

# **COMMENTARY OF THE GOVERNOR ON THE JUDICIARY**

In accordance with Article VII, Section 1 of the State Constitution, I am transmitting herewith the appropriations requested by the Judiciary for fiscal year 2008-09. As required by the Constitution, I am presenting the Judiciary budget as it has been submitted by the Chief Judge.

The Judiciary has requested appropriations totaling nearly \$2.5 billion. This includes amounts necessary to provide salary increases to judges. When adjusted for \$106 million in retroactive judicial salary payments and non-recurring capital appropriations in the current year, the increase over the current- year is \$90 million, or 3.8 percent.

The budget request submitted by the Chief Judge reflects a salary increase of 21 percent retroactive for three years, to April 1, 2005. More recently, the Chief Judge proposed new legislation providing for pay increases retroactive to April 1, 2005, with additional increases tied to the salaries of federal court judges, and a quadrennial salary commission.

Judicial salaries have remained unchanged since 1999, and establishing new compensation levels for judges is a high priority of the Chief Judge. In recognition of the importance of this issue, which has languished too long, and in support of the Chief Judge, the Executive Budget includes Article VII legislation to provide for a judicial salary increase.

The Article VII legislation I am submitting includes a judicial pay increase retroactive to April 1, 2006, at the same level recommended by the Chief Judge. In addition, my bill would increase salaries another 2.5 percent on April 1, 2008, in recognition that judicial salaries at the Federal level were raised by that amount on January 1, 2008. I strongly urge the Legislature to take action on this proposal.

I also support the Chief Judge's Action Plan for Town and Village Courts, which will provide training, technology, and security for these courts. A total of \$17 million is provided to support 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 and I am pleased to see it remain a top priority of the Chief Judge.