

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 2002-03. As required by the Constitution, I am presenting the Judiciary budget as it has been submitted by the Office of Court Administration.

The Judiciary's All Funds appropriation request is \$1.74 billion, a \$55 million, or 3.3 percent increase over the current year. Of this amount, \$1.57 billion is requested from the State tax dollar supported General Fund, an increase of \$42.5 million or 2.8 percent over 2001-02.

While the Office of Court Administration in its budget submission cites a number of steps being taken to constrain budget growth in 2002-03, the requested increase nevertheless exceeds that of the Executive branch and the Legislature. Given the State's difficult financial condition, I call upon the Chief Judge to assiduously monitor expenditures and to take all possible management actions to further reduce spending.

The General Fund increase currently called for includes:

- \$48.9 million for negotiated salary increments and base level increases;
- \$32.9 million for increased fringe benefit costs;
- \$7.4 million for annualization of current year initiatives, including \$5 million for new nonjudicial positions and for contractual security enhancements;
- \$3.2 million for 19 certificated judges and salary increases for Housing Court Judges established in the 2001 Legislative session;
- \$1.5 million for additional resources for city courts as a result of a bill passed in the Legislative session; and
- \$9.2 million for new needs including increased security (\$5.4 million), a new jury initiative and continued expansion of the Drug Treatment Court Program (\$1.7 million) and increased costs for the Law Guardian Program (\$2.1 million).

These increases are partially offset by recurring savings initiatives totaling \$24.7 million, including a hiring freeze to begin January 1, 2002, and savings from early retirement incentives (\$11 million); reductions in overtime and temporary service (\$3.8 million); a decrease in equipment purchases for 2002-03 (\$1.8 million); other nonpersonal service savings for legal reference and jury per diems (\$4.1 million); and a transfer of Information Technology Services to special revenue fund support (\$4 million). Further, since the Judiciary is not requesting any new capital projects for 2002-03, there is a year-to-year appropriation reduction of \$35.8 million for capital projects.

The All Funds appropriation growth reflects an increase of \$6.1 million for the Data Processing Offset Fund to provide case information services to attorneys for a small fee, \$4.2 million to support the Manhattan Felony Treatment Court, and \$800,000 for the Lawyer's Fund for Client Protection.