

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 2006-07. As required by the Constitution, I am presenting the Judiciary budget as it has been submitted by the Office of Court Administration.

The Judiciary, under the direction of Chief Judge Kaye continues to implement several initiatives designed to make the courts more responsive to the people of New York:

- Problem solving courts that address drugs, alcohol, mental illness, and domestic violence.
- Experimental reorganization of the courts of criminal jurisdiction in the Bronx.
- Offices for the Self-Represented that provide legal and procedural information to self-represented litigants.

The Judiciary has requested appropriations totaling nearly \$2.3 billion – an increase of \$228 million, or 11.1 percent over the current year. More than 98 percent of this increase would support Court operations. Included in the increase is \$13.2 million for security equipment, contracts and personnel to ensure the safety of New York’s courts — a priority of the Chief Judge, with which I concur.

Another \$136.2 million is attributed to contractual salary increases, higher costs of employee fringe benefits, the annualized costs of 21 new judgeships, Family Court permanency planning initiatives, Court Facilities Incentive Aid, the impact of inflation, and unavoidable fixed cost increases.

In addition, the request advanced by the Chief Judge also includes an increase in judicial salaries. The increase would be retroactive to April 1, 2005, at an estimated cost of \$69.5 million.

I too support a judicial salary increase. Last year, I proposed a bill that would provide New York State judges with a fair and reasonable compensation package. My proposal would cost the State \$28 million annually and provide that an increase be made on a prospective basis only. I recommend that the Legislature approve my proposal to ensure that the State continue to attract and retain the finest jurists in the country.

Finally, while I recognize that the Office of Court Administration has many worthwhile proposals, in the aggregate, its budget submission provides for a significant funding increase. I urge the Legislature to join me, the Chief Judge and the Office of Court Administration to explore alternative approaches that reduce the impact on the State’s Financial Plan.