

THE JUDICIARY
OVERVIEW

The recommendation of \$348 million presented in this budget includes continuation funding for the courts and their operations. Pursuant to P.L. 1993, c. 275, the State became responsible for certain county court costs on January 1, 1995 and provided for a phase-in of State funding of court unification through a schedule of county reimbursements in calendar years 1995, 1996 and 1997. It is anticipated that \$119.3 million of county reimbursements will be forwarded to the State in fiscal year 1997.

Fiscal 1997 marks the second full year of court unification and the Judiciary is continuing its efforts to consolidate activities by streamlining court operations within available funding. The State and trial court operations budget includes funding for 410 of the 425 judgeships and 8,780 support and administrative personnel from all fund sources. State salary funding of \$117.1 million, exclusive of \$48.3 million in judges' salaries, supports 7,287 administrative and trial court support personnel and probation services.

The Judiciary is the fourth largest State agency in terms of resources and the second largest employer of State employees in New Jersey. The State funds all judges salaries with exception of Municipal Court judges. Pursuant to P. L. 1995, c. 424, the Judiciary has assumed \$6.2 million of salary increases for 410 judgeships within its funding base. In addition, the fiscal 1997 budget includes \$5.3 million of savings in State salaries due to federal reimbursement of certain allowable child support enforcement related activities performed by State funded employees.

SUMMARY OF APPROPRIATIONS BY PROGRAM
(thousands of dollars)

Year Ending June 30, 1995					Year Ending June 30, 1997			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended		1996 Adjusted Approp.	Requested	Recommended
					Judicial Services			
3,571	129	-41	3,659	3,501	Supreme Court	3,661	3,661	3,661
11,412	108	967	12,487	12,248	Superior Court-Appellate Division	12,618	12,618	12,618
25,891	5,380	21,134	52,405	49,267	Civil Courts	71,961	71,574	71,574
14,684	383	23,123	38,190	37,113	Criminal Courts	62,380	61,064	61,064
11,394	317	23,709	35,420	34,070	Family Courts	61,373	59,594	59,594
884	61	-41	904	861	Municipal Courts	866	866	866
8,760	917	39,818	49,495	46,599	Probation Services	89,124	84,243	84,243
8,819	178	339	9,336	9,105	Court Reporting	5,586	5,772	5,772
1,033	69	123	1,225	1,116	Legal and Professional Services	1,156	1,138	1,138
10,292	165	2,380	12,837	12,387	Information Services	11,875	11,875	11,875
2,361	165	17,378	19,904	17,943	Field Operations	30,393	29,047	29,047
4,915	515	2,022	7,452	6,872	Management and Administration	6,565	6,565	6,565
104,016	8,387	130,911	243,314	231,082	Total Appropriation	357,558	348,017	348,017

10. PUBLIC SAFETY AND CRIMINAL JUSTICE 15. JUDICIAL SERVICES

OBJECTIVES

1. To determine in a fair and expeditious manner the cases of all kinds which are brought to court.
2. To assist the Chief Justice of the Supreme Court in carrying out the constitutional responsibility vested in that office as the administrative head of the entire New Jersey court system.
3. To provide the services and direct support necessary for the effective operation of the Judicial system throughout the State.

PROGRAM CLASSIFICATIONS

01. **Supreme Court.** The State Supreme Court consists of the Chief Justice and six Associate Justices, appointed by the Governor with the advice and consent of the Senate, and is the State court of final appeal. Pursuant to Article VI, Section V of the New Jersey Constitution, appeals may be taken to the Supreme Court in causes determined by the Appellate Division of the Superior Court involving a question arising under the Constitution of the United States or of this State; in causes in which there is a dissent in the Appellate Division of the Superior Court; in capital causes; on certification by the Supreme Court itself to the Superior Court and, where provided by rules of the Supreme Court, to the inferior courts; and in such other causes as may be provided by law.

Pursuant to Article VI, Section II of the Constitution, the Supreme Court makes rules governing the administration of the courts in the State. The Supreme Court also administers programs that are wholly or partially reimbursable by special fees, such as the New Jersey Lawyers' Fund for Client Protection, Attorney Discipline, Trial Attorney Certification and the Bar Admissions Financial Committee.

02. **Superior Court, Appellate Division.** The Superior Court, pursuant to Article VI, Section III of the Constitution, includes an Appellate Division. The Appellate Division hears appeals from the Law and Chancery Divisions of the Superior Court, the Tax Court, and State administrative agencies.
03. **Civil Courts.** The Civil Courts include the Civil Part of the Law Division of Superior Court, the General Equity Part of the Chancery Division, and the Tax Court.

The Tax Court is a special category within Civil Courts. Pursuant to N.J.S.A. 2A:4A, it has jurisdiction to hear tax appeals of taxpayers and taxing districts with regard to assessment, railroad assessments levied by the State, sales taxes, franchise taxes, gross receipts and all other taxes levied by the State. The Court also hears appeals on homestead rebate denials issued by the Director of the Division of Taxation and appeals by taxing districts from both the

equalization tables promulgated by the Director of the Division of Taxation for the distribution of school aid and the equalization tables promulgated by the various counties for the purpose of distributing costs of county government.

04. **Criminal Courts.** The Criminal Part of the Law Division of the Superior Court hears and determines all serious criminal cases following grand jury indictment. It also hears appeals from Municipal Courts.
05. **Family Courts.** The Family Courts hear and determine all causes involving the family including those causes previously heard by the Matrimonial Part of the Superior Court and the Juvenile and Domestic Relations Courts.
06. **Municipal Courts.** The municipal courts are funded directly by the municipalities, but the State supports a unit within the Administrative Office of the Courts to train municipal court judges and clerks, promulgate manuals of procedures, collect data on municipal court operations, conduct studies for the improvement of municipal courts, works with other State agencies on matters involving the municipal courts, and also administers the Automated Traffic System, a program which is wholly reimbursable by special fees.
07. **Probation Services.** Probation Services supervises probation operations statewide, establishes and monitors standards, conducts research and field review of probation programs, coordinates community services programs and operates the Intensive Supervision Program. Additionally, it oversees both the collections of all court imposed financial obligations and the Child Support Enforcement operations statewide.
08. **Court Reporting.** Court proceedings are recorded verbatim either by court reporters or by sound recordings, as provided by Supreme Court rules.
09. **Legal and Professional Services.** The Supreme Court, pursuant to Article VI, Section II of the Constitution, is responsible for practice and procedure in the courts of New Jersey. The support to fulfill this function includes judicial conduct, continuing education of judges and staff, rules development, and legal research.
10. **Information Services.** The Administrative Office of the Courts is responsible for the collection and maintenance of data on court operations, including statistical analysis and reporting, records management, and management information systems.
11. **Field Operations.** The State provides direct services to trial courts around the State. These services include trial court administrative offices and technical services in systems analysis, jury management, libraries, and others.
12. **Management and Administration.** Provides overhead services in such areas as budgeting and accounting, purchasing, property maintenance, and personnel.

EVALUATION DATA

	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
PROGRAM DATA				
Supreme Court				
Court Year--July 1 to June 30				
Appeals				
Added	219	212	225	230
Disposed	223	206	225	230
Pending June 30	129	135	135	135
Certifications added	1,296	1,408	1,450	1,475
Motions added	1,651	1,630	1,700	1,750
Disciplinary proceedings added	191	226	180	185
Superior Court--Appellate Division				
Appeals				
Added	7,129	7,301	8,100	7,800
Disposed	7,043	7,433	8,100	7,600
Pending June 30	6,313	7,307	7,307	7,507
Motions added	7,439	8,091	8,500	8,900
Civil Courts				
Civil Cases				
Added	136,044	130,147	127,544	124,993
Disposed	142,236	141,843	143,110	143,110
Pending June 30	176,604	165,950	150,384	132,267
Average time to disposition (months)	14.9	14.0	12.6	11.1
Special Civil Component				
Added	416,820	430,834	430,834	430,834
Disposed	416,878	433,607	433,607	433,607
Pending June 30	40,349	32,578	29,805	27,032
Average time to disposition (months)	1.2	.9	.8	.7
General Equity				
Added	6,636	6,122	5,877	5,642
Disposed	6,851	7,038	7,101	7,101
Pending June 30	3,536	3,619	2,395	936
Average time to disposition (months)	6.2	6.2	4.0	1.6
Automobile Arbitration				
Cases scheduled	56,006	53,075	53,075	53,075
Cases removed	4,066	2,777	2,777	2,777
Cases settled prior to hearing	5,789	6,614	6,614	6,614
Cases arbitrated	20,921	20,125	20,125	20,125
Trial de novo requests	13,847	12,684	12,684	12,684
Trials de novo completed	175	154	154	154
Personal Injury Arbitration				
Cases scheduled	19,575	18,641	18,641	18,641
Cases removed	1,451	1,275	1,275	1,275
Cases settled prior to hearing	1,850	1,877	1,877	1,877
Cases arbitrated	6,880	6,776	6,776	6,776
Trial de novo requests	4,697	4,468	4,468	4,468
Trials de novo completed	120	171	171	171
Tax Court				
Local & State Appeals				
Added	15,223	12,741	13,000	13,000
Closed	11,697	17,402	15,000	16,000
Pending June 30	21,411	16,750	15,000	14,000

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	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
Criminal Courts				
Criminal Cases				
Added	47,228	46,652	46,652	46,652
Disposed	48,522	48,986	49,507	49,057
Pending June 30	16,025	14,845	13,418	11,990
Average time to disposition (months)	4.0	3.6	3.3	2.9
Public Defender Eligibility Review				
Applications	64,715	62,857	63,485	64,120
Applications approved for representation	58,890	56,571	57,136	57,708
Family Courts				
Dissolution				
Added	54,137	54,525	55,616	56,728
Disposed	53,192	53,828	55,616	55,616
Pending June 30	21,405	22,296	22,296	23,408
Average time to disposition (months)	4.8	5.0	4.8	5.1
Juvenile Delinquency				
Added	91,275	102,582	103,608	104,644
Disposed	90,619	101,575	102,591	103,617
Pending June 30	14,258	16,583	17,600	18,627
Average time to disposition (months)	1.9	2.0	2.1	2.2
Non-Dissolution				
Added	125,356	143,005	157,306	173,037
Disposed	126,971	140,243	154,268	169,695
Pending June 30	9,318	13,313	16,351	19,693
Average time to disposition (months)9	1.1	1.3	1.4
Domestic Violence				
Added	55,639	63,465	69,812	76,793
Disposed	55,180	62,488	68,737	75,611
Pending June 30	2,671	3,553	4,628	5,810
Average time to disposition (months)6	.7	.8	.9
Other Family - Abuse/Negligence Complaints				
Added	3,322	2,866	3,009	6,018
Disposed	2,937	2,562	2,690	5,380
Pending June 30	964	1,419	1,738	2,377
Average time to disposition (months)	3.9	6.6	7.8	5.3
Other Family - Adoption Complaints				
Added	2,158	2,047	2,129	2,214
Disposed	2,161	2,059	2,141	2,227
Pending June 30	532	519	507	494
Average time to disposition (months)	3.0	3.0	2.8	2.7
Other Family - Child Placement Review				
Added	4,089	4,378	4,378	4,378
Disposed	4,096	4,083	4,083	4,083
Pending June 30	8,171	8,438	8,733	9,028
Average time to disposition (months)	23.9	24.8	25.7	26.5
Other Family - Juvenile/Family Crisis Petition				
Added	2,013	1,912	1,988	2,068
Disposed	1,922	1,928	2,005	2,085
Pending June 30	227	210	193	176
Average time to disposition (months)	1.4	1.3	1.2	1.0
Other Family - Termination of Parental Rights Complaints				
Added	409	519	519	519
Disposed	362	516	516	516
Pending June 30	298	319	322	325
Average time to disposition (months)	9.9	7.4	7.5	7.6

	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
Other Family - Other				
Added	9,869	12,185	13,404	14,744
Disposed	9,677	11,635	12,799	14,078
Pending June 30	1,600	2,164	2,769	3,435
Average time to disposition (months)	2.0	2.2	2.6	2.9
Volunteer Services				
Number of Volunteers	3,842	6,000	6,300	6,500
Number of Volunteer Hours Served	254,329	360,000	378,000	390,000
Municipal Courts				
Non-Traffic Violations				
Indictables	193,430	185,211	179,284	173,009
Disorderly Person	315,729	310,313	299,762	293,167
Other Non-Traffic	160,156	151,172	159,340	159,818
Traffic Violations				
Drunk Driving	37,833	39,283	37,830	37,834
Moving Violations	1,971,330	2,175,989	2,229,301	2,374,763
Parking	2,822,945	2,810,455	2,653,070	2,594,702
Probation Services				
Adults Under Supervision	85,690	84,689	85,705	86,734
Juveniles Under Supervision	13,369	13,890	14,182	14,479
Intensive Supervision Program				
Applications	2,905	3,529	3,908	3,908
Assessment Reports	865	990	1,130	1,130
Resentencing Panel Hearings	1,986	2,149	2,550	2,550
Participants	678	768	850	850
Revocations	207	238	243	243
Child Support & Paternity - Title IV-D				
Child Support Hearings	100,526	113,388	116,000	120,000
Collections	\$493,000,000	\$545,881,647	\$585,000,000	\$630,000,000
Checks Distributed	3,600,000	3,700,000	3,900,000	4,000,000
PERSONNEL DATA (a)				
Affirmative Action Data				
Male Minority	75	471	447	447
Male Minority %	5.9	5.2	5.0	5.0
Female Minority	224	2,029	2,016	2,016
Female Minority %	18.0	22.4	22.6	23.0
Total Minority	299	2,500	2,463	2,463
Total Minority %	23.5	27.5	27.6	28.0
Position Data				
Filled Positions by Funding Source				
State Supported	1,480	7,932	7,817	7,697
Federal	64	1,163	1,203	1,326
All Other	103	118	140	167
Total Positions	1,647	9,213	9,160	9,190
Filled Positions by Program Class				
Supreme Court	132	136	160	166
Superior Court-Appellate Division	209	215	221	217
Civil Courts	366	1,895	1,903	1,881
Criminal Courts	160	1,611	1,596	1,585
Family Courts	164	1,692	1,667	1,744
Municipal Courts	39	52	47	59
Probation Services	131	2,594	2,581	2,782
Court Reporting	157	152	149	87

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	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
Legal and Professional Services	20	20	20	20
Information Services	132	134	132	128
Field Operations	36	596	558	412
Management and Administration	101	116	126	109
Total Positions	1,647	9,213	9,160	9,190

Notes: Actual fiscal year 1994 and 1995 and Revised fiscal year 1996 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1997 reflects the number of positions funded.

(a) Actual fiscal year 1994 personnel data represents the State Judiciary prior to the State assumption of the county courts.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1995					Year Ending June 30, 1997				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recom- mended	
Distribution by Program									
3,571	129	-41	3,659	3,501	01	3,661	3,661	3,661	
11,412	108	967	12,487	12,248	02	12,618	12,618	12,618	
25,891	5,380	21,134	52,405	49,267	03	71,961	71,574	71,574	
14,684	383	23,123	38,190	37,113	04	62,380	61,064	61,064	
11,394	317	23,709	35,420	34,070	05	61,373	59,594	59,594	
884	61	-41	904	861	06	866	866	866	
8,760	917	39,818	49,495	46,599	07	89,124	84,243	84,243	
8,819	178	339	9,336	9,105	08	5,586	5,772	5,772	
1,033	69	123	1,225	1,116	09	1,156	1,138	1,138	
10,292	165	2,380	12,837	12,387	10	11,875	11,875	11,875	
2,361	165	17,378	19,904	17,943	11	30,393	29,047	29,047	
<u>4,915</u>	<u>515</u>	<u>2,022</u>	<u>7,452</u>	<u>6,872</u>	12	<u>6,565</u>	<u>6,565</u>	<u>6,565</u>	
104,016	8,387	130,911	243,314	231,082		357,558^(a)	348,017	348,017	
Distribution by Object									
Personal Services:									
---	---	---	---	120		120	138	138	
---	---	---	---	688		690	794	794	
---	---	---	---	39,919		40,960	47,376	47,376	
<u>83,688</u>	<u>664</u>	<u>99,303</u>	<u>183,655</u>	<u>138,956</u>		<u>232,467</u>	<u>219,419</u>	<u>219,419</u>	
83,688	664	99,303	183,655	179,683		274,237	267,727	267,727	
1,983	431	4,214	6,628	5,389		11,241	11,125	11,125	
6,233	918	14,209	21,360	17,381		35,448	32,596	32,596	
460	166	1,112	1,738	1,224		2,402	2,615	2,615	
Special Purpose:									
155	37	49	241	193	01	155	200	200	
---	966	---	---	---		---	---	---	
---	2,451 ^R	-926	2,491	1,767	03	---	---	---	
---	142	---	---	---		---	---	---	
80	170 ^R	82	474	205	03	80	80	80	
---	351	---	---	---		---	---	---	
---	960 ^R	-320	991	563	03	---	---	---	
737	27	-114	650	629	03	---	---	---	
50	68	-1	117	96	04	50	50	50	
75	26	---	101	83	05	75	75	75	
---	24	-23	1	---	05	---	---	---	
1,124	---	69	1,193	1,087	05	3,447	3,921	3,921	

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Year Ending June 30, 1995					Year Ending June 30, 1997				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recommended	
---	43	-43	---	---	06	---	---	---	
	454								
5,847	171 ^R	-51	6,421	6,008	07	5,847	5,847	5,847	
2,067	58	147	2,272	2,106	07	2,067	2,067	2,067	
---	---	8,728	8,728	8,720	07	17,833	16,562	16,562	
183	8	19	210	196	12	183	288	288	
---	7	---	7	---	12	---	---	---	
10,318	5,963	7,616	23,897	21,653		29,737	29,090	29,090	
1,334	245	4,457	6,036	5,752		4,493	4,864	4,864	

OTHER RELATED APPROPRIATIONS

---	565	-17	548	358	<i>Total Grants-in-Aid</i>	---	---	---
<u>155,781</u>	---	<u>-155,116</u>	<u>665</u>	---	<i>Total State Aid</i>	---	---	---
259,797	8,952	-24,222	244,527	231,440	<i>Total General Fund</i>	357,558	348,017	348,017
					Federal Funds			
210	---	---	210	---	Civil Courts	03	---	---
---	54	158	212	70	Criminal Courts	04	250	250
45,784								
116 ^S	8,426	-16,013	38,313	34,203	Family Courts	05	6,990	10,260
---	78	217	295	133	Municipal Courts	06	---	---
---	---	16,046	16,046	14,971	Probation Services	07	43,019	39,551
---	307	---	307	307	Information Services	10	400	---
390	---	---	390	---	Field Operations	11	---	---
<u>24^S</u>	---	---	<u>24</u>	---	Management and Administration	12	---	---
46,524	8,865	408	55,797	49,684	<i>Total Federal Funds</i>	50,659	50,061	50,061
					All Other Funds			
---	11							
---	5,845 ^R	4	5,860	5,659	Supreme Court	01	7,654	7,451
---	403 ^R	---	403	402	Civil Courts	03	422	370
---	973							
---	7,421 ^R	---	8,394	4,543	Municipal Courts	06	6,800	7,000
---	276							
---	177 ^R	---	453	325	Probation Services	07	105	695
---	588 ^R	---	588	---	Information Services	10	581	499
---	9	10	19	5	Management and Administration	12	---	---
---	<u>15,703</u>	<u>14</u>	<u>15,717</u>	<u>10,934</u>	<i>Total All Other Funds</i>	15,562	16,015	16,015
306,321	33,520	-23,800	316,041	292,058	GRAND TOTAL	423,779	414,093	414,093

Notes: (a) The fiscal year 1996 appropriation has been adjusted for the allocation of the salary program and has been reduced to reflect the transfer of funds to the Employee Benefits and Salary and Other Benefits accounts

LANGUAGE RECOMMENDATIONS

Receipts from charges to certain Special Purpose accounts listed hereinabove are appropriated for services provided to these funds.

Receipts from charges to the Superior Court Trust Fund, Clients' Security Fund, Ethics Financial Committee, Board of Trial Attorney Certification, Bar Admission Financial Committee, the Automated Traffic System Fund, Comprehensive Enforcement Program and Courts Computerized Information Systems Fund are appropriated for services provided to these funds.

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The unexpended balances as of June 30, 1996 in Special Purpose accounts are appropriated subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balances as of June 30, 1996 in these respective accounts in excess of \$10,000,000 are appropriated subject to the approval of the Director of the Division of Budget and Accounting.

104,016	8,387	130,911	243,314	231,082	Total Appropriation, The Judiciary	357,558	348,017	348,017
4,771,236	272,217	194,877	5,238,330	5,068,854	Grand Total, Direct State Services	5,181,429	5,084,974	5,037,229