

# **THE JUDICIARY**

## **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 over 1,200 state-paid judges, 2,200 town and village justices and nearly 15,000 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. 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 concerning 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 amounts 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 \$3,000. The Criminal Court of the City of New York has jurisdiction over misdemeanors and violations. 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.

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## **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 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; Deputy Chief Administrative Judge for Justice Initiatives, a Deputy Chief Administrative Judge for Management Support, who supervises the operations of the units that compose the Office of Management Support; and a Counsel, who directs the legal and legislative work of the Counsel's Office.

The Office of Management Support consists of eight operational divisions, with overall policy guidance and management directed by the Chief Administrative Judge, assisted by the Deputy Chief Administrative Judge for Management Support. The Division of Human Resources is responsible for conducting educational programs for judges and nonjudicial personnel; the administration of the Unified Court System's workforce diversity programs; labor management relations; payroll processing; 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 also responsible 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 Legal Information and Records Management is responsible for overseeing all of the Judiciary's automated and printed media legal reference services and for coordination of records retention and management programs. 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, as well as for court security, and alternative dispute resolution programs.

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 Administrative Services Office 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. 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.

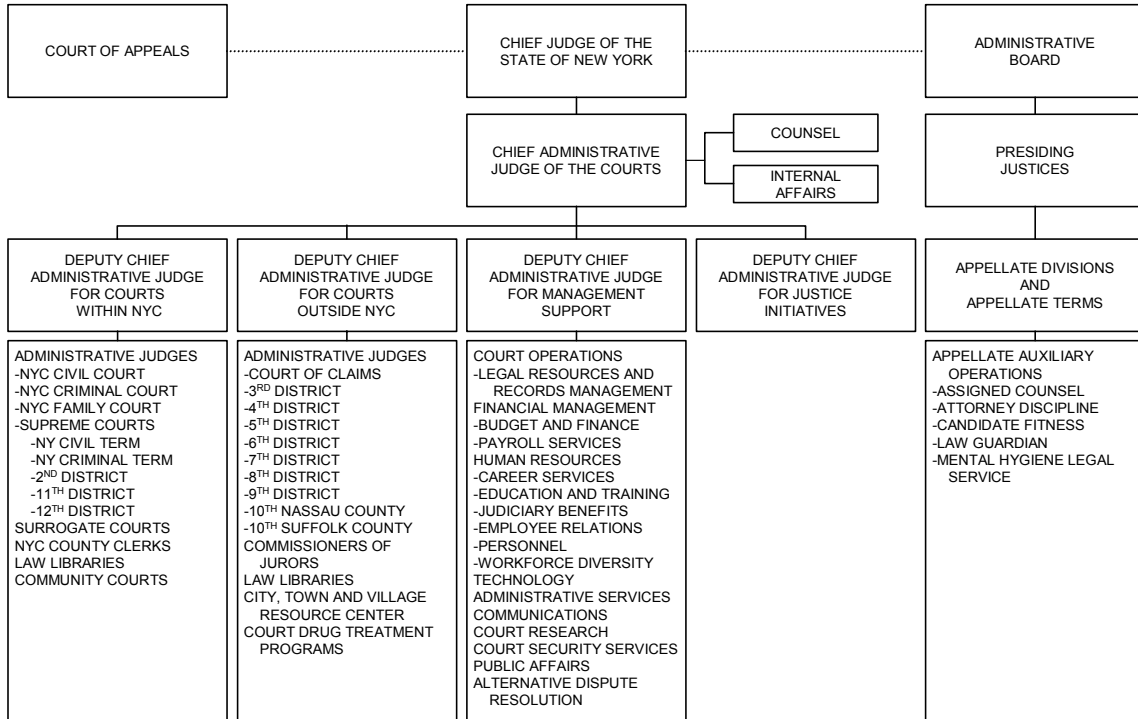
Responsibility for on-site management of the trial courts and agencies is vested with the Administrative Judges. Upstate, in each of the eight judicial districts established outside the City of New York, there is a District Administrative Judge who is responsible for all courts and agencies operating within the judicial district. In the City of New York, Administrative Judges supervise each

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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 and all fiscal procedures.

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 COURT SYSTEM'S RESPONSE TO THE STATE'S FISCAL CRISIS**

The New York State Judiciary fully recognizes the economic losses that New York has experienced over the last year. Even before the current fiscal year began, the court system took steps to reduce spending, commencing a strict vacancy control program in January 2002 that, in conjunction with the early retirement incentive program, has significantly reduced the level of nonjudicial employment. In addition, administrative measures to curtail equipment, travel and other operating costs have been implemented. Both the vacancy control program and the administrative cost-savings measures will remain in effect throughout the coming fiscal year.

The challenges that we face as a Judiciary require additional fiscal belt-tightening so that we can meet our responsibilities as a full partner in State government. Accordingly, the 2003-2004 Judiciary budget does not seek any additional nonjudicial positions to meet the courts' operational priorities. Moreover, to maintain the level of employment that can be sustained by the budget request, the court system will replace only the most critical employees who participated in the early retirement program or who have otherwise left our employment. The personal savings achieved by these steps provide the framework for the requested budget, as the Judiciary seeks increasingly creative and efficient ways of managing its resources. This approach represents a commitment to meet the demands of the State's fiscal reality as well as the need to provide uninterrupted service to the public.

In New York, the Judiciary's service to the public has been marked by innovation, based on a problem-solving approach that has made this court system the recognized leader in ensuring justice. Over the past years, the drug courts and domestic violence courts that have been instituted in the State have proven the worth of this problem-solving approach to cases coming before the courts. Continuation of these programs is particularly important in these difficult economic times — not only to ensure the benefits of these innovations across the State, but also to produce real efficiencies of scale. The demonstrable fiscal savings from restructured courts can begin with the Integrated Domestic Violence Courts, which allow all related family, criminal and matrimonial matters to be heard in a single court by a single Judge.

### **COURT SAFETY AND SECURITY IN THE AFTERMATH OF SEPTEMBER 11, 2001**

Like all public entities, the New York State courts are more aware than ever of safety and security issues. Over the past year, the court system has been systematically improving court security and emergency preparedness. Improvements have been made through reallocated and increased levels of security staffing and through the use of enhanced equipment and technology. Many sites have added or enhanced magnetometer and x-ray scanning systems and other electronic security systems and devices to ensure the safety and protection of those who enter court facilities. These equipment improvements have been combined with new policies and procedures that ensure thorough and careful screening of those entering court facilities. Also, new protocols for screening mail, packages and other goods delivered to court buildings have been adopted. The court system is also implementing changes to court facility access and design standards to accommodate new building safety and security requirements. Court administrators are reassessing emergency preparedness plans and integrating court plans with those of local emergency management networks. Our goal is to be able to respond effectively to any future disaster and to resume court operations as quickly as possible.

In September 2002, New York's Judiciary sponsored a national conference to consider the many challenges that confront the courts in the aftermath of terrorist attacks. The "9-11 Summit", organized with the National Center for State Courts, brought together judges, administrators and security and disaster preparedness specialists from other government branches and the private sector for a national conversation about the emergency preparedness and disaster response and recovery issues critical to the courts. At the summit, policy leaders and security officials exchanged important information and discussed practical tools that will help the courts develop comprehensive and effective emergency preparedness and recovery plans. Such planning is essential for the protection of the public and the courts and to ensure the crucial functions of the courts can continue in times of crisis.

### ***MEETING THE COURTS' MISSION IN A DIFFICULT TIME***

While fiscal prudence and vigilance in security remain priorities, the courts' primary focus must continue to be on its fundamental mission — meeting the justice needs of New Yorkers.

Indeed, now is the time for the court system to redouble its commitment to creative approaches to resolving disputes. Among the successful problem-solving approaches that have been implemented by the New York Judiciary are:

- Criminal Drug Treatment Courts, in which non-violent, drug-addicted offenders are required to complete intensive drug treatment under the rigorous supervision of the courts as an alternative to jail.<sup>1</sup>
- Family Treatment Courts, which handle cases involving neglect where addiction is the underlying problem. These courts provide screening and assessment of parents with substance abuse problems, access to appropriate treatment and services and a system of sanctions to motivate compliance with court mandates.
- Integrated Domestic Violence Courts (IDVC) follow the "one Family, one Judge" model, in which one judge presides over all Criminal, Family, and Supreme Court matters involving the same parties. An IDVC allows jurisdictions to address inter-related family problems in a comprehensive manner, provide integrated service delivery and improve both court efficiency and informed judicial decision-making.
- Community Courts address another justice problem — meeting the needs of communities affected by crime on the local level. Community Courts are testing a variety of new mechanisms for involving the community in the criminal justice process, including public restitution projects, community mediation, victim-offender panels, use of treatment and social service interventions and input from neighborhood leaders through advisory panels and other participatory processes.

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<sup>1</sup> Next year we will achieve a major goal of the treatment court program — the opening of at least one county level court in each county. New openings in 2003-2004, which will be phased in over the course of the fiscal year, will primarily address the unmet treatment court needs of the medium and smaller-sized counties. In most cases, treatment courts will be established in multi-bench courts to provide services for felony and family cases. In several instances these "hub" courts will also provide services to smaller City Courts, and in a few cases to Town and Village Treatment Courts.

These courts, which work as part of a network with other criminal justice and social agencies to address underlying social problems and to improve overall community conditions, have proven that they work. By addressing the underlying societal issues, these courts have been shown to reduce costs associated with crime and recidivism to state and local governments.<sup>2</sup>

The time has come to integrate these proven approaches throughout all of the State courts. Not only will this integration ensure the benefits of these innovations to all New Yorkers, it will also produce efficiencies of scale. In fact, there are the demonstrable fiscal savings from such programs as the Integrated Domestic Violence Court, which allow all related family, criminal, and matrimonial matters to be heard in a single court by a single Judge, rather than by three or more Judges in three or more courts.

### **OTHER PRIORITIES**

The proposed Judiciary budget also provides funding for the continuation of a number of other priorities. Key among these are the following.

### **ACCESS TO JUSTICE**

The Unified Court System has developed a statewide strategy to improve access to justice. Access efforts reflect a wide range of actions and initiatives ranging from enlarging jury pools to providing assistance to self-represented litigants. Access also means making sure that people receive fair and equal treatment by the justice system regardless of their economic status. Too often those with limited resources do not have access to the justice system. Thus the court system remains committed to providing services at convenient times in the community, with satellite courts, night court parts to meet the needs of working families, expanded mediation and alternative dispute resolution programs, and services to self-represented litigants within the courthouses. The court system has also created an Access to Justice Center to concentrate on promoting ideas to improve the delivery of services and on identifying permanent funding sources, programs and legislation that will ensure meaningful access to justice for all civil litigants. The Center, which is overseen by an Access to Justice Board, also serves as a clearinghouse for civil legal services issues.

Another major challenge that is thwarting access to justice is the extremely low fees paid to assigned counsel who provide criminal legal representation to the poor. New York's current hourly rates to court-appointed attorneys are among the lowest in the nation. The court system has offered a proposal to raise those rates that recognizes both the critical importance of adequate compensation for criminal legal representation and the state's fiscal climate. The court system will continue to work closely with the Governor and legislative leaders to find a feasible fiscal solution that will ensure appropriate rates and the means to implement them.

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<sup>2</sup> In October 2002, another type of problem-solving court—a Mental Health Court, the first of its kind in New York State—opened in Brooklyn. The Brooklyn Mental Health Court targets cases of non-violent defendants with serious mental illness, and helps link these defendants to long-term treatment as an alternative to incarceration in both misdemeanor and low-level felony cases. The goal of the Brooklyn Mental Health Court is to use the authority of the court to link mentally ill offenders to treatment, stabilize their illness and prevent their return to the criminal justice system. Designed by the Center for Court Innovation, the Brooklyn Mental Health Court is a joint project of the Unified Court System, New York State Department of Mental Health, the NYC Department of Mental Health, Kings County District Attorney's Office, and the Legal Aid Society.

Several more such Mental Health Court projects are planned in other jurisdictions. The rate at which they will be developed depends in part on the availability of grant funds. The Brooklyn court and six other jurisdictions, County Courts in Schenectady, Monroe and Nassau counties, the Suffolk District Court, the Buffalo City Court and the Bronx Treatment Court, part of the NYC Criminal Court, have applied for Federal mental health court grants through the Bureau of Justice Assistance.

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Community education and outreach is also a central component of the Judiciary's access to justice efforts. Outreach to the public has involved a variety of programs and educational efforts, including a Public Affairs website that features information about the courts' community initiatives, court system publications, and educational pages directed toward students of all grade levels. The statewide strategy for eliminating barriers to justice in New York has also been bolstered by publication of Justiceworks, a brochure which outlines the various resources and services available to court users.

### **CIVIL JUSTICE**

The Comprehensive Civil Justice Plan was initiated to move civil cases through the system more efficiently by means of more active court management of cases. This program has been instrumental in reducing the pending inventory of trial-ready cases to the lowest level in many years. Efforts continue on greater attention on pre-trial ready cases, ensuring that case milestones are met in a timely fashion, thus readying the cases for trial. The program features technological innovations, including pilot locations for the electronic filing of court papers.

Specialized parts for specific case types have proven successful, including commercial parts, matrimonial parts, motor vehicle parts, and City parts for cases in which New York City is a defendant. The use of specialized parts will continue, with appropriate support. In matrimonial parts, for example, the addition of social workers to assist families in addressing related custody and visitation disputes has improved the quality and the timeliness of the case resolution. For commercial cases, the Commercial Division operates in Albany, New York, Erie, Monroe, Nassau, Suffolk and Westchester County Supreme Courts.

### **COURT TECHNOLOGY**

Technology continues to play a central role in allowing the Judiciary to deal effectively with its high-volume caseloads and in improving public access to court information. The Statewide intranet (CourtNet) provides the technology and applications that support automated case management capability and internal communications through e-mail and video-conferencing. The court system has also made important strides in facilitating access by the public to case and court system information. The Unified Court System is also expanding the availability of courtroom technology enhancements including realtime transcription, courtroom access to computerized case information and technology to provide animated evidentiary presentations.

The court system's automation program incorporates a number of multi-year projects to upgrade and modernize centralized computer operations. This budget request reflects ongoing funding for these projects and seeks new COPS funding authorization to finance automation equipment replacements and upgrades to ensure the reliability and efficiency of operations statewide. Among the critical automation services that will be maintained through the resources proposed in this budget are the maintenance of CourtNet, the court system's mission critical statewide intranet system; continued development of the court system's Universal Case Management System to replace existing automated case processing applications; ongoing replacement of desktop and laptop computers and file servers; expansion of remote access to CourtNet for the 2,300 Town and Village Courts; and specialized applications and technology for drug treatment courts, domestic violence courts and community courts. Replacement of the antiquated and inoperable NYC court telephone system with modern equipment and systems is also a high priority, especially in light of the communication systems disruption caused by the last year's terrorist attack. To reduce security risks, additional equipment is also being acquired to provide the NYC Criminal Courts with timesaving video arraignment capabilities, including central office connections for video technology and equipment set-ups for criminal courtrooms and appearance rooms at courthouses throughout NYC.

As part of the court system's automation program, efforts are now underway to streamline and improve human resource information applications and processes. The budget request



continues funding for the human resource and timekeeping applications that were recommended as part of the recently completed comprehensive human resource business process analysis. The uniform automated timekeeping system, now in the design phase, will streamline payroll and personnel time and leave functions. Funding will also support work to design and implement new automated systems to support various other personnel functions including position management, employee histories, leave management and regulatory records requirements. Automation of these personnel activities is scheduled to be undertaken in the coming fiscal year.

The court system provides extensive, detailed case information to attorneys, the press, and the public on its internet site ([www.courts.state.ny.us](http://www.courts.state.ny.us)) free of charge and will continue to do so. As a revenue enhancement measure, the Unified Court System also provides certain electronically-generated information on a fee-for-service basis. The E-subscription services have been established to provide value-added services for which the UCS charges a small fee. These value-added services include: e-mail notification of change to case information; the Case Watch service; attorney-only secure e-mail services; wireless device services; and individualized case calendars for subscribers. At a later stage, the E-subscription service will be expanded to include other items such as a case management system for the small practitioner.

### ***DIVERSITY PROGRAMS***

Important diversity initiatives will continue in the coming fiscal year and are included in the Judiciary's budget request. The court system will continue its year-long fellowships to law school graduates interested in pursuing careers in court system public service. The court system also plans to create a Legal Education Opportunity Program to enhance the diversity of the New York State Bar. The Legal Education Opportunity program would be modeled upon similar programs that have been created in other States, most notably Indiana University's "Conference on Legal Education Opportunity" (CLEO) program which is aimed at increasing the number of minority, low-income and disadvantaged students who attend the law school in the State.

### ***TOWN AND VILLAGE COURTS***

The Justice Court Assistance Program, enacted by the Legislature during the 1999 session, provides financial assistance for various purposes, including automation, training for judges and court staff, purchasing of legal reference materials, and improvement of court facilities. Magistrates Associations, which represent town and village justices, also may apply for funds to be used toward judicial training programs. In the current fiscal year, the Unified Court System will disburse \$500,000 in grants to these local courts across the state. Funding for grants will be capped at a maximum of \$20,000 for any one court or association. The grants being made available under the program will supplement local funding to address specific needs, such as automation and training of court personnel. This initiative is intended to increase the efficiency of Town and Village Court operations and enhance the administration of justice on a local level. The proposed budget for the Judiciary continues funding for this program of grant assistance at the current year level.

### ***CRIMINAL DISPOSITION RECONCILIATION PROJECT***

The court system has been working with the Division of Criminal Justice Services to resolve the long-standing problem of unmatched criminal cases and dispositions. The court system maintains an automated Criminal Record and Information System to record reportable criminal activities. The system receives automated arrest information from and provides disposition information to the Division of Criminal Justice Services (DCJS). The Town and Village Courts submit disposition information directly to DCJS. The Criminal History Intensive Reconciliation Project is a comprehensive effort undertaken by the Unified Court System in conjunction with the Division of Criminal Justice Services to reconcile more

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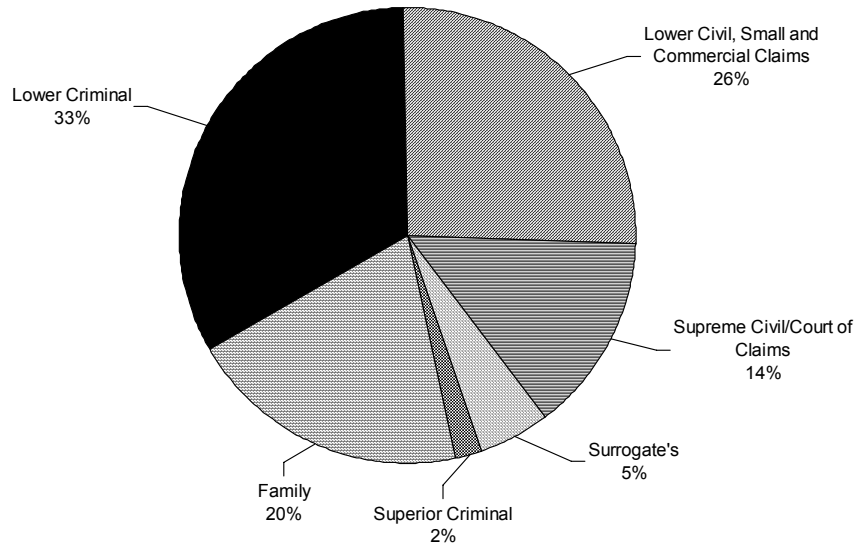
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than 1,000,000 open arrests. Substantial progress has been made in reducing the number of open arrests since this joint project began and this budget continues funding to ensure that this progress continues.

### **COURT SYSTEM WORKLOAD**

The court system is handling record level caseloads. In 2001, there were 3,414,712, new cases filed in the trial courts of the Unified Court System, excluding traffic and parking cases, an increase of over 700,000 filings, or 26.3 percent, since 1993.

**Trial Court Filings  
by Case Type - 2001**



Filings and dispositions in 2001, by case type, were as follows:

### **Criminal Cases**

#### **Criminal Term of Supreme and County Courts**

- Filings - 52,500
- Dispositions - 54,964

#### **Criminal Court of the City of New York**

- Filings (arrest cases) - 338,442
- Dispositions (arrest cases) - 345,234
- Filings (summons cases) - 530,823
- Dispositions (summons cases) - 422,996

#### **City and District Courts Outside New York City**

- Filings - 283,482
- Dispositions - 275,620

**Civil Cases**

**Civil Term of Supreme Court**

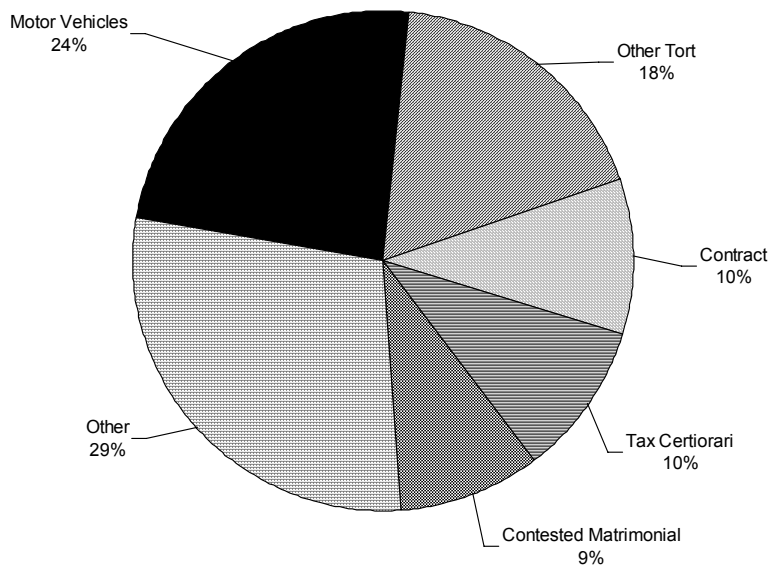
Civil Actions

- Filings - 407,097
- Dispositions - 439,310

Small Claims Assessment Review Program (SCAR)

- Filings - 49,257
- Dispositions - 50,057

**Supreme Civil New Case Filings  
by Case Type - 2001**



**Civil Court of the City of New York**

Civil Actions

- Filings - 247,547
- Dispositions - 128,372

Small Claims/Commercial Claims

- Filings - 46,978
- Dispositions - 49,652

Housing Court

- Filings - 334,488
- Dispositions - 292,234

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## City and District Courts Outside New York City

### Civil Actions

- Filings - 118,126
- Dispositions - 102,821

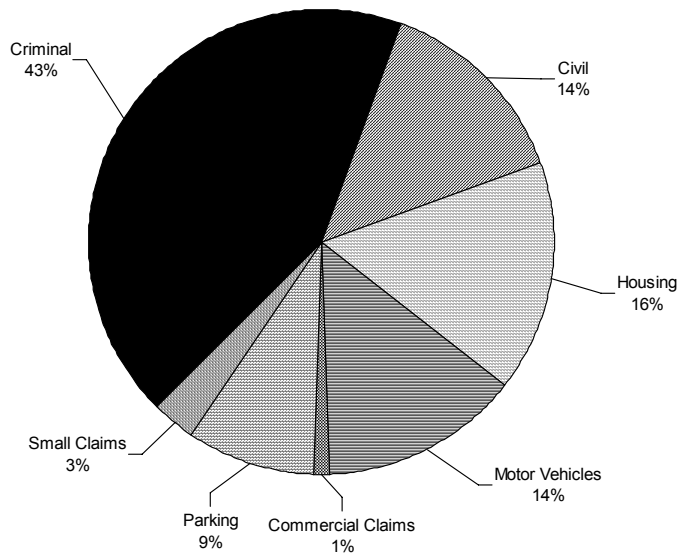
### Small Claims/Commercial Claims

- Filings - 51,571
- Dispositions - 51,938

### Landlord/Tenant

- Filings - 79,370
- Dispositions - 77,402

City and District Court Filings  
by Case Type - 2001



## County Courts

- Filings - 26,565
- Dispositions - 27,117

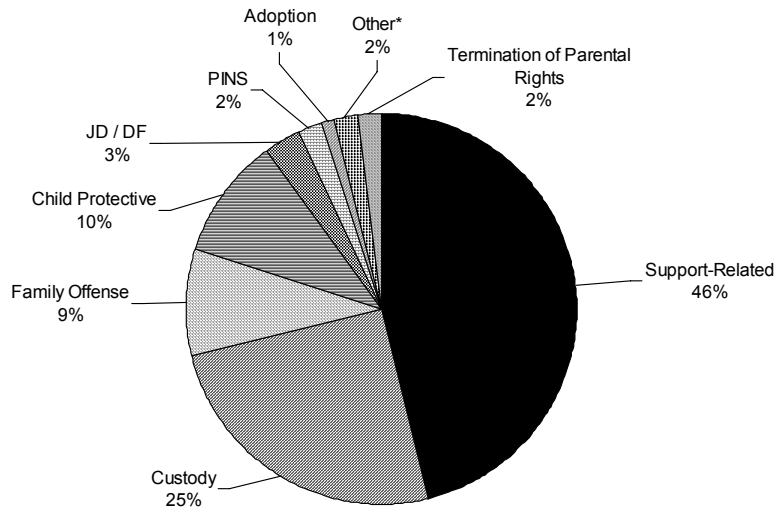
## Court of Claims

- Filings - 1,910
- Dispositions - 2,331

## Arbitration Program

- Filings - 18,721
- Dispositions - 17,750

## Family Court Filings by Case Type - 2001



\* Includes Guardianship, Foster Care, Physically Handicapped, Consent to Marry and Other

### Family Courts

- Filings - 683,390
- Dispositions - 681,414

### Surrogate's Courts

- Filings - 163,166
- Dispositions - 124,858

### **2003-04 JUDICIARY BUDGET REQUEST**

The budget request for the Judiciary General Fund Court and Agency Operations for fiscal year 2003-2004 is \$1.35 billion, a 1.9 percent increase over the current year. The State Funds Court and Agency portion of the request, including the General Fund as well as Special Revenue Funds, is \$1.41 billion, a 1.5 percent increase over the current year fiscal appropriation of \$1.39 billion.

This budget level includes full funding for all authorized judicial positions and funding for nonjudicial positions at the fill level anticipated at the close of the current fiscal year. The personal service request also includes funding for salary increments for eligible nonjudicial employees pursuant to statute. Adjustments are also reflected for certificated justices and staff changes and annualization of costs for security and drug treatment court positions that were partially funded in the current year. In nonpersonal service, funds provide for jury per diem payments consistent with projected workload levels; legal reference materials and electronic research services at contractually agreed to rates; contractual security services with increases related to collective bargaining agreements for locally provided security; judicial hearing officer support, and other requisite per diem payments for trial-related services; finance payments for prior year COPS financing programs; and other necessary support for basic costs such as office supplies, telephones, space and equipment rentals associated with the day-to-day operations of the courts and court-related agencies. Judicial education and training programs for court administrators and employees are also continued to improve the quality of justice.

#### **ANALYSIS OF CHANGE**

The Judiciary's 2003-04 Court and Agency Operations - General Fund budget increase totals \$25.6 million. The major components of the General Fund Operations change include:

- \$18.5 million for salary increments for eligible nonjudicial employees in accordance with collective bargaining contracts and administrative provision.
- \$2.9 million for the annualization of nonjudicial security positions approved for the current year.
- \$2.7 million for certificated justices and staff on 1/1/2003 and 1/1/2004 — a net increase of 16 justices pursuant to section 115 of the Judiciary Law.
- \$1.5 million for new city court judges and staff pursuant to Chapter 584 of the laws of 2001.
- \$1.0 million for temporary service primarily for the Drug Court Program.
- \$3.9 million for overtime expenses related to post 9/11 enhanced security measures (reflects savings of \$17 million over immediate post 9/11 levels).
- \$-8.6 million in personal service savings attributable to a combination of vacancy control and the retirement incentive program.
- \$2.1 million for the annualization of contractual security enhancements approved in the current year and for collective bargaining changes that will take effect in the coming year.
- \$.7 million for costs associated with Drug Treatment Court Program funding for both personnel and contractual services.
- \$1.1 million for Law Guardian Program increases for Legal Aid contracts to address increases in law guardian assignments and contractual obligations.
- \$3.0 million attributable to the transfer of Information Technology funding to the General Fund from the Judicial Data Processing Offset Fund.
- \$.5 million for jury initiatives (inclusion of return postage for New York City).
- \$.9 million for increases in postal rates.
- \$.3 million for increases in Alternate Dispute Resolution contracts.
- \$1.1 million for legal reference (automation and print).

- \$.4 million for the establishment of a Community Court in Queens.
- \$.5 million for education and training initiatives.
- \$-2.2 million reduction in financing costs.
- \$-4.7 million reduction in all general nonpersonal service categories.

***THE JUDICIARY BUDGET - 2003-2004***

The following is a Summary of the 2003-2004 fiscal requirements of the Judiciary including the legislative appropriation bill and financial plan in support of the budget proposals.



**UNIFIED COURT SYSTEM  
2003-04 BUDGET REQUEST  
ALL FUNDS APPROPRIATION REQUIREMENTS  
MAJOR PURPOSE/FUND SUMMARY  
(dollars)**

<b>Category/Fund/Major Purpose</b>	<b>2002-2003 Available</b>	<b>2003-2004 Requested</b>	<b>Change</b>
<b><u>Court and Agency Operations:</u></b>			
Courts of Original Jurisdiction	1,149,142,857	1,172,988,503	23,845,646
Court of Appeals	13,138,335	13,251,535	113,200
Appellate Court Operations	57,900,473	59,639,726	1,739,253
Appellate Auxiliary Operations	75,709,920	77,111,845	1,401,925
Administration and General Support	18,917,467	19,330,009	412,542
Judiciary Wide Maintenance Undistributed	10,768,231	8,895,227	(1,873,004)
<b>Court and Agency Operations – General Fund – Total</b>	<b>1,325,577,283</b>	<b>1,351,216,845</b>	<b>25,639,562</b>
<b><u>Special Revenue Fund-Federal</u></b>			
Miscellaneous Federal Grants	4,000,000	6,500,000	2,500,000
<b><u>Special Revenue Fund-Other</u></b>			
New York City County Clerks Offset Fund	17,778,921	18,476,447	697,526
Data Processing Offset Fund	15,817,362	12,933,484	(2,883,878)
Miscellaneous Special Revenue Grants	6,250,000	3,000,000	(3,250,000)
Attorney Licensing Fund	18,870,575	19,785,734	915,159
Court Facilities Incentive Aid Fund	2,420,203	2,183,275	(236,928)
<b>Court and Agency – All Funds – Total</b>	<b>1,390,714,344</b>	<b>1,414,095,785</b>	<b>23,381,441</b>
<b><u>General State Charges</u></b>			
General Fund	244,698,811	281,887,527	37,188,716
Lawyer's Fund-Client Protection	98,000	98,000	0
Attorney Licensing Fund	2,410,054	2,776,382	366,328
Court Facilities Incentive Aid Fund	247,764	285,424	37,660
Data Processing Offset Fund	2,072,195	2,387,169	314,974
New York City County Clerks Offset Fund	2,950,625	3,399,120	448,495
<b>General State Charges – All Funds – Total</b>	<b>252,477,449</b>	<b>290,833,622</b>	<b>38,356,173</b>
<b><u>Lawyer's Fund-Client Protection</u></b>			
Lawyer's Fund Client Protection	9,770,949	9,776,788	5,839
<b>Lawyer's Fund – All Funds – Total</b>	<b>9,770,949</b>	<b>9,776,788</b>	<b>5,839</b>
<b><u>Aid to Localities</u></b>			
General Fund-Courts of Original Jurisdiction	500,000	500,000	0
Court Facilities Incentive Aid Fund	84,779,000	87,095,749	2,316,749
<b>Aid to Localities – All Funds – Total</b>	<b>85,279,000</b>	<b>87,595,749</b>	<b>2,316,749</b>

# JUDICIARY

**UNIFIED COURT SYSTEM  
2003-04 BUDGET REQUEST  
ALL FUNDS APPROPRIATION REQUIREMENTS  
(FUND DETAIL)  
(dollars)**

Category/Fund/Major Purpose	2002-2003 Available	2003-2004 Requested	Change
<b><u>Court and Agency Operations:</u></b>			
<b>Courts of Original Jurisdiction</b>			
General Fund	1,149,142,857	1,172,988,503	23,845,646
Special Revenue Funds	44,383,630	41,442,098	(2,941,532)
<b>Total – All Funds</b>	<b>1,193,526,487</b>	<b>1,214,430,601</b>	<b>20,904,114</b>
<b>Court of Appeals</b>			
General Fund	13,138,335	13,251,535	113,200
Special Revenue Funds	0	0	0
<b>Total – All Funds</b>	<b>13,138,335</b>	<b>13,251,535</b>	<b>113,200</b>
<b>Appellate Court Operations</b>			
General Fund	57,900,473	59,639,726	1,739,253
Special Revenue Funds	0	0	0
<b>Total – All Funds</b>	<b>57,900,473</b>	<b>59,639,726</b>	<b>1,739,253</b>
<b>Appellate Auxiliary Operations</b>			
General Fund	75,709,920	77,111,845	1,401,925
Special Revenue Funds	16,482,737	17,351,094	868,357
<b>Total – All Funds</b>	<b>92,192,657</b>	<b>94,462,939</b>	<b>2,270,282</b>
<b>Administration and General Support</b>			
General Fund	18,917,467	19,330,009	412,542
Special Revenue Funds	2,954,224	2,698,798	(255,426)
<b>Total – All Funds</b>	<b>21,871,691</b>	<b>22,028,807</b>	<b>157,116</b>
<b>Judiciary Wide Maintenance Undistributed</b>			
General Fund	10,768,231	8,895,227	(1,873,004)
Special Revenue Funds	1,316,470	1,386,950	70,480
<b>Total – All Funds</b>	<b>12,084,701</b>	<b>10,282,177</b>	<b>(1,802,524)</b>
<b>Court and Agency Operations – Total</b>			
General Fund	1,325,577,283	1,351,216,845	25,639,562
Special Revenue Funds	65,137,061	62,878,940	(2,258,121)
<b>Total – All Funds</b>	<b>1,390,714,344</b>	<b>1,414,095,785</b>	<b>23,381,441</b>
<b><u>General State Charges</u></b>			
<b><u>Employee Fringe Benefits</u></b>			
General Fund	244,698,811	281,887,527	37,188,716
Special Revenue Funds	7,778,638	8,946,095	1,167,457
<b>Total – All Funds</b>	<b>252,477,449</b>	<b>290,833,622</b>	<b>38,356,173</b>
<b><u>Lawyer's Fund for Client Protection</u></b>			
General Fund	0	0	0
Special Revenue Funds	9,770,949	9,776,788	5,839
<b>Total – All Funds</b>	<b>9,770,949</b>	<b>9,776,788</b>	<b>5,839</b>
<b><u>Aid to Localities</u></b>			
General Funds	500,000	500,000	0
Special Revenue Funds	84,779,000	87,095,749	2,316,749
<b>Total – All Funds</b>	<b>85,279,000</b>	<b>87,595,749</b>	<b>2,316,749</b>

**UNIFIED COURT SYSTEM  
2003-04 BUDGET REQUEST  
ALL FUNDS DISBURSEMENT REQUIREMENTS  
(millions of dollars)**

<b>Category / Fund</b>	<b>2002-2003 Projected</b>	<b>2003-2004 Projected</b>	<b>Change</b>
<b><u>Court and Agency Operations:</u></b>			
<i>General Fund</i>	1,314.5	1,338.3	23.8
<b><i>Special Revenue Funds-Federal</i></b>			
Miscellaneous Federal Grants	3.4	4.2	0.8
<b><i>Special Revenue Funds-Other</i></b>			
NYC County Clerks' Operations Offset Fund	17.2	17.9	0.7
Judiciary Data Processing Offset Fund	13.2	13.3	0.1
Miscellaneous Special Revenue	20.6	20.9	0.3
Court Facilities Incentive Aid Fund	2.0	2.0	0.0
<b><i>Court and Agency Operations – All Funds Total</i></b>	<b>1,371.0</b>	<b>1,396.6</b>	<b>25.6</b>
<b><u>General State Charges</u></b>			
General Fund	252.8	281.6	28.7
Lawyers' Fund for Client Protection	0.1	0.1	0.0
Miscellaneous Special Revenue	2.4	2.8	0.4
Court Facilities Incentive Aid Fund	0.5	0.5	0.0
Judiciary Data Processing Offset Fund	0.0	0.0	0.0
NYC County Clerks' Operations Offset Fund	2.6	3.0	0.4
<b><i>General State Charges – All Funds Total</i></b>	<b>258.3</b>	<b>287.9</b>	<b>29.5</b>
<b><u>Lawyers' Fund for Client Protection</u></b>			
Lawyers' Fund for Client Protection	10.2	9.5	(0.6)
<b><i>Lawyers' Fund for Client Protection – Total</i></b>	<b>10.2</b>	<b>9.5</b>	<b>(0.6)</b>
<b><u>Aid to Localities</u></b>			
General Fund - Courts of Original Jurisdiction	0.6	0.5	(0.1)
Court Facilities Incentive Aid Fund	87.7	93.9	6.2
<b><i>Aid to Localities – All Funds Total</i></b>	<b>88.3</b>	<b>94.4</b>	<b>6.1</b>
<b><u>Capital Projects</u></b>			
Courthouse Improvements	18.6	18.6	0.0
<b><i>Capital Construction – All Funds Total</i></b>	<b>18.6</b>	<b>18.6</b>	<b>0.0</b>