds	0	0	0
Grand Total - All Funds	2,525,757,461	2,709,301,640	183,544,179

2010-11 Budget Request
Fund Appropriation Requirements

IOLA SUPPORT

<u>Category Fund /Major Purpose</u>	<u>2009-10 Available</u>	<u>2010-11 Requested</u>	<u>Change</u>
<u><i>Aid to Localities</i></u>			
<i>General Fund - IOLA</i>	0	15,000,000	15,000,000
<u><i>Aid to Localities - General Fund Total</i></u>	<u>0</u>	<u>15,000,000</u>	<u>15,000,000</u>

Unified Court System
2010-11 Budget Request
All Funds Disbursement Requirements
(Millions \$)

<u>Category/Fund</u>	<u>2009-10 Projected</u>	<u>2010-11 Projected</u>	<u>Change</u>
<u>Court & Agency Operations:</u>			
General Fund	1,786.3	1,808.2	21.9
Special Revenue Federal	6.3	6.5	0.2
<u>Special Revenue Funds - Other</u>			
NYC County Clerks Operations Offset Fund	24.8	25.7	0.9
Judiciary Data Processing Offset Fund	17.8	19.2	1.4
Miscellaneous Special Revenue	26.3	27.8	1.5
Indigent Legal Services Fund	25.0	25.0	0.0
Court Facilities Incentive Aid Fund	1.8	2.5	0.7
<u>Court & Agency Operations - All Funds Total</u>	1,888.3	1,914.9	26.6
<u>General State Charges</u>			
General Fund	496.3	577.7	81.4
NYC County Clerks' Operations Offset Fund	5.2	5.5	0.3
Judiciary Data Processing Offset Fund	7.6	7.2	(0.4)
Miscellaneous Special Revenue	3.7	4.5	0.8
Court Facilities Incentive Aid Fund	0.4	0.4	0.0
Lawyers' Fund for Client Protection	0.1	0.1	0.0
<u>General State Charges - All Funds Total</u>	513.3	595.4	82.1
<u>Lawyers' Fund for Client Protection</u>			
Lawyers' Fund for Client Protection	8.0	10.5	2.5
<u>Lawyers' Fund for Client Protection - Total</u>	8.0	10.5	2.5
<u>Aid to Localities</u>			
General Fund - Courts of Original Jurisdiction	4.8	5.0	0.2
Court Facilities Incentive Aid Fund	117.5	120.0	2.5
<u>Aid to Localities - All Funds Total</u>	122.3	125.0	2.7
<u>Capital Projects</u>			
Courthouse Improvements	16.5	18.0	1.5
<u>Capital Construction - All Funds Total</u>	16.5	18.0	1.5
<u>All Funds Total</u>	2,548.4	2,663.8	115.4

2010-11 Budget Request
IOLA Support Disbursement Requirements
(Millions \$)

<u>Category/Fund</u>	<u>2009-10 Projected</u>	<u>2010-11 Projected</u>	<u>Change</u>
<u>Aid to Localities</u>			
General Fund - IOLA	0.0	15.0	15.0
<i>Aid to Localities - General Fund Total</i>	0.0	15.0	15.0

THE JUDICIARY

§2. (a) The several amounts named in this section, or so much thereof as shall be sufficient to accomplish the purposes designated by the appropriations, are hereby appropriated and authorized to be paid as hereinafter provided, to the respective public officers and for the several purposes specified, which amounts shall be available for the fiscal year beginning April 1, 2010.

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

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

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

(i) chief judge of the court of appeals, fourteen and twelve one hundredths percent;

(ii) associate judges and justices of the court of appeals, ten and sixty-one one hundredths percent;

(iii) presiding justices of the appellate division, seven and ninety-seven one hundredths percent;

(iv) associate justices of the appellate division, the presiding judge of the court of claims and judges and justices who are designated deputy chief administrative judges, five and thirty-four one hundredths percent;

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

(vi) associate justices of the appellate term, two and nineteen one hundredths percent; and

(vii) judges of the court of claims, no additional percentage.

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

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

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

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

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

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

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

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

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

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

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

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

STATE OPERATIONS AND AID TO LOCALITIES 2010-2011

For services and expenses including travel outside the state and the payment of liabilities incurred prior to April 1, 2010 in accordance with the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local.....	2,437,295,285	74,800,000
Special Revenue Funds - Federal	9,100,000	20,790,000
Special Revenue Funds - Other	262,906,355	22,500,000
All Funds	<u>2,709,301,640</u>	<u>118,090,000</u>

JUDICIARY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
GF - State /Local	2,432,295,285	5,000,000	0	2,437,295,285
SR - Federal	9,100,000	0	0	9,100,000
SR - Other	139,353,071	123,553,284	0	262,906,355
All Funds	<u>2,580,748,356</u>	<u>128,553,284</u>	<u>0</u>	<u>2,709,301,640</u>

SCHEDULE

COURTS OF ORIGINAL JURISDICTION 1,655,694,641

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular	1,329,746,390
Personal service - temporary	14,625,886
Personal service - holiday / overtime compensation	<u>37,580,216</u>
Amount available for personal service	<u>1,381,952,492</u>

NONPERSONAL SERVICE

Supplies and Materials	29,026,744
Travel	5,249,558
Contractual Services	169,464,770
Equipment	<u>9,049,851</u>
Amount available for nonpersonal service	<u>212,790,923</u>

MAINTENANCE UNDISTRIBUTED

For services and expenses including travel outside the state and the payment of liabilities incurred prior to April 1, 2010 5,100,885

Program account subtotal 1,599,844,300

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

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

PERSONAL SERVICE

Personal service - regular	19,818,877
Personal service - temporary	1,732,143
Personal service - holiday / overtime compensation	45,067
Amount available for personal service	<u>21,596,087</u>

NONPERSONAL SERVICE

Supplies and Materials	237,271
Travel	7,500
Contractual Services	<u>3,468,493</u>

Amount available for nonpersonal service 3,713,264

Program account subtotal 25,309,351

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

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

PERSONAL SERVICE

Personal service - regular	17,779,914
Personal service - temporary	1,278,057
Personal service - holiday / overtime compensation	<u>109,726</u>

Program fund subtotal 19,167,697

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

PERSONAL SERVICE

Personal service - regular	770,521
Personal service - holiday / overtime compensation	<u>2,772</u>

Program fund subtotal 773,293

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

MAINTENANCE UNDISTRIBUTED

For services and expenses including travel outside the state and the
payment of liabilities incurred prior to April 1, 2010 6,500,000

Program account subtotal 6,500,000

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

MAINTENANCE UNDISTRIBUTED

For services and expenses including travel outside the state and the payment of liabilities incurred prior to April 1, 2010	2,600,000
	<u>2,600,000</u>
Program account subtotal	<u>2,600,000</u>
Special Revenue Funds - Other / State Operations	
Miscellaneous Special Revenue Funds - 339	

MAINTENANCE UNDISTRIBUTED

For services and expenses including travel outside the state and the payment of liabilities incurred prior to April 1, 2010	1,500,000
	<u>1,500,000</u>
Program fund subtotal	<u>1,500,000</u>

COURT OF APPEALS AND LAW REPORTING BUREAU 16,269,002

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular	12,948,970
Personal service - temporary	140,162
Personal service - holiday / overtime compensation	<u>82,789</u>
Amount available for personal service	<u>13,171,921</u>

NONPERSONAL SERVICE

Supplies and Materials	997,420
Travel	444,338
Contractual Services	1,605,323
Equipment	<u>50,000</u>
Amount available for nonpersonal service	<u>3,097,081</u>
Program account subtotal	<u>16,269,002</u>

APPELLATE COURT OPERATIONS 77,634,262

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular	69,953,543
Personal service - temporary	1,357,549
Personal service - holiday / overtime compensation	225,930
	<hr/>
Amount available for personal service	71,537,022

NONPERSONAL SERVICE

Supplies and Materials	2,552,813
Travel	533,475
Contractual Services	2,660,952
Equipment	350,000
	<hr/>
Amount available for nonpersonal service	6,097,240
	<hr/>
Program account subtotal	77,634,262

APPELLATE AUXILIARY OPERATIONS 182,822,553

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular	26,758,584
Personal service - temporary	906,826
Personal service - holiday / overtime compensation	1,500
	<hr/>
Amount available for personal service	27,666,910

NONPERSONAL SERVICE

Supplies and Materials	332,563
Travel	537,595
Contractual Services	106,322,141
	<hr/>
Amount available for nonpersonal service	107,192,299
	<hr/>
Program account subtotal	134,859,209

Special Revenue Funds - Other / State Operations
Attorney Licensing Fund

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

PERSONAL SERVICE

Personal service - regular	16,169,387
Personal service - temporary	563,616
Personal service - holiday / overtime compensation	17,750
	<hr/>
Amount available for personal service	16,750,753

NONPERSONAL SERVICE

Supplies and Materials	365,460
Travel	154,163
Contractual Services	5,692,968
	<hr/>
Amount available for nonpersonal service	6,212,591
	<hr/>
Program fund subtotal	22,963,344

Special Revenue Funds - State / State Operations
Indigent Legal Services Fund - 390

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

NONPERSONAL SERVICE

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

ADMINISTRATION AND GENERAL SUPPORT 21,193,175

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular	13,670,527
Personal service - temporary	2,511,697
Personal service - holiday / overtime compensation	15,675
	<hr/>
Amount available for personal service	16,197,899

NONPERSONAL SERVICE

Supplies and Materials	186,259
Travel	488,292
Contractual Services	1,153,028
	<hr/>

Amount available for nonpersonal service	<u>1,827,579</u>
Program account subtotal	<u>18,025,478</u>

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

PERSONAL SERVICE

Personal service - regular	640,393
Personal service - temporary	<u>494,441</u>
Amount available for personal service	<u>1,134,834</u>

NONPERSONAL SERVICE

Supplies and Materials	4,000
Travel	7,500
Contractual Services	<u>601,250</u>
Amount available for nonpersonal service	<u>612,750</u>
Program account subtotal	<u>1,747,584</u>

Special Revenue Funds - Other / State Operations
 Attorney Licensing Fund

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

PERSONAL SERVICE

Personal service - regular	560,657
Personal service - temporary	257,047
Personal service - holiday / overtime compensation	<u>28,000</u>
Amount available for personal service	<u>845,704</u>

NONPERSONAL SERVICE

Supplies and Materials	24,087
Travel	3,240
Contractual Services	<u>547,082</u>
Amount available for nonpersonal service	<u>574,409</u>
Program account subtotal	<u>1,420,113</u>

JUDICIARY-WIDE MAINTENANCE UNDISTRIBUTED	<u>9,875,005</u>
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General Fund / State Operations
 State Purposes Account - 003

PERSONAL SERVICE

Personal service - regular	6,000,000
Personal service - temporary	<u>411,538</u>
Amount available for personal service	<u>6,411,538</u>

NONPERSONAL SERVICE

Supplies and Materials	6,500
Travel	13,000
Contractual Services	<u>1,511,728</u>
Amount available for nonpersonal service	<u>1,531,228</u>
Program account subtotal	<u>7,942,766</u>

Special Revenue Funds - Other / State Operations
 Attorney Licensing Fund

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

PERSONAL SERVICE

Personal service - regular	408,632
Personal service - temporary	<u>1,000,816</u>
Amount available for personal service	<u>1,409,448</u>

NONPERSONAL SERVICE

Supplies and Materials	16,403
Travel	24,243
Contractual Services	<u>482,145</u>
Amount available for nonpersonal service	<u>522,791</u>
Program account subtotal	<u>1,932,239</u>

GENERAL STATE CHARGES..... 604,315,437

General Fund / State Operations
State Purposes Account - 003

NONPERSONAL SERVICE

For Fringe Benefits 577,720,268

Program account subtotal 577,720,268

Special Revenue Funds - Other / State Operations
Attorney Licensing Fund

NONPERSONAL SERVICE

For Fringe Benefits 7,198,294

Program fund subtotal 7,198,294

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

NONPERSONAL SERVICE

For Fringe Benefits 744,651

Program fund subtotal 744,651

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

NONPERSONAL SERVICE

For Fringe Benefits 98,000

Program fund subtotal 98,000

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

NONPERSONAL SERVICE

For Fringe Benefits 11,386,957

Program fund subtotal 11,386,957

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

NONPERSONAL SERVICE

For Fringe Benefits	7,167,267
Program fund subtotal	7,167,267

LAWYERS' CLIENT PROTECTION 12,944,281

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

For expenses associated with the operation of the Lawyers' Fund for Client Protection of the State of New York; provided that, notwithstanding any other provision of law to the contrary, and in accordance with section 4 of the State Finance Law, the State Comptroller is hereby authorized and directed to transfer, upon the request of the chief administrator of the courts, up to \$3,750,000 from the Special Revenue Funds - Other/State Operations Attorney Licensing Fund to the Lawyers' Fund for Client Protection of the State of New York on or before March 31, 2011.

PERSONAL SERVICE

Personal service - regular	736,281
Personal service - temporary	10,000
Amount available for personal service	746,281

NONPERSONAL SERVICE

Supplies and Materials	15,000
Travel	25,000
Contractual Services	12,154,000
Equipment	4,000

Amount available for nonpersonal service 12,198,000

Program fund subtotal..... 12,944,281

AID TO LOCALITIES..... 128,553,284

General Fund / Aid to Localities
Local Assistance Account - 001

MAINTENANCE UNDISTRIBUTED

For services and expenses associated with the justice court assistance program.....	<u>5,000,000</u>
Program account subtotal	<u>5,000,000</u>

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

For expenses necessary to implement the provisions of law relating to the furnishing of court facilities and the provisions of section 219-a of the Judiciary Law; provided that, notwithstanding any other provision of law to the contrary, and in accordance with section 4 of the State Finance Law, where moneys in the court facilities incentive aid fund, including such moneys as may be transferred thereto pursuant to subdivision 6 of section 94 of the state finance law, are insufficient to meet vouchers presented for payment charged to this appropriation or for transfers made pursuant to paragraph (b) of subdivision 2 of such section, the State Comptroller is hereby authorized and directed to transfer, upon the request of the chief administrator of the courts, sufficient moneys to meet such vouchers or to permit such transfers, not exceeding \$50,000,000 from the General Fund to the Court Facilities Incentive Aid Fund on or before March 31, 2011.

MAINTENANCE UNDISTRIBUTED

For services and expenses associated with the court facilities incentive aid program.....	<u>123,553,284</u>
Program fund subtotal	<u>123,553,284</u>

NEW YORK INTEREST ON LAWYER ACCOUNTS 2010-2011

For expenses in accordance with the following schedule:

APPROPRIATIONS

General Fund - State and Local.....	15,000,000
All Funds	<u>15,000,000</u>

JUDICIARY BUDGET SUMMARY OF NEW APPROPRIATIONS (SUPPLEMENTAL)

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
GF - State /Local	0	15,000,000	0	15,000,000
SR - Federal	0	0	0	0
SR - Other	0	0	0	0
All Funds	<u>0</u>	<u>15,000,000</u>	<u>0</u>	<u>15,000,000</u>

SCHEDULE

IOLA SUPPORT.....	<u>15,000,000</u>
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General Fund / Aid to Localities
Local Assistance Account - 001

For suballocation to the Board of Trustees of the New York Interest on Lawyer Account (IOLA) Fund, at the direction of the Chief Administrator of the Courts, for services and expenses associated with operation of section 97-v of the State Finance Law; provided, however, such direction shall be given not later than thirty days after the effective date of this act.

MAINTENANCE UNDISTRIBUTED

For services and expenses in relation to IOLA.....	<u>15,000,000</u>
Program account subtotal.....	<u>15,000,000</u>

REAPPROPRIATIONS

§3. The several amounts named in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, being the unexpended balances of a prior year's appropriation, are hereby reappropriated from the same funds and made available for the same purposes as the prior year's appropriation, unless amended herein, for the state fiscal year beginning April 1, 2010.

THE JUDICIARY

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

COURTS OF ORIGINAL JURISDICTION

General Fund/State Operations
State Purposes Account - 003

By chapter 51, section 2, of the laws of 2009:

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

Personal service - regular1,267,117,501.....(re. \$15,000,000)

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

By chapter 51, section 2, of the laws of 2009:

For services and expenses including travel
outside the state and the payment of
liabilities incurred prior to April 1, 2009

6,500,000..... (re. \$6,500,000)

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

For services and expenses including travel
outside the state and the payment of
liabilities incurred prior to April 1, 2008

8,000,000 (re. \$7,500,000)

By chapter 51, section 2, of the laws of 2007:

For services and expenses of drug court operations 3,000,000(re. \$300,000)

Maintenance Undistributed 4,800,000(re. \$2,000,000)

By chapter 51, section 2, of the laws of 2006:

For services and expenses of drug court operations 3,000,000(re. \$200,000)

Maintenance Undistributed 3,500,000..... (re. \$300,000)

By chapter 51, section 2, of the laws of 2005:		
For services and expenses of drug court operations	4,000,000.....(re.	\$350,000)
Maintenance Undistributed	3,500,000	(re. \$40,000)
Special Revenue Funds - Federal / State Operations		
Federal Health and Humans Services - 265		
By chapter 51, section 2, of the laws of 2009:		
For services and expenses including travel		
outside the state and the payment of		
liabilities incurred prior to April 1, 2009	2,600,000	(re. \$2,600,000)
By chapter 51, section 2, of the laws of 2008:		
For services and expenses including travel		
outside the state and the payment of		
liabilities incurred prior to April 1, 2008	1,100,000	(re. \$1,000,000)
Special Revenue Funds - Other / State Operations		
Miscellaneous Special Revenue Fund - 339		
By chapter 51, section 2, of the laws of 2009:		
For services and expenses including travel		
outside the state and the payment of		
liabilities incurred prior to April 1, 2009	1,500,000	(re. \$1,500,000)
By chapter 51, section 2, of the laws of 2008:		
For services and expenses including travel		
outside the state and the payment of		
liabilities incurred prior to April 1, 2008	1,500,000	(re. \$1,000,000)

JUDICIARY-WIDE MAINTENANCE UNDISTRIBUTED

General Fund / State Operations
State Purposes Account - 003

By chapter 51, section 2, of the laws of 2008, as reappropriated and amended by chapter 51, section 3 of the laws of 2009: For expenses necessary to fund adjustments in the compensation of state-paid judges and justices of the unified court system and housing judges of the New York city civil court, and for such other services and expenses specified in section two of this act.		
Personal Service - regular	51,006,759	(re. \$48,000,000)
By chapter 276, section 10, of the Laws of 2008: The sum of one hundred sixty-three million dollars (\$163,000,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury in the general fund to the credit of the state purposes account,		

not otherwise appropriated, and made immediately available to the administrative office of the courts for payment pursuant to the provisions of this act; provided, however, where the provisions of this act require expenditures that must be paid from appropriations from funds of the state other than the general fund or that, by established administrative practice, are paid from such funds, the chief administrator of the courts shall so certify to the comptroller, and thereupon the appropriation provided in this section shall be available for such expenditures..... 163,000,000 (re. \$11,800,000)

COURT FACILITIES INCENTIVE AID

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

By chapter 51, section 2, of the laws of 2009:
 For expenses necessary to implement provisions of law relating to the furnishing of court facilities and the provisions of section 219-a of the judiciary law; provided that, notwithstanding any other provision of law to the contrary, and in accordance with section 4 of the state finance law, where monies in the court facilities incentive aid fund, including such monies as may be transferred thereto pursuant to subdivision 6 of section 94 of the state finance law, are insufficient to meet vouchers presented for payment charged to this appropriation or for transfers made pursuant to paragraph (b) of subdivision 2 of such section, the state comptroller is hereby authorized and directed to transfer, upon the request of the chief administrator of the courts, sufficient moneys to meet such vouchers or to permit such transfers, not exceeding \$50,000,000 from the General Fund to the Court Facilities Incentive Aid Fund on or before March 31, 2010.

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

Total reappropriations for state operations and aid to localities..... \$118,090,000

CAPITAL PROJECTS- REAPPROPRIATIONS 2010-11

COURTHOUSE IMPROVEMENTS (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 51, section 2, of the laws of 2007:
 For expenses associated with improvements in the Court of Appeals Centennial Hall Annex (\$2JT0707) 20,000,000 (re. \$20,000,000)

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

For expenses associated with the acquisition of and improvements to a training academy in Kings County for the training of court security personnel and for improvements in the Court of Appeals Centennial Hall Annex and the Justice Building quarters of the Appellate Division, Third Judicial Department
 (52JT0707) 24,200,000 (re. \$11,400,000)