

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.

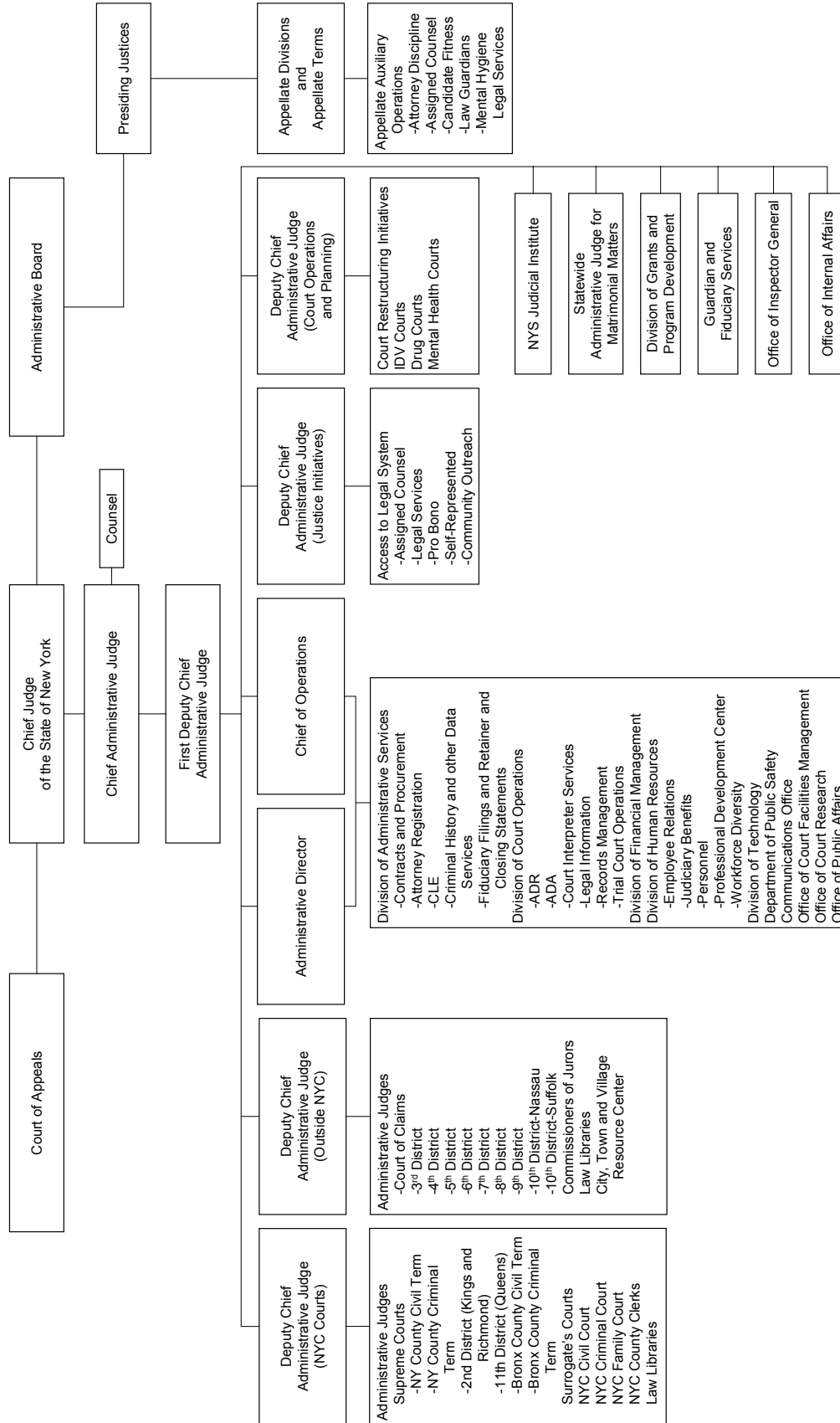
The services provided by these operational divisions are further supplemented by a Public Affairs Office which coordinates communications with other governmental entities, the press, public and Bar. The Office of Court Research compiles UCS workload statistics for the courts, management and the public 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

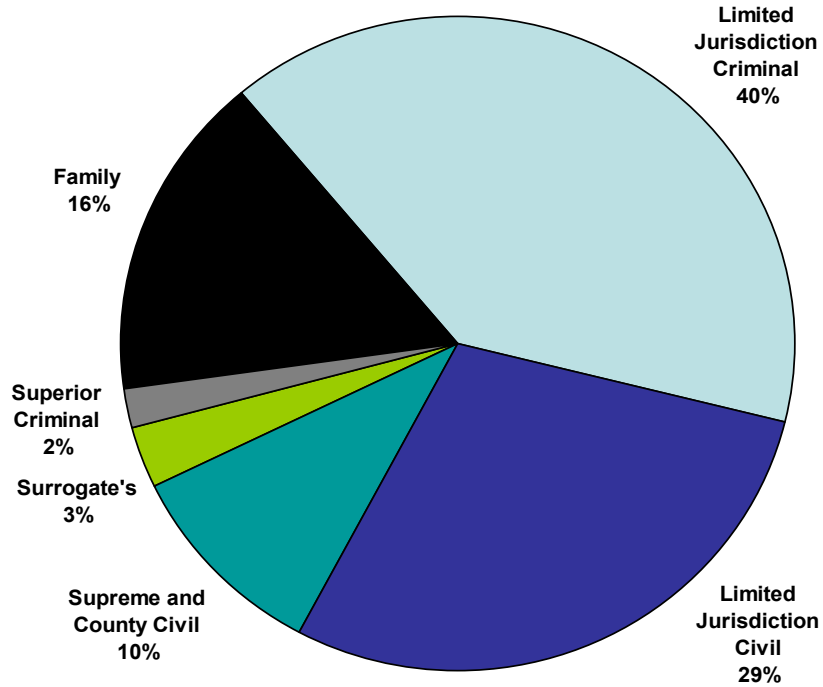
The trial courts of the New York State Judiciary were the recipients of nearly 4.3 million new cases in 2005, an increase of nearly 180,000 proceedings in just one year. This caseload level represents a new record, eclipsing the former peak in annual filings which occurred in 2003.

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

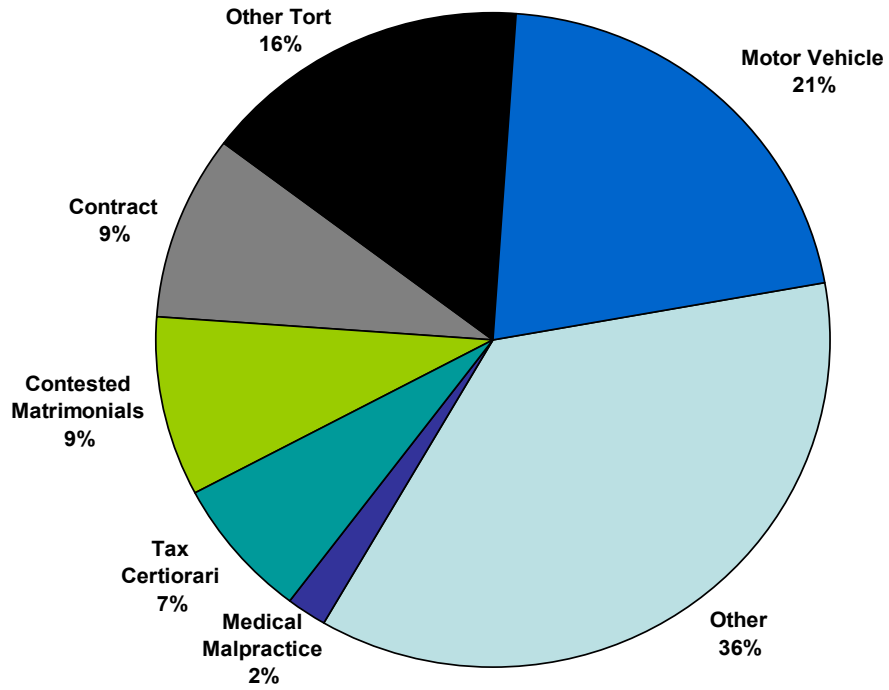
The most striking workload trend is the significant increase in criminal filings in both the Supreme Courts and in the City and District Courts. This is a relatively significant spike in criminal filings after a period of general moderation.

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.

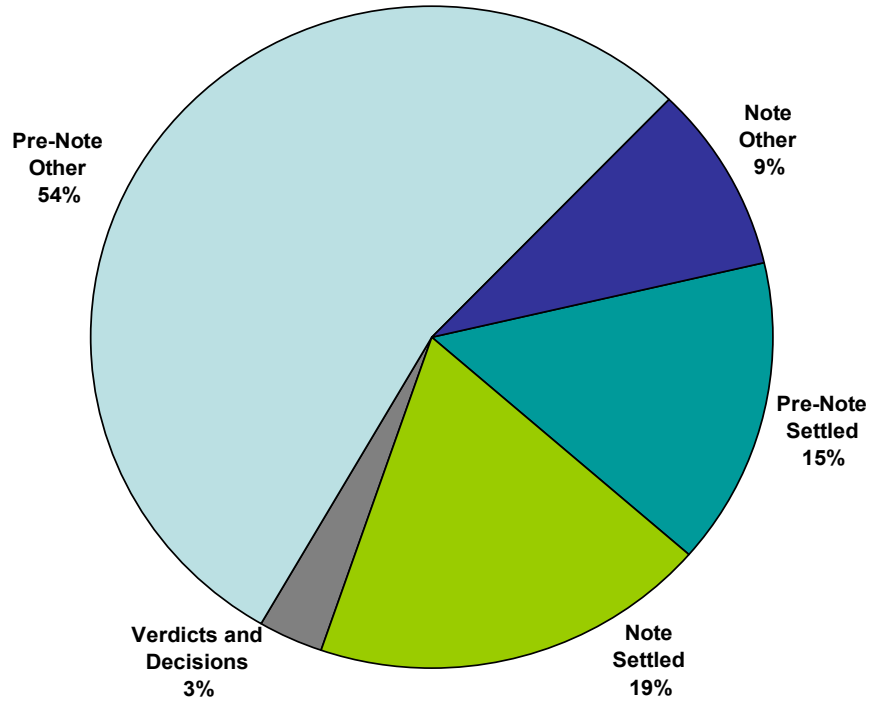
Trial Court Filings by Case Type - 2005



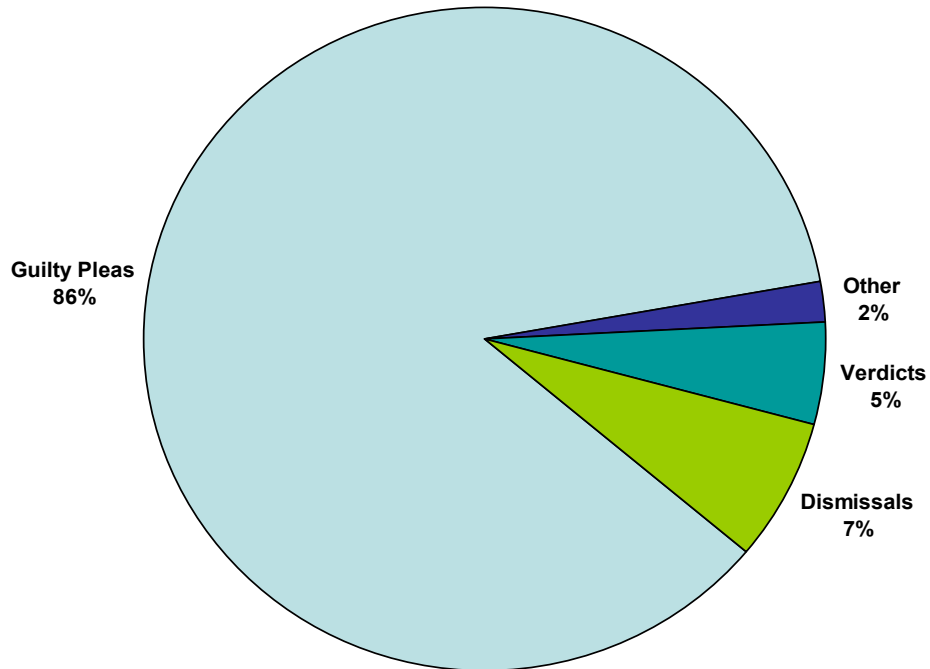
Supreme Civil Filings by Case Type - 2005



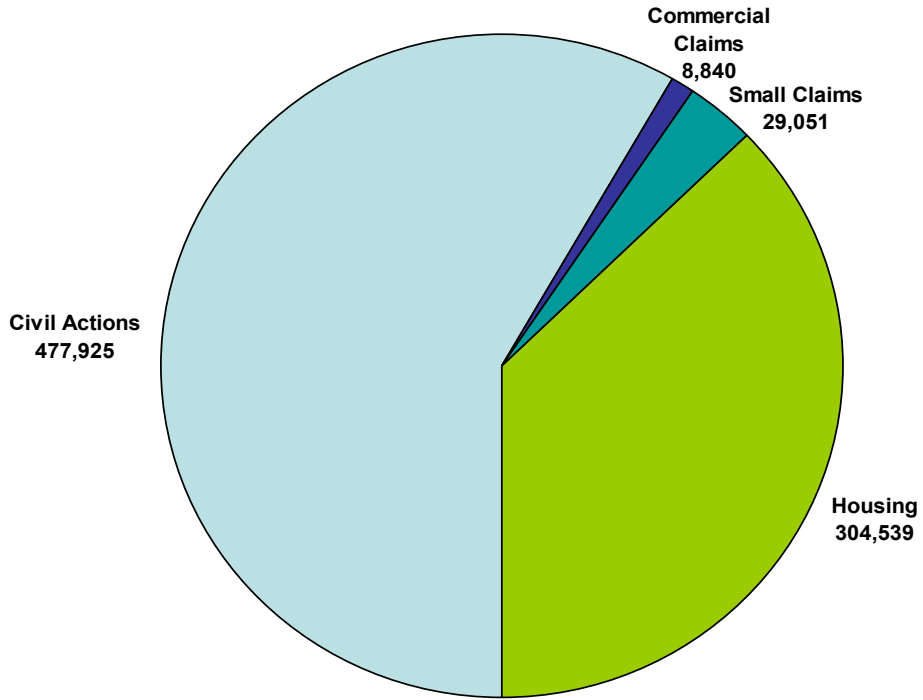
Supreme Civil Dispositions by Type - 2005



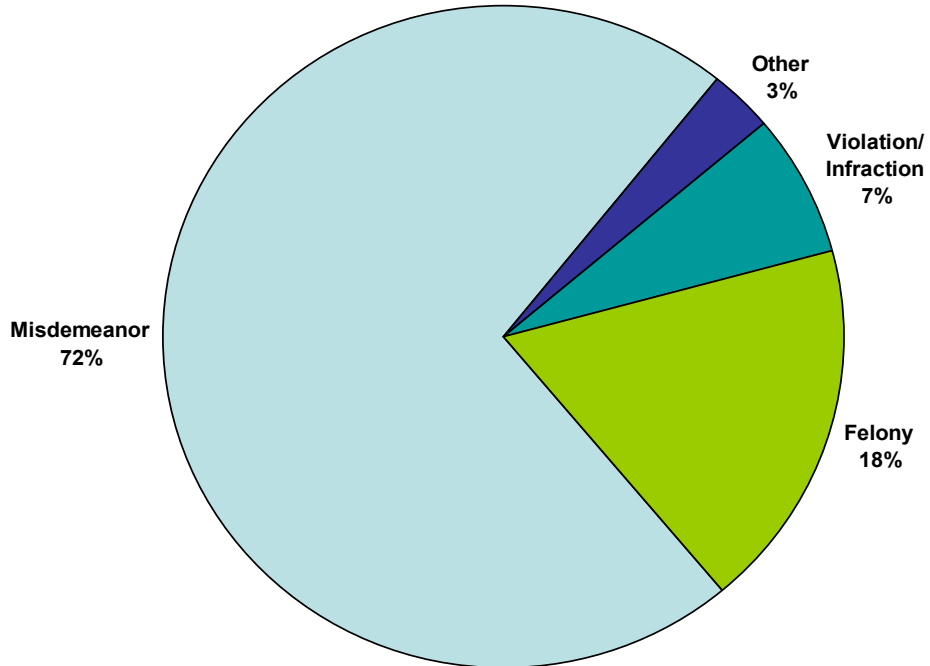
Supreme Criminal Felony Dispositions - 2005



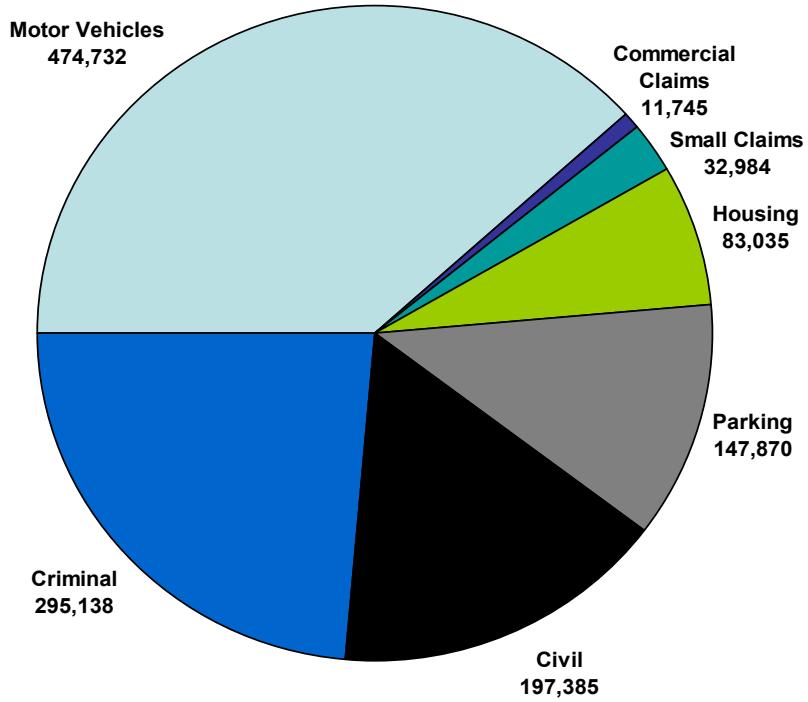
NYC Civil Court Filings by Case Type - 2005



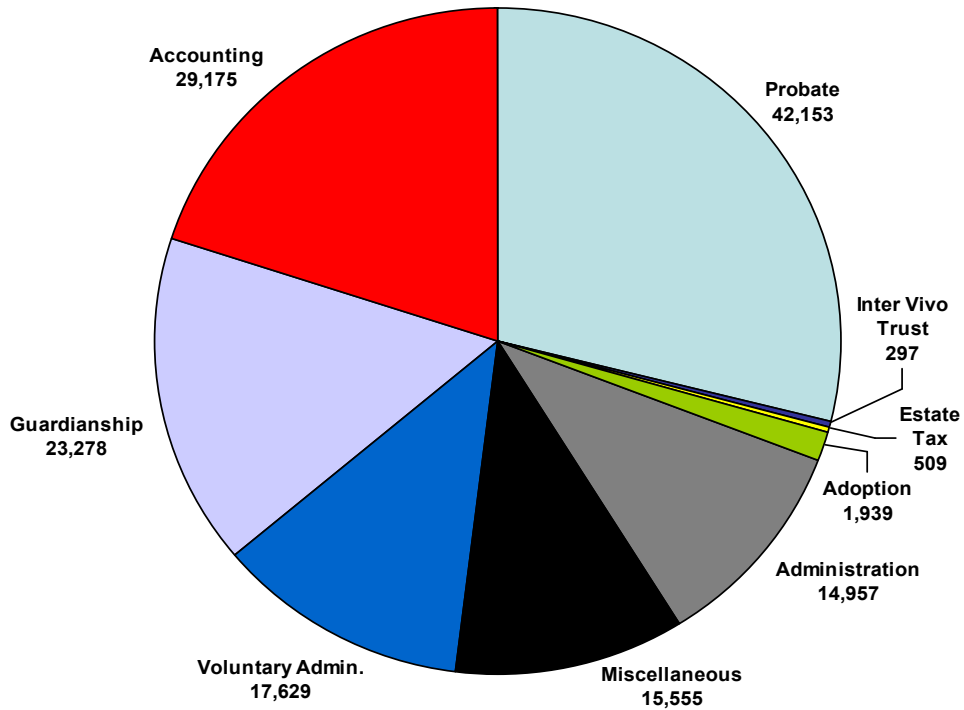
NYC Criminal Court Filings by Case Type - 2005



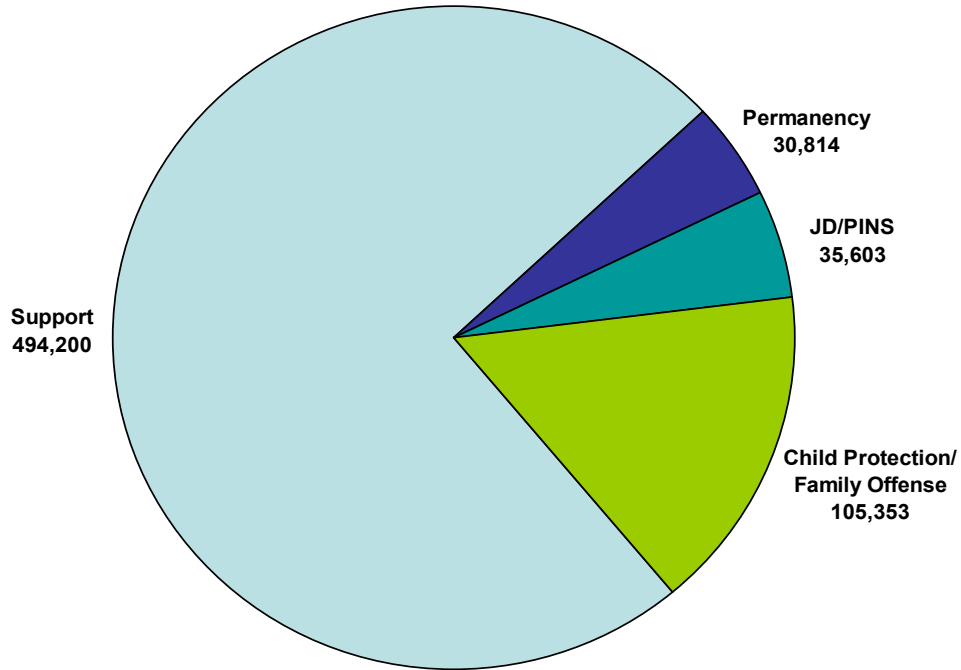
City and District Court Filings by Case Type - 2005



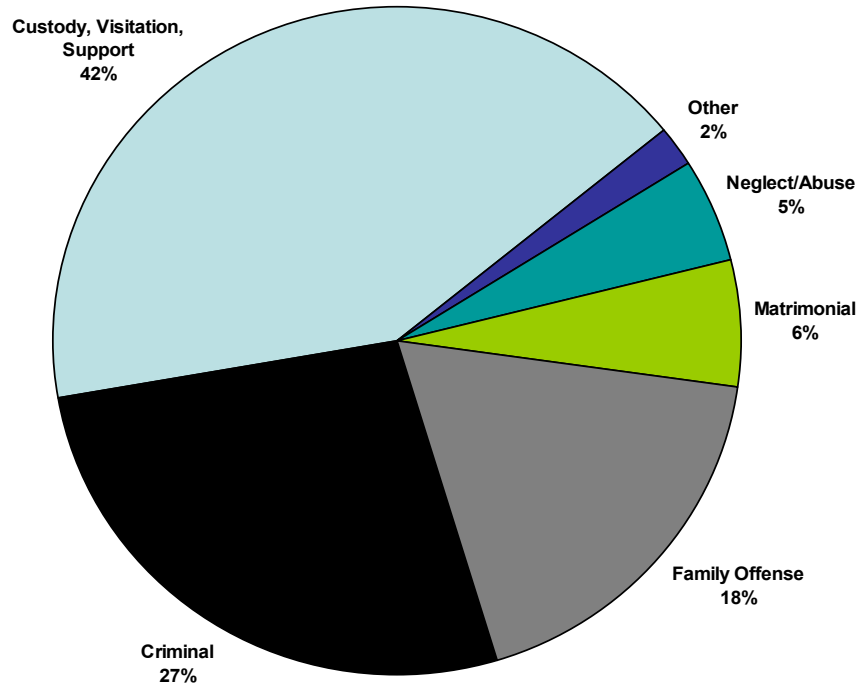
Surrogate's Court Filings by Case Type - 2005



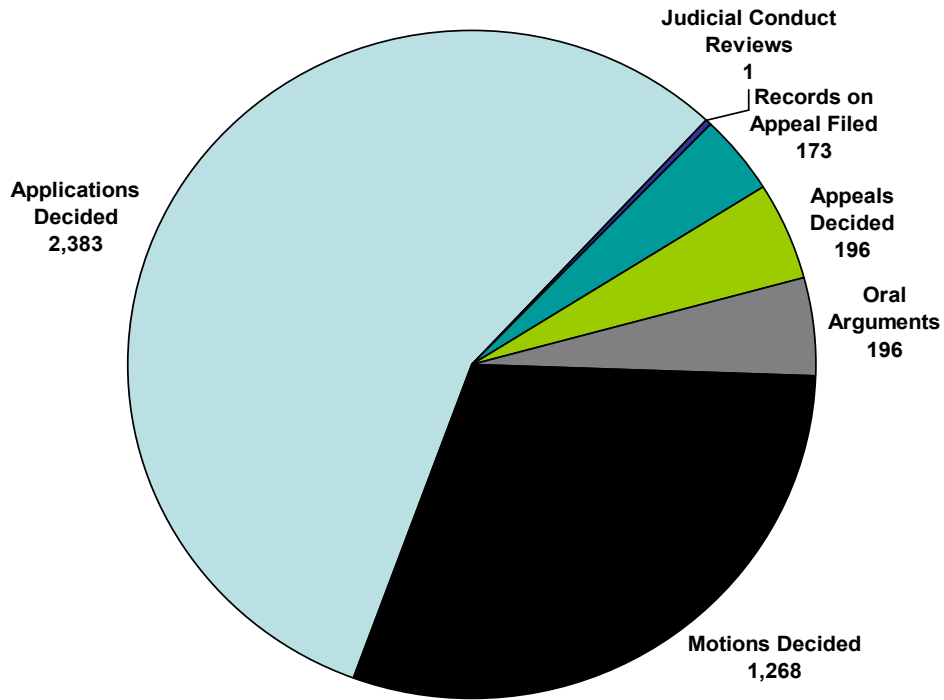
Family Court Filings by Case Type - 2005



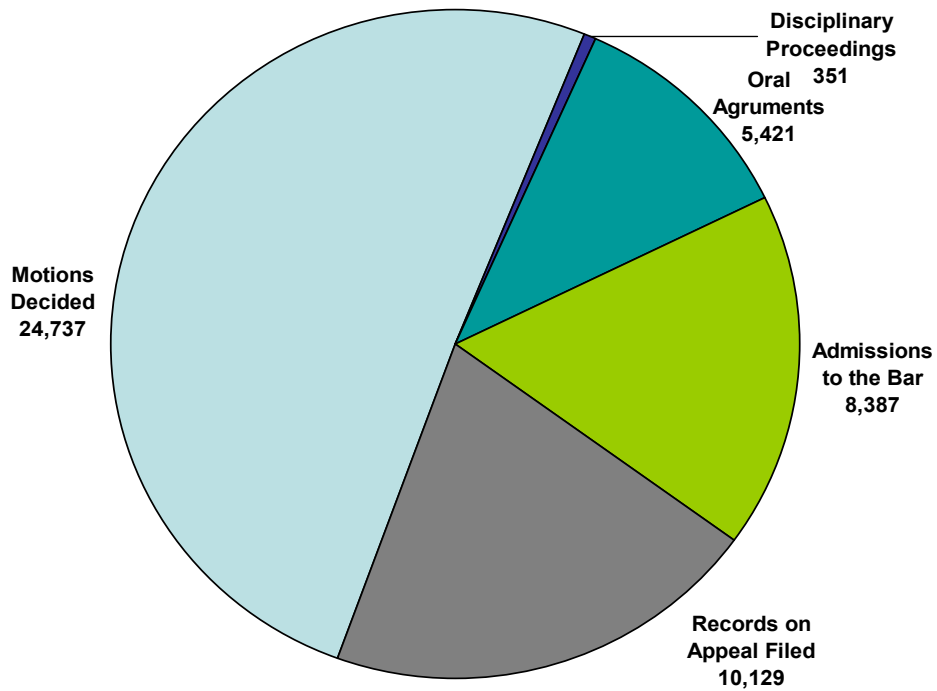
Integrated Domestic Violence Filings by Case Type - 2005



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**

<u>Category / Fund / Major Purpose</u>	<u>2006-07</u>	<u>2007-08</u>	<u>Change</u>
<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
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<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
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<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
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<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
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<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
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<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</u> <u>Projected</u>	<u>2007 - 2008</u> <u>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
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<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
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<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
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<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
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<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