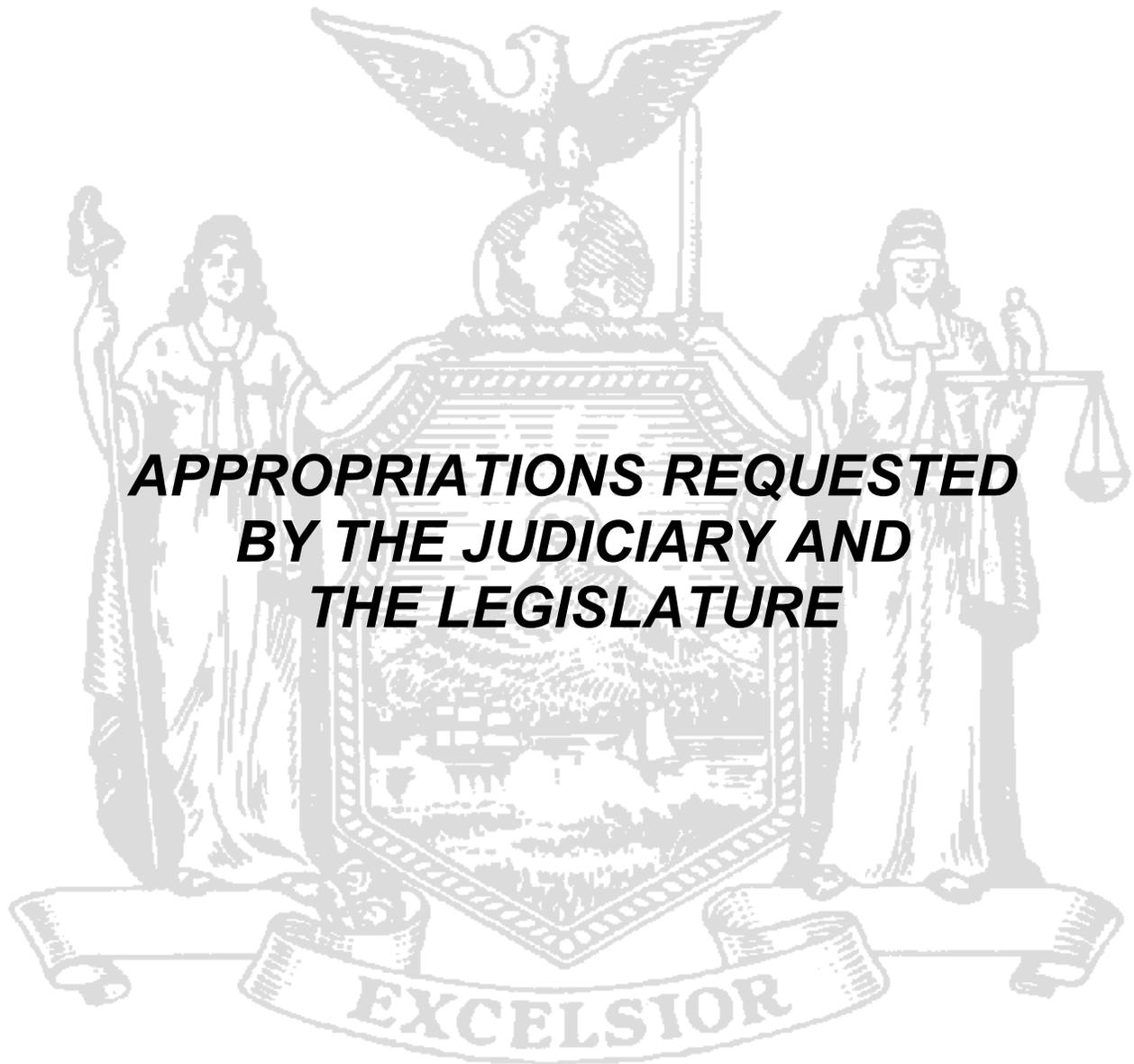


PART III



APPROPRIATIONS REQUESTED BY THE JUDICIARY AND THE LEGISLATURE

COMMENTARY OF THE GOVERNOR ON THE JUDICIARY

In accordance with Article VII, Section One of the State Constitution, I am transmitting herewith the appropriations requested by the Judiciary for fiscal year 2007-08. As required by the Constitution, I am presenting the Judiciary budget as it has been submitted by the Office of Court Administration.

The Judiciary has requested appropriations totaling nearly \$2.4 billion – an increase of \$47 million, or 2.0 percent over the current year. This increase includes amounts necessary to provide salary increases to judges, retroactive to April 1, 2005.

Judicial salaries have remained unchanged since 1999, and achieving agreement on new compensation levels for judges is a high priority of the Chief Judge. In recognition of the importance of this issue, and in support of the Chief Judge, the Executive Budget advances Article VII legislation to provide for a judicial salary increase to the level recommended by the Chief Judge. I urge the Legislature to take action on this proposal, which has languished too long.

In addition, I commend the Chief Judge for her Action Plan for Town and Village Courts, which will provide training, technology, and security for these courts. A total of \$10 million is requested, as a first installment in what will be a multi-year plan to strengthen this part of our justice system. Ensuring that justice is fairly done within these small, community courts is a laudable goal which I strongly endorse.

Finally, I am very pleased to support the Chief Judge's recommendation to increase support for civil legal services for low income New Yorkers. A modest increase of eight dollars in the criminal history fee allows this initiative to be accommodated within the Legal Services Assistance Fund, without impairing current support for criminal defense and prosecution services. Funding for civil legal services has been neglected by the State, and I join with the Chief Judge in recommending that the State assume a greater role in ensuring the adequacy of these services statewide.

THE JUDICIARY

2007-08 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, 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 16,000 nonjudicial employees. Pursuant to the Unified Court Budget Act, the cost of operating the Unified Court System, 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)
TRIAL COURTS OF SUPERIOR JURISDICTION	Statewide: Supreme Court Court of Claims Family Court Surrogate's Court Outside New York City: County Court
TRIAL COURTS OF LIMITED JURISDICTION	New York City: Criminal Court Civil Court Outside New York City: City Courts District Courts Town Courts* Village Courts*

*Locally funded courts

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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 First and Second 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 Third and Fourth 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 12 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, primarily as trial justices in the criminal terms.

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, although in practice, 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 Unified Court System 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 in the areas of Drug Treatment Courts, Integrated Domestic Violence Courts, Community Courts and Mental Health 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 the First Deputy Chief Administrative Judge; 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; a Deputy Chief Administrative Judge for Justice Initiatives; a Deputy Chief Administrative Judge for Court Operations and Planning, and a Counsel, who directs the legal and legislative work of the Counsel's Office.

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The Office of Management Support 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 Unified Court System'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.

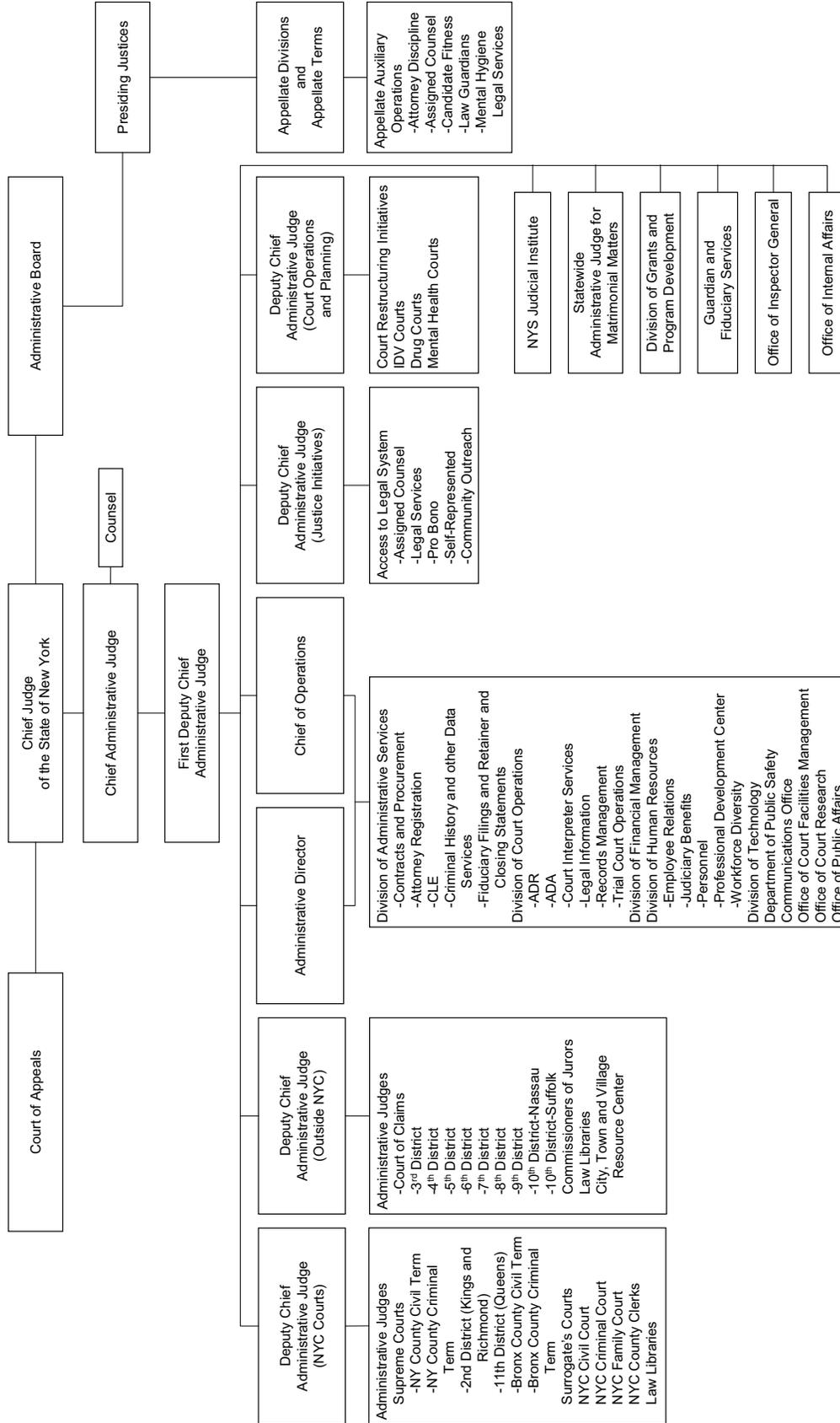
The services provided by these operational divisions are further supplemented by a Public Affairs Office which coordinates communications with other governmental entities, the press, public and Bar. The Office of Court Research compiles UCS workload statistics for the courts, management and the public and conducts operational improvement studies. The Education and Training Office administers educational programs and oversees 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 Unified Court System 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, Administrative Judges supervise each of the major trial courts, and the Deputy Chief Administrative Judge provides for management of the complex of courts and court agencies within the City. The Administrative Judges manage not only court caseload, but are responsible as well for general administrative functions including personnel and budget administration.

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, Law Guardians, and Mental Hygiene Legal Service.

Unified Court System Administrative Structure



EXECUTIVE SUMMARY

The mission of the New York State Judiciary is to resolve all disputes brought before the courts in a fair and efficient manner. The ongoing challenge is to fulfill this mission in the face of an ever-increasing caseload – nearly 4.3 million cases were initiated in 2005, an increase of over 200,000 proceedings in just one year.

While this budget requests the resources necessary for the Judiciary to fulfill its constitutional mandate, it is also sensitive to the State's finite resources and therefore requests no new staffing. Existing staffing resources will be creatively managed to address targeted workload issues. Human resources and related costs constitute by far the largest proportion of the Judiciary budget.

The Judiciary's General Fund Court and Agency Operations request for fiscal 2007-08 totals \$1.65 billion, an increase of \$7.9 million or .48% over the current year, while the All Funds budget totals \$2.4 billion, an increase of \$46.7 million or 2.0 percent. Even excluding non-recurring retroactive current year costs, the year-to-year General Fund increase is less than 4%. The vast majority of the requested increase is attributable to costs over which the Judiciary has little or no control. Over \$32 million, for example, is needed just to fund salary and related cost increases as provided in collective bargaining agreements. However, the proposed budget reflects our continued attention to overall economies and efficiencies, including significant savings from the vacancy control and position management program, restrictions on travel, overtime reductions and extensive use of automation and CourtNet communications capabilities.

The Judiciary will also continue to explore the use of new information technologies to make operations more efficient and cost effective. For example, the Judiciary's electronic filing initiative, which permits litigants to file papers over the internet, improves services to the public while also increasing the courts' operating efficiency.

JUDICIAL SALARY REFORM

The budget request also reflects the continuing priority of a judicial salary increase. It has now been eight years since judges have seen any increase in compensation, during which time the cost of living has increased by over 20 percent. Both as a matter of fairness to judges and their families and as a matter of public policy, this State should have a compensation structure that attracts and retains the best for the bench. Accordingly, an immediate retroactive judicial salary increase should be authorized.

The 2007-08 Judiciary budget includes \$41.9 million for increased judicial salaries to be effective April 1, 2007, and a requested reappropriation of \$69.5 million for salary increases retroactive to April 1, 2005. These increases would establish and maintain the pay relationships between New York State Judges and their Federal counterparts.

New York State also needs a better way for determining the compensation of judges and other public officials on a continuing basis. Throughout the State's history officials have endured long periods without any adjustment in compensation, ultimately leading to large and politically unpalatable catch-up adjustments. The Judiciary has submitted a proposal for a permanent mechanism for the regular salary review of officials in all three branches of government. The Legislature will be urged to enact this reform in the upcoming session.

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JUSTICE COURTS

New York State has nearly 1,300 town and village courts, presided over by nearly 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 handle approximately two million proceedings annually.

While the town and village courts are locally funded, staffed and administered, they are constitutionally part of the Unified Court System and are an essential element of the State's justice system. Over the years, the State Judiciary has provided increasing assistance and support to these courts. It is time to do more.

OCA will shortly issue an Action Plan for the Town and Village Courts, which was developed by an advisory committee that included town and village court judges, leaders of the New York State Magistrate's Association, OCA senior management and other experts on justice court issues. Key provisions of the Action Plan include the electronic recording of town and village court proceedings and State provision of the necessary resources; enhancement of the training provided to local judges; provision of computers and other technology; and improved safety and security for town and village court facilities.

The 2007-08 Judiciary budget includes a total of \$10 million to address these local court needs. This sum includes \$5 million in General Fund State Operations appropriations and \$5 million in Local Assistance funds, to begin the process of equipping local courts for electronic recording, for enhanced judicial training programs, to provide additional funding for computer access and for security improvements in the local justice courts.

CITY COURT RESOURCES

In many ways, the City Courts are the front line of the New York court system. These courts preside over the prosecution of most quality of life offenses and most of the preliminary felony matters brought outside the City of New York. They have also played especially important roles in the court system's specialized Drug Treatment and Domestic Violence Court initiatives. At the same time, these courts are responsible for the resolution of small claims and commercial claims actions and oversee all landlord and tenant litigation emanating from within their respective communities.

Between 2004 and 2005 the number of cases filed in the City and District Courts of New York increased by over a quarter of a million. Civil filings increased by over 100,000 cases and criminal and traffic matters increased by over 150,000. These caseload increases, as well as the operational impact brought about by the new filing requirements of chapter 452, Laws of 2005, are challenging local courts which were already operating with the highest caseload to staffing ratios in the State.

Fortunately, additional judicial resources have been approved. Chapter 493 of the Laws of 2006 created one new full-time judgeship, converted a number of part-time judgeships to full-time status, and increased the time allocation of many other part-time City Court judges. These additional judicial resources were added based on criteria which included each jurisdiction's caseload, changes in demographics in the region, currently available judicial resources and the availability of appropriate facilities in which to accommodate additional judgeships. This measure takes effect on April 1, 2007. Funding in the amount of \$2.6 million is included in the 2007-08 Judiciary budget to implement this legislation.

ACCESS TO JUSTICE

Too many citizens of New York are denied effective access to justice because they lack the financial means to avail themselves of the services of an attorney.

For over a decade, the Judiciary has sought to secure a permanent and stable funding mechanism for the provision of civil legal services to the poor. The Judiciary has also sought to address this issue by developing partnerships with the bench, bar, legal educators, not-for-profit legal services providers and advocates for the poor in an effort to encourage and support attorneys in providing free legal services to the poor.

In addition to the development of locally-based programs to encourage pro bono attorney services, the Judiciary is committed to the support of litigants who represent themselves in court, whether because of financial necessity or choice. Offices of the Self-Represented have been established in courthouses throughout the State and a regional conference was recently conducted to explore ways to further enhance services to self-represented litigants.

Matrimonial and family law matters constitute the bulk of the need for legal services, so the Judiciary has developed an information package to help those seeking uncontested divorces without the assistance of an attorney. This material provides a user-friendly resource for self-represented litigants involved in a significant portion of the nearly 50,000 uncontested divorces commenced each year.

For fiscal 2007-08, the Judiciary budget includes an appropriation of \$5 million to support its various ongoing access to justice initiatives, including the establishment of contracts with not-for-profit legal service providers. For these purposes, the Judiciary will be submitting legislation that will permit the use of funding from the Legal Services Assistance Fund, established pursuant to section 98-c of the State Finance Law and funded by the Criminal History Search fee.

The Judiciary also recognizes that the State's linguistic diversity cannot be allowed to become a barrier to access to justice. A comprehensive program was undertaken this year to assess court interpreting services in the New York State courts and to improve the delivery of these services. This study resulted in a comprehensive action plan that includes expanded recruitment and retention through a review of pay rates for private and salaried court interpreters; enhanced testing and improved assessment procedures to ensure high quality services; improved training for interpreters, judges and court staff on interpreting issues; expanded interpreting assistance to locally-funded Town and Village Courts; and implementation of a statewide web-based database to facilitate the efficient scheduling and deployment of interpreting resources throughout the State.

TECHNOLOGY AND RECORDS MANAGEMENT

Each year, there are more than 4 million new cases initiated in the New York courts and more than 1.5 billion new documents filed. The Judiciary increasingly relies on technology to manage this massive workload.

The development of a comprehensive centralized automated case management system – the Universal Case Management System – continues as the Judiciary's foremost technology priority. This system will be used by all courts statewide. The system will incorporate case initiation, scheduling and tracking components, and will link with an associated Web-based cashing system. Family Court and Surrogate Court components of the system are already

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operational. Implementation of the criminal, Supreme civil and local civil components are ongoing. When fully deployed, we expect this system to provide significant long term operational efficiencies and capabilities not currently available to the court system.

The 2007-08 budget request includes funding to allow for the ongoing implementation of Voice over Internet Provider phone systems in each of the major courthouses of New York State. This technology provides the Judiciary with a more adaptable phone system through the integration of computer and telephone technologies. Using CourtNet, the court system's redundant statewide high speed network as its backbone, IP phone technology is now available in many parts of the State. This technology allows for cost-free long distance calls within the CourtNet network, permits users to transmit phone messages via e-mail and has proven more dependable. By the end of 2006, we anticipate over 11,000 IP phones will be in service.

Video conferencing and broadcasting technology, again using CourtNet as a foundation, has now been expanded to all court administrative offices, to fourteen courtrooms of the New York City Supreme Court and to all counties outside of New York City. This technology is currently being used for inmate video appearances, meetings and training. New applications for this very cost-effective technology are regularly being explored.

Like virtually all government and business concerns, e-mail and Internet access have transformed the operations of the Judiciary. The Judiciary's e-mail system supports over 15,000 individual users and an average of 70,000 messages per day. The system has become the court system's primary form of communication. By the end of 2008, we anticipate that wireless Internet services will be available to members of the justice system community, jurors and the public in virtually every courthouse in the State.

The Judiciary has also adopted guidelines for the preservation and use of records in paper and micro-graphic formats to ensure the preservation of these documents as well as records that are maintained in electronic media. These standards are designed to provide efficient access to these records, ensure their long-term integrity and facilitate current and future technologic efficiencies for information sharing.

Modeled after a similar, but mandatory, Federal system, the Judiciary has implemented an electronic filing system which allows litigants to e-mail court filing documents via a secure Web site, pay any applicable filing fees on-line via credit card, receive an e-mailed confirmation of acceptance and get real-time information regarding the status of cases, all without leaving one's home or office. Documents can be filed and accessed from anywhere in the world where Internet access is available at any hour of the day. The hardware and software that most computer users already possess are all that is required.

Use of the system is voluntary in New York State and legislation authorizing its use has been extended and expanded over the years. The program is currently authorized for the filing of tort, commercial and tax certiorari cases through September of 2009 in a total of sixteen counties and the Court of Claims.

For the Judiciary, litigants' use of this system yields the benefits of improved records security, records storage savings, more efficient access to case information, reduced paperwork processing time and a reduction in various overhead costs associated with courthouse traffic.

Of over 86,000 eligible cases in 2005, a total of 20,450 were filed electronically. Of these, 19,735 were tax certiorari cases. Since the inception of this initiative, approximately 50,000 cases and nearly 86,000 documents have been filed electronically and the numbers are steadily increasing. Over 4,000 attorneys have now registered to utilize the system, while only 300 were registered just two years ago.

This budget provides funding for these and many other ongoing technology-based projects, all of which are considered essential to effective and efficient operations.

COURT SAFETY AND SECURITY

The Task Force on Court Security was convened in 2005 to make recommendations for enhancing the security of New York's courts. Its recommendations were intended to ensure that security personnel are effectively trained, equipped and deployed, that appropriate and standardized public safety procedures are implemented, that courthouses and other justice system facilities are designed and maintained in a manner which facilitates safety against any foreseeable risk and to improve the court system's capabilities to quickly and adequately respond to emergencies. The implementation of the Task Force's recommendations was begun this year and continues in 2007-08.

The Judiciary continues its on-going assessments of security arrangements in each court facility of the State. Where deemed appropriate, locally-furnished court security personnel provided pursuant to contract with the county sheriff or city police is being replaced with UCS trained and paid court security staff. During the current fiscal year, conversions have or will take place in the Counties of Broome, Erie, Onondaga and Tioga, and in the Cities of Buffalo, Cohoes, Norwich and Syracuse. In fiscal 2007-08 potential conversions include the Counties of Albany, Chemung, Chenango, Cortland, Delaware, Madison, Niagara, Otsego, Schoharie, Schuyler, and Tompkins, and in the Cities of Albany, Cortland, Elmira, Ithaca, Lockport, Niagara Falls, Oneida, Oneonta and Rensselaer. Other localities will also be considered as appropriate.

CAPITAL CONSTRUCTION INITIATIVES

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 residential facilities similar to those in use by the Department of Correctional Services and the State Police. Such facilities are necessary because of the unique security environments in which court officers operate and because of certain inadequacies in the Judiciary's existing non-residential program. Residential facilities would resolve many operational difficulties and facilitate court officer recruitment both upstate and downstate.

Chapter 548 of the Laws of 2006 provides for the construction or acquisition of a court officer training academy to be located in Kings County, and a second academy to be located in the County of Saratoga. Both projects will be undertaken pursuant to agreements between the Judiciary and the Dormitory Authority of the State of New York.

In addition, this budget includes continued funding for the capital project to acquire and renovate the Court of Appeals Centennial Hall Annex. 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.

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COURT SYSTEM WORKLOAD

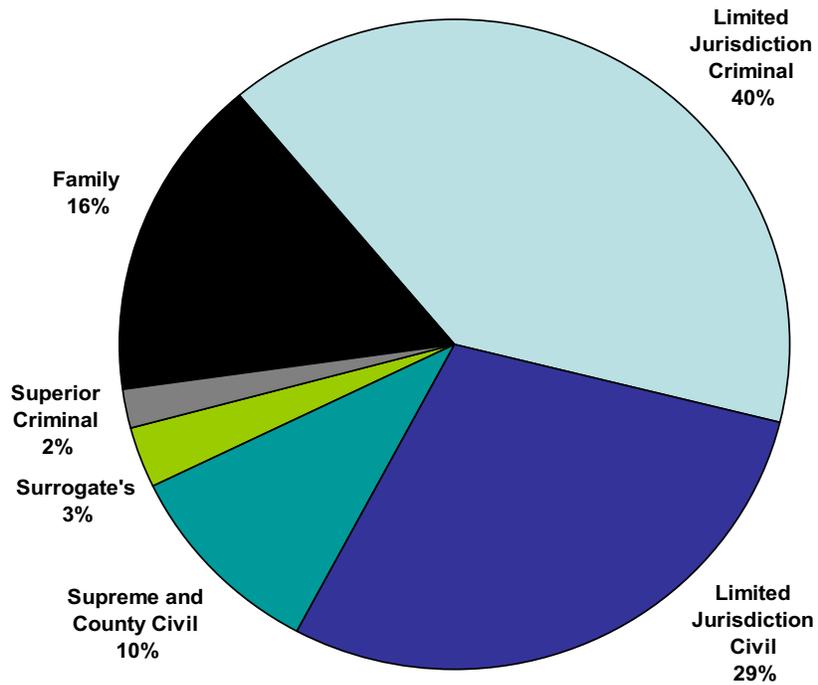
The trial courts of the New York State Judiciary were the recipients of nearly 4.3 million new cases in 2005, an increase of nearly 180,000 proceedings in just one year. This caseload level represents a new record, eclipsing the former peak in annual filings which occurred in 2003.

Trial Court Proceeding Type	2004 Filings	2005 Filings	Change	% Change
Supreme and County Criminal	63,217	74,412	11,195	17.7
Criminal Court of the City of New York	786,540	872,927	86,387	11.0
City and District Courts Outside New York City	702,079	769,870	67,791	9.7
Parking Tickets	153,533	147,870	(5,663)	(3.7)
Criminal Total	1,705,369	1,865,079	159,710	9.4
Supreme Court Civil	415,132	402,318	(12,814)	(3.1)
Civil Court of the City of New York	756,852	820,355	63,503	8.4
City and District Courts Outside New York City	292,925	325,149	32,224	11.0
County Courts Civil	30,333	30,812	479	1.6
Court of Claims	1,694	1,591	(103)	(6.1)
Small Claims Assessment Review	85,324	51,527	(33,797)	(39.6)
Civil Total	1,582,260	1,631,752	49,492	3.1
Family Courts	695,842	665,970	(29,872)	(4.3)
Surrogate Courts	145,749	145,492	(257)	(0.2)
Grand Total	4,129,220	4,308,293	179,073	4.3

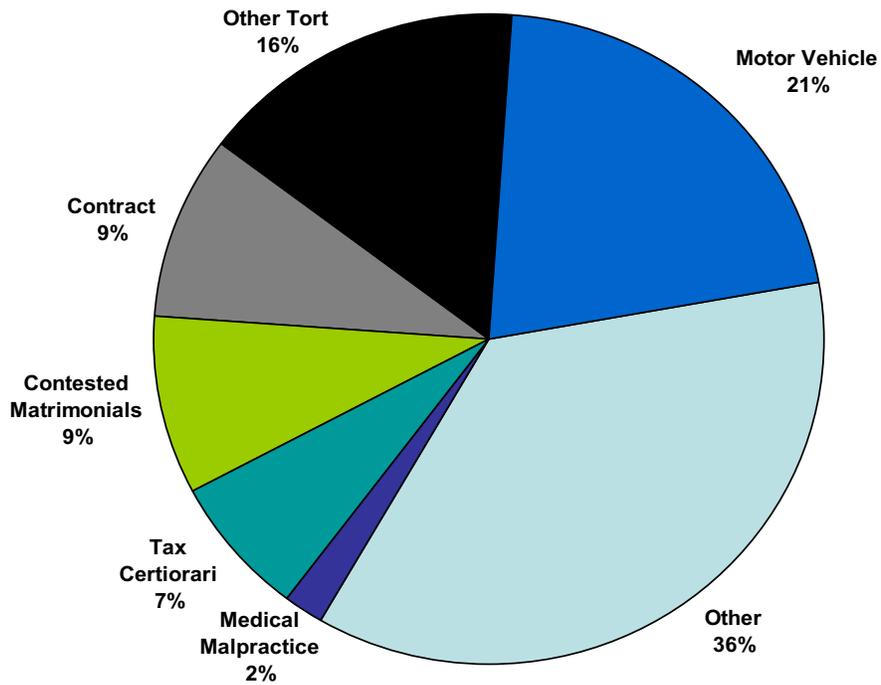
The most striking workload trend is the significant increase in criminal filings in both the Supreme Courts and in the City and District Courts. This is a relatively significant spike in criminal filings after a period of general moderation.

Increases are also noted in City and District Courts where the impact of chapter 452 of the Laws of 2005 is being felt on civil filings. This legislation requires that civil actions must now be commenced upon a filing in the court rather than via service of a summons or notice of petition upon another party. Previously, such actions were often initiated without any formal filing with the court. No-fault insurance claims have also become a significant contributor to City and District court civil filings, particularly in the New York City Civil Court.

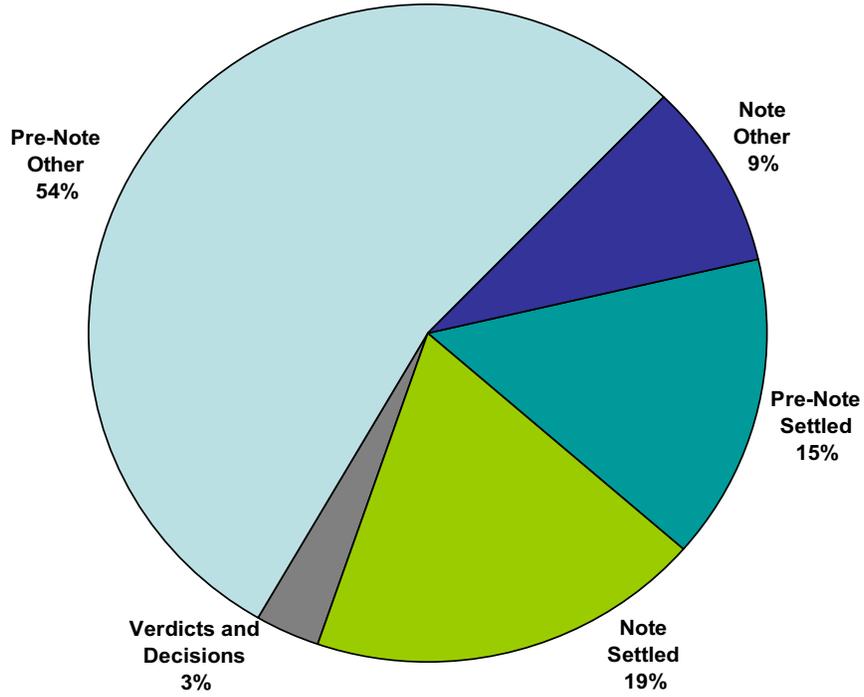
Trial Court Filings by Case Type - 2005



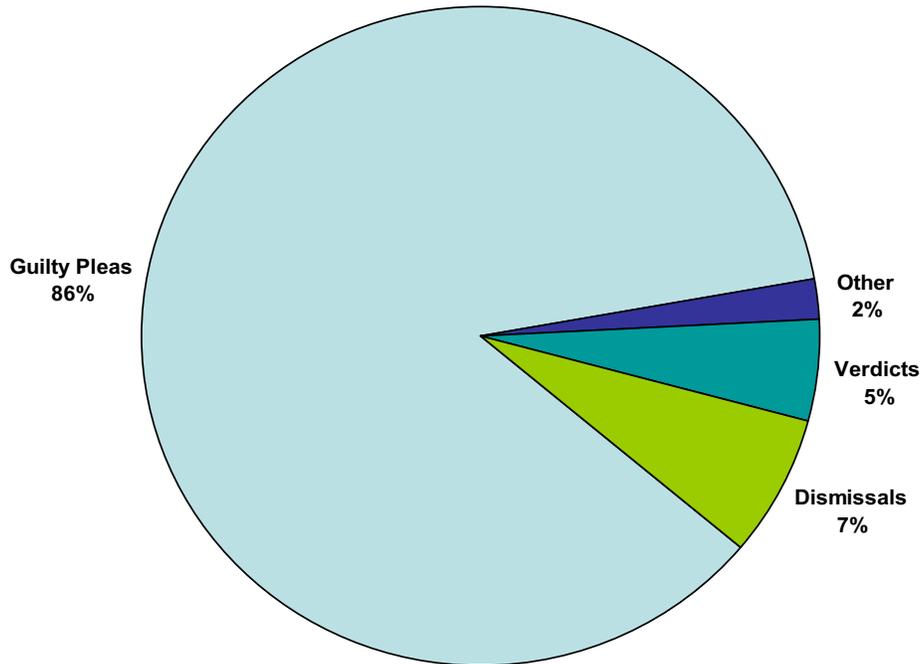
Supreme Civil Filings by Case Type - 2005



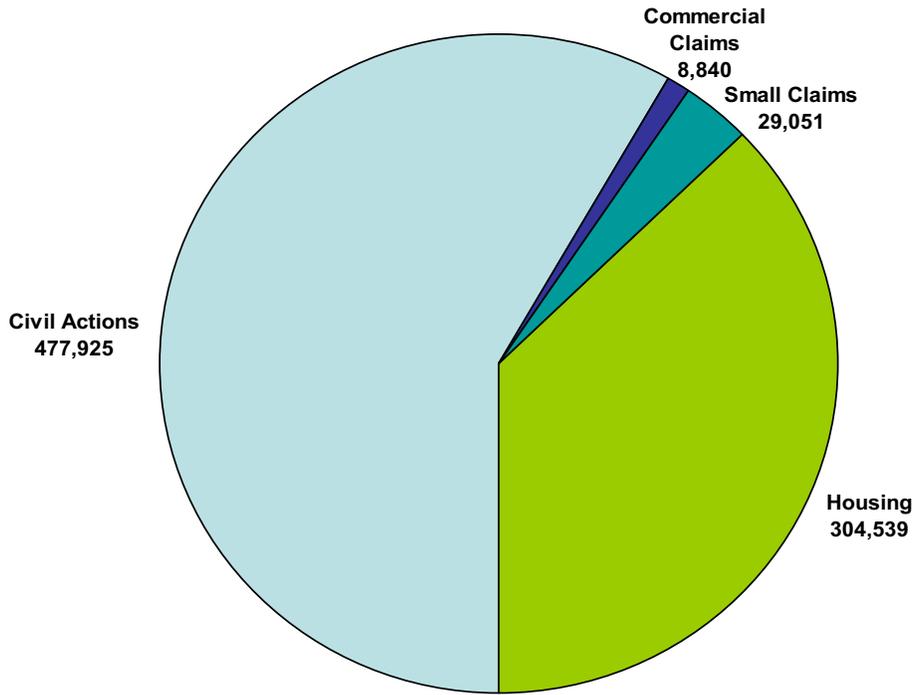
Supreme Civil Dispositions by Type - 2005



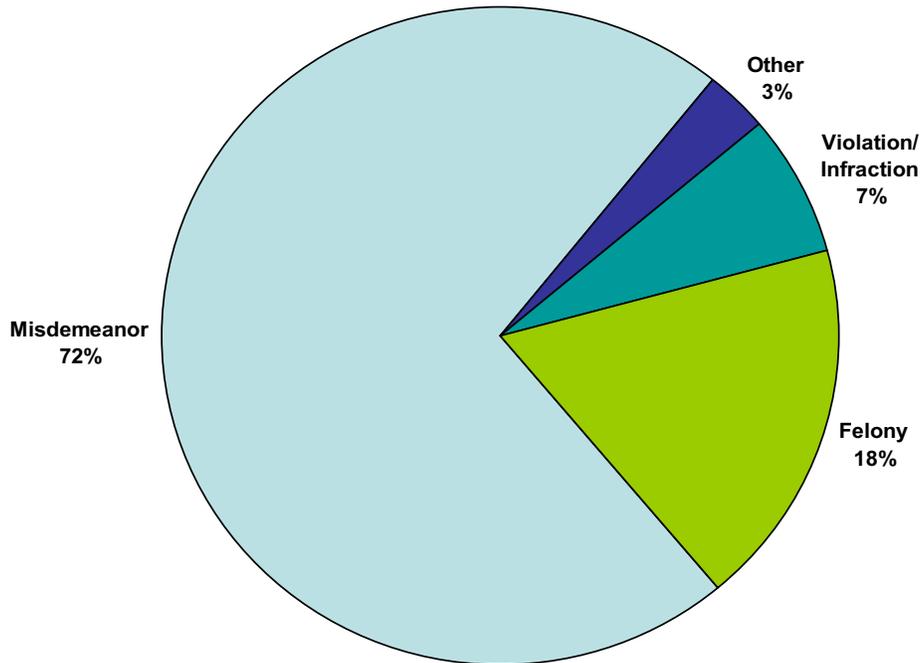
Supreme Criminal Felony Dispositions - 2005



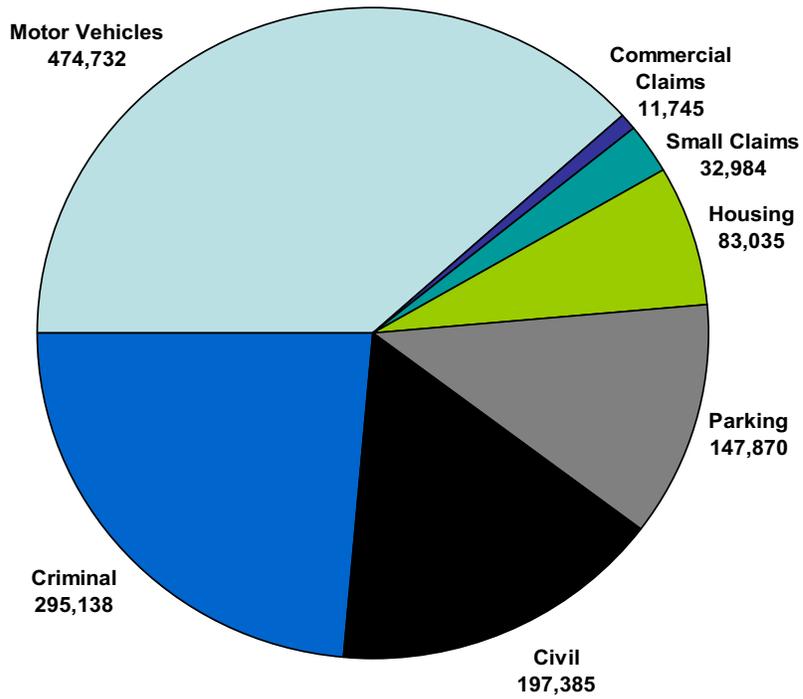
NYC Civil Court Filings by Case Type - 2005



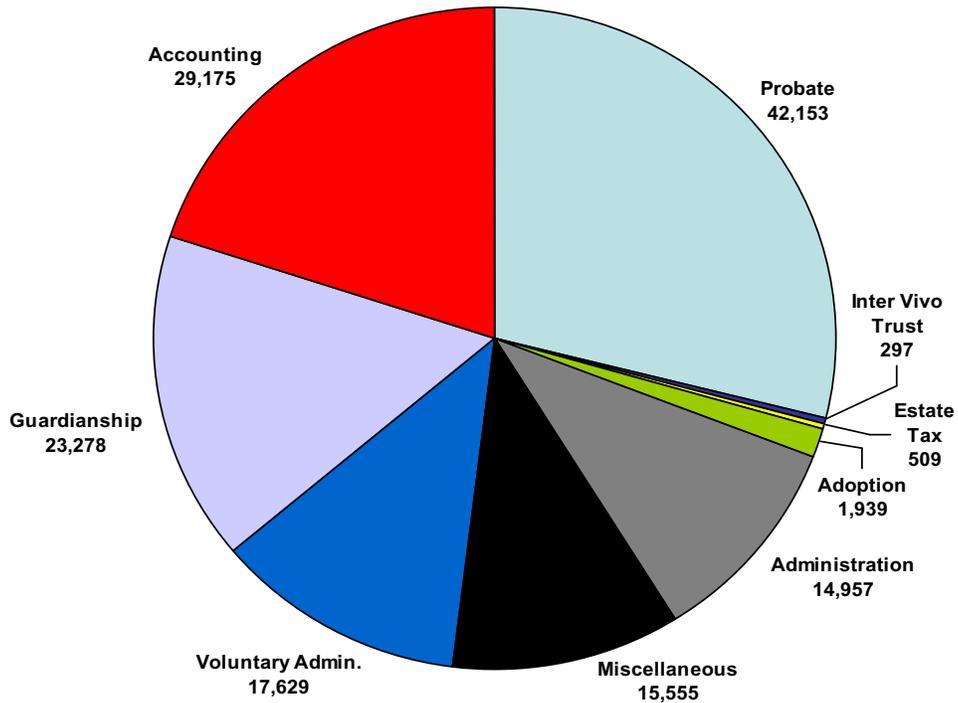
NYC Criminal Court Filings by Case Type - 2005



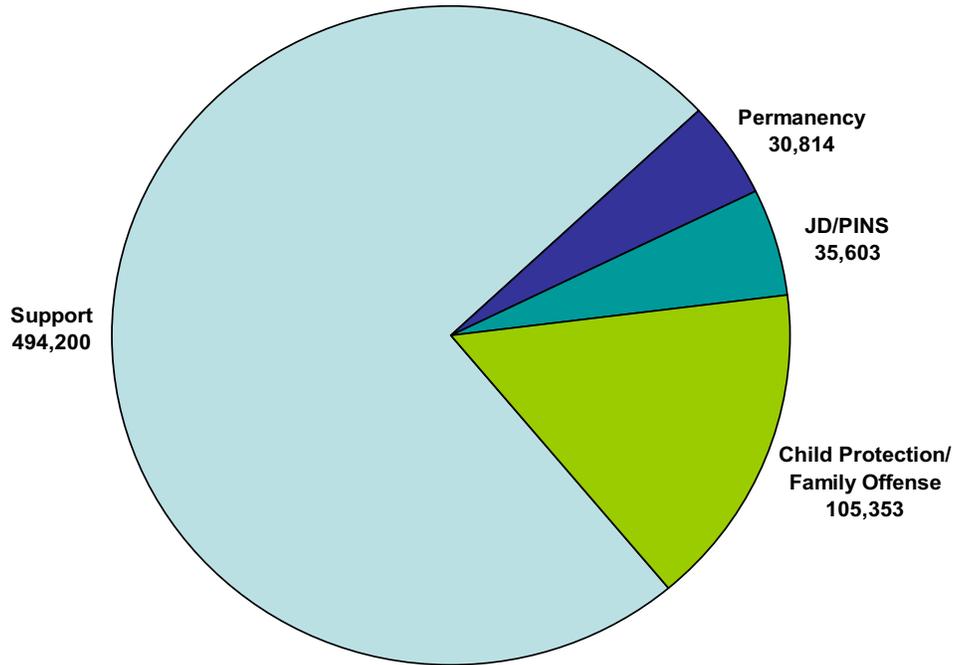
City and District Court Filings by Case Type - 2005



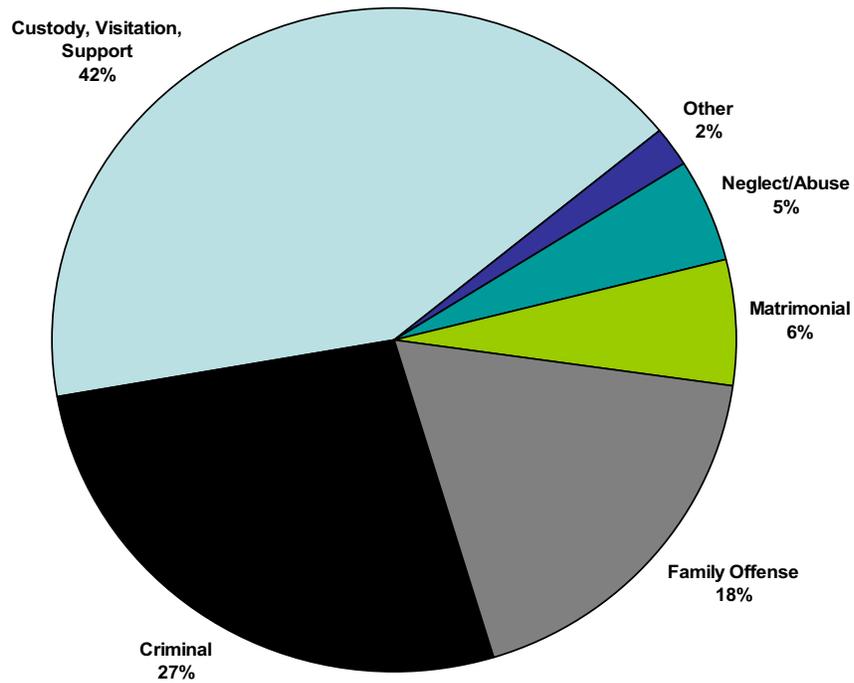
Surrogate's Court Filings by Case Type - 2005



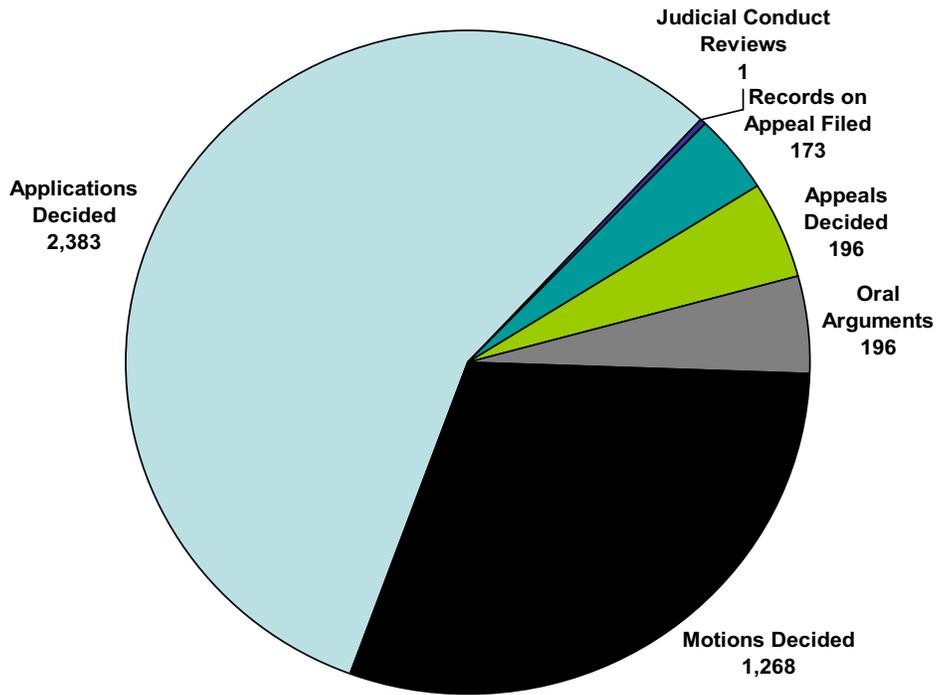
Family Court Filings by Case Type - 2005



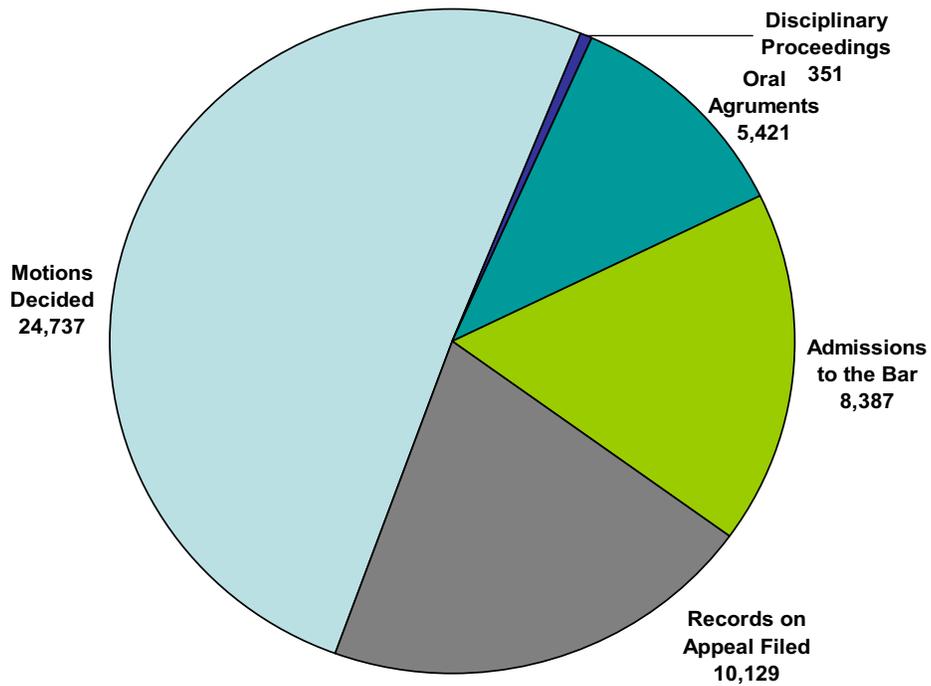
Integrated Domestic Violence Filings by Case Type - 2005



Caseload Activity in the Court of Appeals - 2005



Caseload Activity in the Appellate Divisions - 2005



2007-08 BUDGET REQUEST

The budget request for the Judiciary General Fund Court and Agency Operations for fiscal year 2007-08 is \$1.65 billion, an increase of approximately \$8 million, or just .48% over the current year appropriation. The All Funds Court and Agency portion of the request, including General Fund resources, is \$1.76 billion, an increase of \$16.8 million, or less than one percent.

ANALYSIS OF CHANGE

The components of the Judiciary's 2007-08 Court and Agency Operations - General Fund State Operations budget increase of \$8 million are as follows:

- \$32.2 million for salary and related increases for eligible nonjudicial employees in accordance with collective bargaining contracts and administrative provision.
- \$6.5 million to annualize the cost of new judges and staff created by the Legislature in 2005 and 2006.
- \$8.0 million to annualize the cost of essential current year employment increases.
- \$1.0 million for partial year funding for essential employment target increases in fiscal year 2007-08.
- (\$1.1) million to reflect the net cost from the conversion from local government contracts to state-paid security in various jurisdictions.
- \$4.6 million to annualize the cost of current year overtime costs, primarily for public safety-related positions and for temporary service increases.
- (\$.5) million reflecting the 2007-08 net savings associated with certified justices of Supreme Court.
- \$5.0 million to begin implementation of the primary recommendations of the *Action Plan for Town and Village Courts*.
- \$4.0 million for the Law Guardian program; annualization of the current year contract enhancements allowing for a decrease in voucher payments.
- \$1.5 million for State-paid Assigned Counsel fees.
- \$4.2 million for information technology-related baseline costs.
- \$1.2 million for critical records management projects.
- \$1.0 million to allow for outsourcing the production and distribution of jury summonses which is expected to yield savings in future years.
- \$.7 million for increased printed legal reference materials and computer-aided legal reference services.
- (\$1.0) million in savings attributable to the implementation of Internet phone systems.
- \$1.4 million to fund the current year increase in per diem interpreter rates.
- (\$2.5) million attributable to a reduction in progress payments on equipment financed via state-supported bonds.
- (\$2.1) million as a result of a reduction in new and replacement equipment funding.
- \$2.2 million attributable to general inflation.
- (\$8.8) million in savings attributable primarily to employment controls.
- (\$49.6) million reduction reflective of offsets for current year retroactive salary increases for judges and for nonjudicial staff represented by the Supreme Court Officers Association.

JUDICIARY

**Unified Court System
2007-08 Budget Request
All Funds Appropriation Requirements
Major Purpose/Fund Summary**

Category / Fund / Major Purpose	2006-07	2007-08	Change
<u>Court & Agency Operations:</u>			
<i>Courts of Original Jurisdiction</i>	1,374,147,339	1,400,178,565	26,031,226
<i>Court of Appeals</i>	14,681,024	14,925,900	244,876
<i>Appellate Court Operations</i>	65,982,095	67,563,968	1,581,873
<i>Appellate Auxiliary Operations</i>	92,997,612	98,146,862	5,149,250
<i>Administration & General Support</i>	22,660,315	23,568,834	908,519
<i>Judiciary Wide Maintenance Undistributed</i>	72,807,228	46,819,541	(25,987,687)
<i>Court & Agency Operations - General Fund Total</i>	1,643,275,613	1,651,203,670	7,928,057
<hr/>			
<u>Special Revenue Fund - Federal</u>	7,500,000	8,800,000	1,300,000
<u>Special Revenue Fund - Other</u>			
<i>NYC County Clerks Operations Offset Fund</i>	22,228,426	23,215,213	986,787
<i>Judiciary Data Processing Offset Fund</i>	15,396,039	16,186,209	790,170
<i>Miscellaneous Special Revenue</i>	3,339,058	8,427,329	5,088,271
<i>Attorney Licensing Fund</i>	20,616,362	21,336,204	719,842
<i>Indigent Legal Services Fund</i>	25,000,000	25,000,000	0
<i>Court Facilities Incentive Aid Fund</i>	2,178,490	2,118,623	(59,867)
<i>Court & Agency Operations - All Funds Total</i>	1,739,533,988	1,756,287,248	16,753,260
<hr/>			
<u>General State Charges</u>			
<i>General Fund</i>	430,023,406	455,197,681	25,174,275
<i>Lawyers' Fund for Client Protection</i>	98,000	98,000	0
<i>Attorney Licensing Fund</i>	4,070,823	4,306,931	236,108
<i>Court Facilities Incentive Aid Fund</i>	418,499	442,772	24,273
<i>New York City County Clerks' Offset Fund</i>	4,983,903	5,272,969	289,066
<i>Judiciary Data Processing Offset Fund</i>	3,500,147	3,703,156	203,009
<i>General State Charges - All Funds Total</i>	443,094,778	469,021,509	25,926,731
<hr/>			
<u>Lawyers' Fund for Client Protection</u>			
<i>Lawyers' Fund for Client Protection</i>	10,868,729	10,897,039	28,310
<i>Lawyers' Fund for Client Protection - Total</i>	10,868,729	10,897,039	28,310
<hr/>			
<u>Aid to Localities</u>			
<i>General Fund - Courts of Original Jurisdiction</i>	1,000,000	5,000,000	4,000,000
<i>Court Facilities Incentive Aid</i>	123,553,284	123,553,284	0
<i>Aid to Localities - All Funds Total</i>	124,553,284	128,553,284	4,000,000
<hr/>			
<u>Capital Projects</u>			
<i>General Fund</i>	3,000,000	77,900,000	74,900,000
<i>Special Revenue Funds</i>	0	0	0
<i>Capital Construction - All Funds Total</i>	3,000,000	77,900,000	74,900,000

**Unified Court System
2007-08 Budget Request
All Funds Appropriation Requirements
Major Purpose/Fund Summary
(Fund Detail)**

<u>Category/Fund/Major Purpose</u>	<u>2006-07 Available</u>	<u>2007-08 Requested</u>	<u>Change</u>
<u>Court & Agency Operations:</u>			
Courts of Original Jurisdiction			
<i>General Fund</i>	1,374,147,339	1,400,178,565	26,031,226
<i>Special Revenue Funds</i>	47,286,525	50,366,379	3,079,854
Total - All Funds	1,421,433,864	1,450,544,944	29,111,080
Court of Appeals			
<i>General Fund</i>	14,681,024	14,925,900	244,876
<i>Special Revenue Funds</i>	0	0	0
Total - All Funds	14,681,024	14,925,900	244,876
Appellate Court Operations			
<i>General Fund</i>	65,982,095	67,563,968	1,581,873
<i>Special Revenue Funds</i>	0	0	0
Total - All Funds	65,982,095	67,563,968	1,581,873
Appellate Auxiliary Operations			
<i>General Fund</i>	92,997,612	98,146,862	5,149,250
<i>Special Revenue Funds</i>	44,320,681	45,019,208	698,527
Total - All Funds	137,318,293	143,166,070	5,847,777
Administration & General Support			
<i>General Fund</i>	22,660,315	23,568,834	908,519
<i>Special Revenue Funds</i>	2,812,111	2,770,662	(41,449)
Total - All Funds	25,472,426	26,339,496	867,070
Judiciary Wide Maintenance Undistributed			
<i>General Fund</i>	72,807,228	46,819,541	(25,987,687)
<i>Special Revenue Funds</i>	1,839,058	6,927,329	5,088,271
Total - All Funds	74,646,286	53,746,870	(20,899,416)
<u>Court & Agency Operations - Total</u>			
<i>General Fund</i>	1,643,275,613	1,651,203,670	7,928,057
<i>Special Revenue</i>	96,258,375	105,083,578	8,825,203
Total - All Funds	1,739,533,988	1,756,287,248	16,753,260
<u>General State Charges</u>			
<i>General Fund</i>	430,023,406	455,197,681	25,174,275
<i>Special Revenue</i>	13,071,372	13,823,828	752,456
Total - All Funds	443,094,778	469,021,509	25,926,731
<u>Lawyers' Fund for Client Protection</u>			
<i>General Fund</i>	0	0	0
<i>Special Revenue Funds</i>	10,868,729	10,897,039	28,310
Total - All Funds	10,868,729	10,897,039	28,310
<u>Aid to Localities</u>			
<i>General Fund</i>	1,000,000	5,000,000	4,000,000
<i>Special Revenue Funds</i>	123,553,284	123,553,284	0
Total - All Funds	124,553,284	128,553,284	4,000,000
<u>Capital Projects</u>			
<i>General Fund</i>	3,000,000	77,900,000	74,900,000
<i>Special Revenue Fund</i>	0	0	0
Total - All Funds	3,000,000	77,900,000	74,900,000

JUDICIARY

**Unified Court System
2007-08 Budget Request
All Funds Disbursement Requirements
(Millions \$)**

<u>Category / Fund</u>	<u>2006 - 2007 Projected</u>	<u>2007 - 2008 Projected</u>	<u>Change</u>
<u>Court & Agency Operations:</u>			
General Fund	1,635.9	1,648.0	12.1
Special Revenue Federal	5.8	6.2	0.4
<u>Special Revenue Funds - Other</u>			
NYC County Clerks Operations Offset Fund	21.9	22.1	0.2
Judiciary Data Processing Offset Fund	15.0	15.4	0.4
Miscellaneous Special Revenue	21.8	24.2	2.4
Indigent Legal Services Fund	25.0	25.0	0.0
Court Facilities Incentive Aid Fund	1.9	2.0	0.1
Legal Services Assistance Fund	0.0	4.0	4.0
<i>Court & Agency Operations - All Funds Total</i>	1,727.3	1,746.9	19.6
<hr/>			
<u>General State Charges</u>			
General Fund	438.2	455.2	17.0
NYC County Clerks Operations Offset Fund	3.5	5.0	1.5
Judiciary Data Processing Offset Fund	3.2	3.5	0.3
Miscellaneous Special Revenue	3.8	4.3	0.5
Court Facilities Incentive Aid Fund	0.4	0.4	0.0
Lawyers' Fund for Client Protection	0.1	0.1	0.0
<i>General State Charges - All Funds Total</i>	449.2	468.5	19.3
<hr/>			
<u>Lawyers' Fund for Client Protection</u>			
Lawyers' Fund for Client Protection	10.4	10.9	0.5
<i>Lawyers' Fund for Client Protection - Total</i>	10.4	10.9	0.5
<hr/>			
<u>Aid to Localities</u>			
General Fund - Courts of Original Jurisdiction	0.9	4.0	3.1
Court Facilities Incentive Aid	97.3	119.5	22.2
<i>Aid to Localities - All Funds Total</i>	98.2	123.5	25.3
<hr/>			
<u>Capital Projects</u>			
Courthouse Improvements	1.0	15.4	14.4
<i>Capital Construction - All Funds Total</i>	1.0	15.4	14.4
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THE LEGISLATURE

The New York State Constitution vests the State's law-making power in a two-house Legislature composed of a 62-member Senate and a 150-member Assembly. Each representative is elected for two-year terms, with all 212 being elected every two years. The Legislature convenes annually on the first Wednesday after the first Monday in January and remains in session until it concludes its business.

The Legislature has many powers set by the State Constitution. These responsibilities include:

- ◆ the ability to propose laws;
- ◆ the power to override a gubernatorial veto if two-thirds of the Senate and Assembly vote to do so;
- ◆ the reapportionment of legislative and congressional districts every ten years after the national census;
- ◆ the confirmation by the Senate of gubernatorial appointments of non-elected state officials and court judges;
- ◆ the proposition of amendments to the State Constitution;
- ◆ voting on ratification of proposed amendments to the Federal Constitution; and
- ◆ the creation, regulation and, in some limited cases, abolition of local governments.

Subject to the limitations and prohibitions imposed by the Federal Constitution, certain Federal statutes and treaties, and the State Constitution, the law-making powers of the Legislature are practically unlimited. The principal purposes of bills considered by the Legislature are to:

- ◆ enact or amend laws relating to the government of the State and its various subdivisions;
- ◆ appropriate funds for the operation of the various agencies and functions of State government and for State aid to local governments, and to provide adequate revenue-producing sources for these purposes;
- ◆ provide for and regulate the operation of a judicial system, including the practices and procedures for the system;
- ◆ define acts or omissions that constitute crimes, and to provide penalties for these crimes;
- ◆ promote the public welfare, including the care of the State's indigent, mentally ill, unemployed, etc.; and
- ◆ correct, clarify, amend or repeal obsolete, conflicting, uncertain or invalidated statutes.

In addition to the Senate and Assembly, the Legislature's Budget authorizes funding for several other components, which support the operations of the two houses, including:

- ◆ part of the Lieutenant Governor's office;
- ◆ fiscal committees operating in each house; and
- ◆ joint entities, including the Legislative Ethics Committee, Legislative Library, Legislative Health Services, Legislative Messenger Service, Legislative Bill Drafting Commission and the Legislative Task Force on Demographic Research and Reapportionment.

Each of these Legislative components will be discussed in separate sections below.

LEGISLATURE

LEGISLATIVE BUDGET HIGHLIGHTS

The recommended General Fund appropriation of \$219,308,183 for FY 2007-08 for the Legislature represents an increase of \$6,395,522 (3.0%) above the amount appropriated for FY 2006-2007, and follows an overall increase of 2.99% over the prior five fiscal years. The Legislature's budget request for FY 2007-08 represents an overall increase of 10.4 percent over the past seven years. Over this same period, the Consumer Price Index will have increased by 24.8 percent. Over the past seventeen years, the Legislative Budget has grown at less than one-third of the rate of inflation.

Legislative Budget Summary General Fund Appropriations

<u>Entity</u>	<u>Available FY 06-07</u>	<u>Recommended FY 07-08</u>	<u>Change</u>
Lt. Governor	\$277,409	\$277,409	\$0
Senate	\$84,486,352	\$87,020,943	2,534,591
Assembly	\$100,410,553	\$103,422,870	3,012,317
Fiscal Committees	\$11,102,554	\$11,435,630	333,076
Joint Legislative Entities	\$16,635,793	\$17,151,331	515,538
LEGISLATURE TOTAL	\$212,912,661	\$219,308,183	\$6,395,522

Legislative Budget History Fiscal Year 2000-01 to 2007-08 General Fund Appropriations

<u>FY 2000-01 Approp.</u>	<u>FY 06-07 Approp.</u>	<u>FY 07-08 Recommended</u>	<u>Change from FY 06-07 Approp. (%)</u>	<u>Change from FY 2000-01 Approp. (%)</u>
\$198,669,846	\$212,912,661	\$219,308,183	\$6,395,522 (+3.0%)	+\$20,638,337 (+10.4%)

Legislative Budget General Fund Appropriations Comparison to Consumer Price Index Fiscal Year 2000-01 through Fiscal Year 2007-2008

	<u>FY 2000-01</u>	<u>FY 2006-07</u>	<u>FY 2007-08</u>	<u>% Change 00-01 to 07-08</u>
Legislative Budget	\$198,664,846	\$212,912,661	\$219,308,183	+10.4%
Consumer Price Index	182.5	221.2*	227.8*	+24.8%

* estimated

The recommended Special Revenue Fund-Other appropriation of \$1,600,000 for FY 2007-08 represents no change from the amount appropriated for FY 2006-07. No tax revenues are required for Special Revenue Funds.

The recommended Grants and Bequests Fund appropriation of \$500,000 for FY 2007-08 represents no change from the amount appropriated for FY 2006-07. No tax revenues are required for Grants and Bequests Funds.

LIEUTENANT GOVERNOR

The Lieutenant Governor serves as the Senate's President and has a casting vote. The Lieutenant Governor's salary of \$151,500 appears as part of the Legislative Budget. The Legislature also funds a part of the Lieutenant Governor's Office.

BUDGET HIGHLIGHTS

The recommended appropriation of \$277,409 for FY 2007-08 for the Lieutenant Governor represents no change from the amount appropriated for FY 2006-07.

SENATE

The Senate is composed of 62 Members elected for two-year terms from districts around the state. Each Senator represents approximately 306,000 constituents. The Senate conducts its legislative business through the operation of 31 Standing Committees.

The Senate elects from among its Members for a two-year term a Temporary President who directs and guides the business of the Senate, appoints Members to Senate Standing Committees, and appoints the Senate's staff. The Temporary President serves as the presiding officer in the absence of the Lieutenant Governor or may delegate this duty to another Member. In addition, the Temporary President serves as the Majority Leader of the majority party, while the minority party of the Senate chooses a Minority Leader from among its membership.

Senate Members have staff to assist them in carrying out their legislative duties, delivering constituent services and, where applicable, in fulfilling their responsibilities as committee chairs or leaders of the Senate. Members are also provided with office space both in Albany and the district, as well as office equipment, furnishings and supplies, in order to serve their constituents. Travel expenses for approved official Senate business are reimbursable. The Majority and Minority Leaders each have staff to provide counsel, policy analysis, program development and Washington, D.C. representation. The Temporary President, through the Secretary of the Senate, employs staff to operate the Senate Chamber during session and to handle the legislative process during the remainder of the year, furnish research and computer services, and provide administrative services such as personnel, fiscal, maintenance, and printing services for the Senate. The Temporary President also has staff to deliver communications services for the Senate. Finally, the Senate operates a program for college students which includes a Session Assistant program for undergraduates and a Student Fellows program for post-graduates who wish to learn about and experience the legislative process by working with Senate Members.

In addition to the Senate's General Fund appropriation, a Special Revenue Fund (Senate Recyclable Materials, Information Services and Conference Fund) has been established to collect revenues from the sale of recyclable materials, distribution of documents, materials and computerized information, and fees charged for conferences sponsored by the Senate. These revenues may be used to pay for waste disposal, production and distribution of Senate documents, materials and computerized information, and expenses related to conferences sponsored by the Senate. A Grants and Bequests Fund has also been established to receive non-state grants which may be used to pay for services and expenses related to the restoration of the Senate Chamber.

LEGISLATURE

BUDGET HIGHLIGHTS

The recommended appropriation for the Senate of \$87,020,943 for FY 2007-08 represents an increase of \$2,534,591 (3.0%) above the amount appropriated for FY 2006-07. This modest budget increase follows an overall increase of 3.3% over the prior five fiscal years.

As detailed in the Table below, the Senate has seen its budget increase by \$8,354,442 or 10.6 percent from the \$78,666,501 appropriated in FY 2000-01. Over the same seven year period, the consumer price index has increased by 24.8 percent. This is consistent with a seventeen year trend that has seen the Senate's budget grow at approximately one-third of the overall rate of inflation.

In the past 12 years, the Senate has reduced its staff by 426 employees or 23.3%, eliminated its Washington, D.C. and New York City office leases, closed many district offices, and reduced the number of district-wide mailings allowed each Member. The Senate continued to tightly control its non-personal service expenses by restraining the purchasing of office supplies and furnishings, severely restricting travel, delaying essential equipment upgrades and reducing expenditures in other ways while the costs of these have continued to rise, often above the rate of inflation.

Senate Budget History
Fiscal Year 2000-01 to 2007-08
General Fund Appropriations

	FY 00-01	FY 06-07	FY 07-08	Change from	Change from
	<u>Approp.</u>	<u>Available</u>	<u>Recommended</u>	FY 06-07	FY 00-01
				(%)	(%)
Senate Budget	78,666,501	84,486,352	87,020,943	2,534,591 (+3.0%)	8,354,442 (+10.6%)

ASSEMBLY

The Assembly is composed of 150 members elected for two-year terms from districts around the state. Each Member of Assembly represents approximately 127,000 constituents. The Assembly conducts its legislative business through the operation of 38 standing committees.

The Assembly elects from among its members a Speaker who directs and guides the business of the Assembly, and appoints members to Assembly Standing Committees and Assembly leadership positions. The Speaker serves as the presiding officer of the Assembly. The minority party of the Assembly chooses a Minority Leader from their membership.

Each Member of Assembly is entitled to employ staff to assist them in carrying out their legislative duties and, where applicable, their responsibilities as Committee Chairs or leadership. Members are also provided with office space both in Albany and the district, as well as office equipment, furnishings and supplies, in order to serve their constituents. The State Constitution provides for reimbursement to Assembly Members for travel to the Capitol from their district, and Members and staff are also eligible for reimbursement of other travel related to legislative business. The Speaker of the Assembly and the Assembly Minority Leader employ staff to provide counsel, legislative program development and policy analysis. The Assembly also employs staff to serve the needs of the house, including the operation of the Assembly Chamber during session, the management of the legislative process, and research, communications and administrative services. The Assembly also

administers an Intern Program to provide opportunities to undergraduate and graduate college students to learn about the legislative process while utilizing their skills to assist the Assembly Members in fulfilling their constitutional responsibilities.

In addition to the Assembly’s General Fund appropriation, a Special Revenue Fund (Assembly Recyclable Materials, Information Services and Conference Fund) has been established to collect revenues from the sale of recyclable materials, distribution of documents, materials and computerized information, and fees charged for conferences sponsored by the Assembly. These revenues may be used to pay for waste disposal, production and distribution of Assembly documents, materials and computerized information, and expenses related to conferences sponsored by the Assembly. A Grants and Bequests Fund has also been established to receive non-state grants which may be used to pay for services and expenses related to the restoration of the Assembly Chamber.

BUDGET HIGHLIGHTS

The recommended appropriation for FY 2007-08 of \$103,422,870 represents an increase of \$3,012,317 (3.0%) above the amount appropriated for FY 2006-07. This modest budget increase follows an overall increase of 3.3% over the previous five fiscal years.

Over the past seven years, as detailed below, the Assembly’s budget has increased by 10.6 percent while over the same period, the Consumer Price Index has increased by 24.8 percent. Over the past seventeen years, the growth of the Assembly’s budget has been approximately one-third of the overall rate of inflation. During this period, the Assembly has controlled its spending by reducing the payroll for Assembly controlled entities by over 460 positions and implementing other operational savings.

**Assembly Budget History
Fiscal Year 2000-01 to 2007-2008
General Fund Appropriations**

	<u>FY 00-01</u> <u>Approp.</u>	<u>FY 06-07</u> <u>Available</u>	<u>FY 07-08</u> <u>Recommended</u>	<u>Change from</u> <u>FY 06-07</u> <u>(%)</u>	<u>Change from</u> <u>FY 00-01</u> <u>(%)</u>
Assembly Budget	\$93,492,920	\$100,410,553	\$103,422,870	3,012,317 (+3.0%)	9,929,950 (+10.6%)

FISCAL COMMITTEES

The Governor’s annual budget bills and the budgetary proposals for the Legislature and Judiciary are referred to these committees when introduced and are reported by them, with recommendations, to the Legislature. Designated representatives of the committees are entitled, by constitutional provisions, to attend the required hearings for the preparation of the budget and to make inquiry concerning any part thereof. These committees also consider all bills introduced in the Legislature carrying appropriations or providing for the expenditures of public money.

In addition, pursuant to the provisions of section 122-a of the State Finance Law, the Chairmen and ranking Minority Members of the Senate Finance Committee and the Assembly Ways and Means Committee function as an Audit Committee. The responsibilities of the Audit Committee include the selection of an independent certified public accountant to conduct an independent audit of the state’s annual financial statements, receiving the results of such independent audit, and submitting the certification received

LEGISLATURE

from the independent certified public accountant to the State Comptroller for inclusion in the annual financial report required pursuant to section 8 of the State Finance Law.

BUDGET HIGHLIGHTS

The recommended appropriation of \$5,717,815 for fiscal year 2007-08 for both the Senate Finance Committee and the Assembly Ways and Means Committee represents an increase of \$166,538 above the amount appropriated for FY 2006-2007.

JOINT ENTITIES AND DUES PAYMENTS

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee was created by Chapter 813 of the laws of 1987 and is a joint bipartisan committee authorized by law to act on matters arising out of Public Officers Law Sections 73, 73-a and 74, as applied to the legislative branch, and Legislative Law Section 80. The Committee is authorized by law to distribute, collect and review financial disclosure statements from legislators, employees and candidates for legislative office. The Committee renders formal advice on the law and investigates violations of the law, which are subject to civil and criminal penalties. The Legislative Ethics Committee is also required to adopt policies, guidelines, rules, and regulations to interpret and administer the legislative ethics laws. The eight-member committee is comprised of two members each from the Senate and Assembly majority and minority parties.

BUDGET HIGHLIGHTS

The recommended appropriation of \$369,667 for FY 2007-08 for the Legislative Ethics Committee represents an increase of \$10,767 above the amount appropriated for FY 2006-07.

LEGISLATIVE HEALTH SERVICE

Section 7-b of the Legislative Law provides for a legislative emergency health station for the use of members and employees of the Legislature and legislative correspondents. This station is to be under the direction of a registered nurse and suitably and adequately equipped to administer first aid whenever needed.

BUDGET HIGHLIGHTS

The recommended appropriation of \$195,421 for FY 2007-08 for the Legislative Health Service represents an increase of \$5,692 above the amount appropriated for FY 2006-07.

LEGISLATIVE LIBRARY

Section 7-a of the Legislative Law provides for a Legislative Library to be located in the State Capitol, conveniently accessible to the members of both houses of the Legislature. The Legislative Library is the Library of Record for the Legislature. The Legislative Library is open throughout the year and all hours that the Legislature is actively in session, and provides general information services to legislators and their staffs with a collection emphasis on legal materials.

BUDGET HIGHLIGHTS

The recommended appropriation of \$782,800 for FY 2007-08 for the Legislative Library represents an increase of \$22,800 above the amount appropriated for FY 2006-07.

LEGISLATIVE MESSENGER SERVICE

The Legislative Messenger Service provides a communications network throughout the Empire State Plaza and neighboring state buildings for Senate and Assembly legislators and their staffs. The service employs and trains individuals with disabilities as office personnel and messengers, and is located in the Legislative Office Building.

BUDGET HIGHLIGHTS

The recommended appropriation of \$867,106 for FY 2007-08 represents an increase of \$25,256 above the amount appropriated for FY 2006-2007.

LEGISLATIVE BILL DRAFTING COMMISSION

The Legislative Bill Drafting Commission is composed of two commissioners jointly appointed by the Temporary President of the Senate and the Speaker of the Assembly. The Commission is mandated to draft or aid in the drafting of legislative bills and resolutions at the request of members or committees of either house of the Legislature. The Commission, upon research and examination, may advise as to the constitutionality, consistency or effect of proposed legislation upon request of a member or committee of either house of the Legislature. The Commissioners direct a legal staff of attorneys and are supported by a data processing and technical staff.

The Commission also maintains and operates centralized data processing systems, programs and equipment for the operation of a bill status and statutory and other miscellaneous information retrieval system for the Legislature, including the creation of a databank containing the official statutes of the state and the text of the rules and regulations of state agencies as filed with the Secretary of State. The Commission's budget is used to pay for the cost of the Legislature's printing contract for the printing of bills, session laws, Senate and Assembly Journals, and the printing, publication and distribution of the Legislative Digest.

LEGISLATURE

The Commission receives revenues from the private sale of subscriptions to the Legislative Digest and to the Legislative Retrieval Service (LRS), which are deposited in a Special Revenue Fund known as the Legislative Computer Services Fund. These revenues are used to offset the costs of operating the Commission's data processing systems.

BUDGET HIGHLIGHTS

The recommended appropriation of \$12,758,147 for fiscal year 2007-08 for the Legislative Bill Drafting Commission represents an increase of \$371,597 above the amount appropriated for FY 2006-07.

An appropriation of \$1,500,000 for FY 2007-08 is recommended for the Legislative Computer Services Fund. This recommended appropriation represents no change from the amount appropriated for FY 2006-07. No tax revenues are required for this Fund.

LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT

The Task Force on Demographic Research and Reapportionment was established by Chapter 45 of the laws of 1978 to research and study the techniques and methodologies used by the U.S. Commerce Departments' Bureau of the Census in carrying out the decennial federal census. The Task Force aids the Legislature by providing technical plans for meeting the requirements of legislative timetables for the reapportionment of Senate, Assembly and Congressional districts. Using its Geographic Information System database, it also conducts research projects relating to the collection and use of census data and other statistical information.

The Task Force is also authorized to receive revenues from the sale of computer-generated data and services for deposit in the Special Revenue Fund known as the Legislative Computer Services Fund. These funds may be used to offset the Task Force's cost of operating its data processing systems.

BUDGET HIGHLIGHTS

The total recommended appropriation of \$1,822,849 for fiscal year 2007-08 for the Legislative Task Force on Demographic Research and Reapportionment represents an increase of \$53,093 above the amount available for FY 2006-07.

NATIONAL CONFERENCE OF STATE LEGISLATURES DUES

The National Conference of State Legislatures (NCSL) is a bi-partisan organization created to serve the legislators and staff of each State Legislature. NCSL provides research, technical assistance and the opportunity for policy makers to exchange ideas on the most pressing state issues.

New York's involvement with the NCSL is through the Assembly on the Legislature (AOL) and State-Federal Assembly (SFA). The AOL promotes the exchange of ideas and information on state issues among state legislatures. SFA informs legislators of developments in state-federal relations, identifies issues of critical concern and serves as a

forum for discussion among its 50-state membership. All state legislators and their staff members are eligible to participate in the Conference and are entitled to the full use of its services.

NCSL is supported from dues assessed to each State Legislature, on the basis of state population totals.

BUDGET HIGHLIGHTS

The recommended appropriation of \$355,341 for fiscal year 2007-08 for the National Conference of State Legislatures dues represents an increase of \$26,333 above the amount appropriated for FY 2006-07.

LEGISLATURE

ALL FUNDS REQUIREMENTS FOR THE LEGISLATURE

FUND/ENTITY/MAJOR PURPOSE	AVAILABLE 2006-2007	REQUESTED 2007-2008	CHANGE FROM 2006-2007
General Fund:			
Lt. Governor	\$277,409	\$277,409	\$0
Senate	84,486,352	87,020,943	2,534,591
Assembly	100,410,553	103,422,870	3,012,317
Senate Finance Committee	5,551,277	5,717,815	166,538
Assembly Ways and Means Committee	5,551,277	5,717,815	166,538
Joint Entities:			
Legislative Ethics Commission	358,900	369,667	10,767
National Conference of State Legislatures Dues	329,008	355,341	26,333
Legislative Health Service	189,729	195,421	5,692
Legislative Library	760,000	782,800	22,800
Legislative Messenger Service	841,850	867,106	25,256
Legislative Bill Drafting Commission	12,386,550	12,758,147	371,597
Legislative Task Force on Demographic Research and Reapportionment	1,769,756	1,822,849	53,093
Joint Entities Total	\$16,635,793	\$17,151,331	\$515,538
GENERAL FUND TOTAL	\$212,912,661	\$219,308,183	\$6,395,522
Special Revenue Fund - Other:			
Legislative Computer Services Fund	\$1,500,000	\$1,500,000	\$0
Senate Recyclable Materials, Information Services and Conference Fund	50,000	50,000	0
Assembly Recyclable Materials, Information Services and Conference Fund	50,000	50,000	0
SPECIAL REVENUE FUND TOTAL	\$1,600,000	\$1,600,000	\$0
Grants and Bequests Fund:			
Restoration of Senate Chamber	250,000	250,000	0
Restoration of Assembly Chamber	250,000	250,000	0
GRANTS AND BEQUESTS FUND TOTAL	\$500,000	\$500,000	\$0

SCHEDULE OF APPROPRIATIONS

Title of Appropriation	Appropriated for 2006-07	Requested for 2007-08	Change
OFFICE OF THE LIEUTENANT GOVERNOR			
Lieutenant Governor	\$151,500	\$151,500	\$0
Administration			
For personal service of employees and for temporary and expert services	\$111,000	\$111,000	\$0
Maintenance and Operation			
For other expenses of maintenance and operation (including liabilities incurred prior to April 1, 2007)	<u>\$14,909</u>	<u>\$14,909</u>	<u>\$0</u>
Total--Office of Lieutenant Governor	\$277,409	\$277,409	\$0
THE SENATE			
Personal Service			
For payment of salaries to members, 62, pursuant to section five of the legislative law	\$4,929,000	\$4,929,000	\$0
For payment of allowances to members designated by the temporary president, pursuant to the schedule of such allowances set forth in section 5-a of the legislative law	\$1,289,500	\$1,289,500	\$0
For personal service of employees and for temporary and expert services of majority leader and minority leader operations	\$9,755,645	\$10,048,814	\$293,169
For personal service of employees and for temporary and expert services of members' offices and of standing committees	\$29,610,670	\$30,501,991	\$891,321
For personal service of employees and for temporary and expert services for administrative support operations	\$14,458,616	\$14,893,874	\$435,258
For personal service of employees and for temporary and expert services for the senate student program office	\$493,602	\$508,445	\$14,843
For personal service of employees and for temporary and expert services for the senate select committee on interstate cooperation	\$77,601	\$77,601	\$0
For personal service of employees and for temporary and expert services for the senate special committee on the culture industry	\$77,601	\$77,601	\$0
For personal service of employees and for temporary and expert services for the senate select committee on the disabled	<u>\$114,117</u>	<u>\$114,117</u>	<u>\$0</u>
Total Personal Service	\$60,806,352	\$62,440,943	\$1,634,591
Nonpersonal Service			
For services and expenses of maintenance and operations (including liabilities incurred prior to April 1, 2007)			
Non-employee services	\$300,000	\$300,000	\$0
Supplies and materials	\$2,250,000	\$2,400,000	\$150,000
Travel	\$1,500,000	\$1,600,000	\$100,000
Rentals	\$1,400,000	\$1,450,000	\$50,000

LEGISLATURE

Title of Appropriation	Appropriated for 2006-07	Requested for 2007-08	Change
Equipment maintenance and repairs	\$1,400,000	\$1,400,000	\$0
Office and space leases	\$3,700,000	\$4,000,000	\$300,000
Utilities	\$1,200,000	\$1,300,000	\$100,000
Postage and shipping	\$5,100,000	\$5,300,000	\$200,000
Printing	\$200,000	\$200,000	\$0
Telephone and telegraph	\$2,330,000	\$2,330,000	\$0
Miscellaneous contractual services	\$300,000	\$300,000	\$0
Equipment	\$3,000,000	\$3,000,000	\$0
Total Nonpersonal Service	\$22,680,000	\$23,580,000	\$900,000
Maintenance Undistributed			
For services and expenses, including travel outside the state	\$1,000,000	\$1,000,000	\$0
Grand Total--The Senate	\$84,486,352	\$87,020,943	\$2,534,591

THE ASSEMBLY

Personal Service

Members, 150, payment of salaries pursuant to section five of the legislative law	\$11,925,000	\$11,925,000	\$0
For payment of allowances to members designated by the speaker	\$1,592,500	\$1,592,500	\$0
For personal service of employees and for temporary and expert services of members' offices and of standing committees and subcommittees	\$28,943,325	\$29,956,341	\$1,013,016
For personal service of employees and for temporary and expert services for administrative and program support operations	\$32,900,621	\$34,052,143	\$1,151,522
For the Assembly Intern and Youth Participation Program for personal service of employees and for temporary and expert services	\$920,000	\$920,000	\$0
Total Personal Service	\$76,281,446	\$78,445,984	\$2,164,538

Nonpersonal Service

For services and expenses of maintenance and operations (including liabilities incurred prior to April 1, 2007)			
Non-employee services	\$65,000	\$65,000	\$0
Supplies and materials	\$2,300,000	\$2,300,000	\$0
Travel	\$2,700,000	\$2,750,000	\$50,000
Rentals	\$1,050,000	\$1,050,000	\$0
Equipment maintenance and repairs	\$1,200,000	\$1,200,000	\$0
Office and space leases	\$5,800,000	\$6,100,000	\$300,000
Utilities	\$700,000	\$740,000	\$40,000
Postage and shipping	\$4,600,000	\$4,800,000	\$200,000

LEGISLATURE

Title of Appropriation	Appropriated for 2006-07	Requested for 2007-08	Change
Printing	\$65,000	\$65,000	\$0
Telephone and telegraph	\$2,270,000	\$2,270,000	\$0
Miscellaneous contractual services	\$600,000	\$600,000	\$0
Equipment	\$1,200,000	\$1,450,000	\$250,000
Total Nonpersonal Service	\$22,550,000	\$23,390,000	\$840,000
Maintenance Undistributed			
For services and expenses, including travel outside the state	\$1,579,107	\$1,586,886	\$7,779
Grand Total--The Assembly	\$100,410,553	\$103,422,870	\$3,012,317
SENATE FINANCE COMMITTEE			
For personal service, temporary and special services (including liabilities incurred prior to April 1, 2007)	\$5,551,277	\$5,717,815	\$166,538
ASSEMBLY WAYS & MEANS COMMITTEE			
For personal service, temporary and special services (including liabilities incurred prior to April 1, 2007)	\$5,551,277	\$5,717,815	\$166,538
SENATE AND ASSEMBLY JOINT ENTITIES			
LEGISLATIVE ETHICS COMMITTEE			
For services and expenses of the legislative ethics committee pursuant to section 80 of the legislative law	\$358,900	\$369,667	\$10,767
NATIONAL CONFERENCE OF STATE LEGISLATORS			
For a contribution to the National Conference of State Legislatures	\$329,008	\$355,341	\$26,333
LEGISLATIVE HEALTH SERVICE			
For services and expenses for the operation of the legislative health service	\$189,729	\$195,421	\$5,692
LEGISLATIVE LIBRARY			
For services and expenses and for temporary and special services for the operation of the legislative library	\$760,000	\$782,800	\$22,800
LEGISLATIVE MESSENGER SERVICE			
For services and expenses for the operation of the legislative messenger service	\$841,850	\$867,106	\$25,256
LEGISLATIVE BILL DRAFTING COMMISSION			
For services and expenses, temporary and special services, and for expenses of maintenance and operation			
Schedule			
Personal Service--Regular & Temporary	\$8,282,916	\$8,531,703	\$248,787
Nonpersonal Service	\$4,046,492	\$4,167,887	\$121,395
Legislative Digest Contract Administration	\$269,089	\$277,162	\$8,073

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2006-07</u>	<u>Requested for 2007-08</u>	<u>Change</u>
Legislative Printing Contract Administration	<u>\$778,053</u>	<u>\$801,395</u>	<u>\$23,342</u>
Total	\$13,376,550	\$13,778,147	\$401,597
Less Transfer from Leg. Computer Services Fund	<u>(\$990,000)</u>	<u>(\$1,020,000)</u>	<u>(\$30,000)</u>
Total available	\$12,386,550	\$12,758,147	\$371,597

LEG. TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT

Maintenance Undistributed

For services and expenses (including liabilities incurred prior to April 1, 2007) of the task force for senate purposes	\$341,167	\$351,402	\$10,235
For services and expenses (including liabilities incurred prior to April 1, 2007) of the task force for assembly purposes	\$341,167	\$351,402	\$10,235
For services and expenses (including liabilities incurred prior to April 1, 2007) of the task force for joint operations	<u>\$1,087,422</u>	<u>\$1,120,045</u>	<u>\$32,623</u>
Total available	<u>\$1,769,756</u>	<u>\$1,822,849</u>	<u>\$53,093</u>
Grand Total--Senate and Assembly Joint Entities	\$16,635,793	\$17,151,331	\$515,538

SPECIAL REVENUE FUND - OTHER

LEGISLATIVE COMPUTER SERVICES FUND

For services and expenses of the legislative computer services fund	\$1,500,000	\$1,500,000	\$0
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SENATE RECYCLABLE MATERIALS, INFORMATION SERVICES AND CONFERENCE FUND

For services and expenses of the senate recyclable materials, information services and conference fund	\$50,000	\$50,000	\$0
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ASSEMBLY RECYCLABLE MATERIALS, INFORMATION SERVICES AND CONFERENCE FUND

For services and expenses of the assembly recyclable materials, information services and conference fund	\$50,000	\$50,000	\$0
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GRANTS AND BEQUESTS FUND - LEGISLATURE

SENATE

Maintenance Undistributed

For services and expenses relative to restoration of the Senate Chamber and other purposes as funded by non-state grants	\$250,000	\$250,000	\$0
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ASSEMBLY

Maintenance Undistributed

For services and expenses relative to restoration of the Assembly Chamber and other purposes as funded by non-state grants	\$250,000	\$250,000	\$0
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