

THE JUDICIARY
OVERVIEW

The Judiciary is organized into 15 vicinages encompassing the 21 counties in New Jersey and the Administrative Office of the Courts, which provides the necessary administrative support services to the court. The Budget includes court operations, which is comprised of the Supreme Court, Superior Court–Appellate Division, Civil, Criminal and Family Courts, and Court Reporting Services. The Judiciary is responsible for oversight, supervision and technical support to 537 locally funded Municipal Courts throughout New Jersey. Probation Services is responsible for the statewide supervision of all probationers and services provided in the 15 vicinages. The Administrative Office of the Courts provides legal, administrative, and data processing support services through the central office and 15 vicinage field operation offices throughout the State.

The Judiciary has the fourth largest operating budget of State agencies and is the second largest employer of State employees in New Jersey. Pursuant to P.L. 1993, c. 275, the State became responsible for certain county court and probation costs on January 1, 1995 and provided for a phase-in of State funding of court unification through a schedule of declining county reimbursements in calendar years 1995, 1996 and 1997. It is anticipated that \$59.7 million of county reimbursements, which represents the last payment, will be forwarded to the State in fiscal 1998. Fiscal 1998 marks the third full year of court unification.

The fiscal 1998 recommendation of \$347.5 million presented in this Budget includes continuation funding for the courts and their operations and \$1.7 million to expand the Intensive Supervision Program in Probation Services by 200 participants. This expansion includes 30 new positions and will achieve savings of \$4.3 million since this alternative to incarceration is less expensive than imprisonment. The State and trial court operations budget includes funding for 420 judgeships and 8,454 support and administrative personnel from all fund sources, including 10 judgeships and 30 support staff funded through the Legal Services Trust Fund pursuant to P.L. 1996, c. 52. The budget includes \$49.4 million in federal funds and 34% State match of \$21.6 million for the continuation of the collection and enforcement of the child support program.

SUMMARY OF APPROPRIATIONS BY PROGRAM
(thousands of dollars)

Year Ending June 30, 1996						Year Ending June 30, 1998		
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended		1997 Adjusted Approp.	Requested	Recommended
					Judicial Services			
3,457	70	179	3,706	3,640	Supreme Court	3,661	3,661	3,661
11,771	11	1,094	12,876	12,706	Superior Court–Appellate Division	12,618	12,618	12,618
71,307	12,812	–9,470	74,649	71,188	Civil Courts	73,876	73,679	73,679
62,380	53	–653	61,780	59,736	Criminal Courts	60,375	59,909	59,909
61,373	49	527	61,949	56,820	Family Courts	58,638	58,277	58,277
854	2	85	941	808	Municipal Courts	866	770	770
89,124	4,626	–5,582	88,168	79,477	Probation Services	84,128	85,967	85,967
5,586	4	4,258	9,848	9,676	Court Reporting	5,772	5,772	5,772
1,156	5	89	1,250	1,199	Legal and Professional Services	1,138	1,148	1,148
10,905	29	421	11,355	11,130	Information Services	10,875	11,928	11,928
30,393	28	6,665	37,086	33,638	Field Operations	27,243	27,206	27,206
5,047	55	2,471	7,573	7,294	Management and Administration	6,565	6,565	6,565
353,353	17,744	84	371,181	347,312	Total Appropriation	345,755	347,500	347,500

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 1995 ^(a)	Actual FY 1996	Revised FY 1997	Budget Estimate FY 1998
PROGRAM DATA				
Supreme Court				
Court Year—July 1 to June 30				
Appeals				
Added	212	205	220	230
Disposed	206	190	230	230
Pending June 30	135	150	140	140
Certifications added	1,408	1,425	1,450	1,475
Motions added	1,630	1,635	1,675	1,700
Disciplinary proceedings added	226	282	275	275
Superior Court—Appellate Division				
Appeals				
Added	7,301	7,643	8,025	8,100
Disposed	7,433	7,388	7,685	7,700
Pending June 30	6,181	6,436	6,776	7,176
Motions added	8,091	8,022	8,100	8,150
Civil Courts				
Civil Cases				
Added	130,147	124,815	122,319	119,873
Disposed	141,843	135,093	132,391	129,744
Pending June 30	165,950	156,737	146,665	136,794
Average time to disposition (months)	14.0	13.9	13.3	12.7
Special Civil Component				
Added	430,834	421,963	421,963	421,963
Disposed	433,607	424,582	424,582	424,582
Pending June 30	32,578	31,264	28,645	26,026
Average time to disposition (months)9	.9	.8	.7
General Equity				
Added	6,122	5,456	5,183	4,924
Disposed	7,038	6,439	6,117	5,811
Pending June 30	3,619	3,491	2,557	1,670
Average time to disposition (months)	6.2	6.5	5.0	3.4
Automobile Arbitration				
Cases scheduled	53,075	45,424	45,424	45,424
Cases removed	2,777	2,879	2,879	2,879
Cases settled prior to hearing	6,614	6,173	6,173	6,173
Cases arbitrated	20,125	17,451	17,451	17,451
Trial de novo requests	12,684	10,573	10,573	10,573
Trials de novo completed	154	168	168	168
Personal Injury Arbitration				
Cases scheduled	18,641	19,971	19,971	19,971
Cases removed	1,275	1,285	1,285	1,285
Cases settled prior to hearing	1,877	1,919	1,919	1,919
Cases arbitrated	6,776	7,763	7,763	7,763
Trial de novo requests	4,468	4,883	4,883	4,883
Trials de novo completed	171	126	126	126
Tax Court				
Local & State Appeals				
Added	12,741	9,410	10,000	11,000
Closed	17,402	12,075	14,000	14,000
Pending June 30	16,750	14,085	10,085	7,085

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Criminal Courts

Criminal Cases				
Added	46,652	46,437	46,437	46,437
Disposed	48,986	46,453	46,453	46,453
Pending June 30 (b)	14,845	14,983	14,975	14,967
Average time to disposition (months)	3.6	3.9	3.9	3.9
Public Defender Eligibility Review				
Applications	62,857	66,208	70,180	74,391
Applications approved for representation	56,571	60,189	63,800	67,628

Family Courts

Dissolution				
Added	54,525	55,518	57,184	58,900
Disposed	53,828	55,901	57,578	59,306
Pending June 30	22,296	21,919	21,525	21,119
Average time to disposition (months)	5.0	4.7	4.5	4.3
Juvenile Delinquency				
Added	102,582	102,316	103,339	104,372
Disposed	101,575	103,352	104,385	105,429
Pending June 30	16,583	16,141	15,095	14,038
Average time to disposition (months)	2.0	1.9	1.7	1.6
Non-Dissolution				
Added	143,005	148,166	158,538	169,636
Disposed	140,243	148,144	158,514	169,611
Pending June 30	13,313	13,361	13,385	13,410
Average time to disposition (months)	1.1	1.1	1.0	.9
Domestic Violence				
Added	63,465	62,744	65,254	67,864
Disposed	62,488	62,981	65,500	68,120
Pending June 30	3,553	3,267	3,021	2,764
Average time to disposition (months)	.7	.6	.6	.5
Other Family – Abuse/Negligence Complaints				
Added	2,866	1,983	2,082	2,186
Disposed	2,562	1,705	1,790	1,880
Pending June 30	1,419	1,842	2,134	2,440
Average time to disposition (months)	6.6	13.0	14.3	15.6
Other Family – Adoption Complaints				
Added	2,047	2,097	2,034	1,973
Disposed	2,059	2,028	1,967	1,908
Pending June 30	519	590	657	722
Average time to disposition (months)	3.0	3.5	4.0	4.5
Other Family – Child Placement Review				
Added	4,378	4,163	3,996	3,836
Disposed	4,083	3,864	3,709	3,560
Pending June 30	8,438	8,719	9,006	9,282
Average time to disposition (months)	24.8	27.1	29.1	31.3
Other Family – Juvenile/Family Crisis Petition				
Added	1,912	1,613	1,629	1,645
Disposed	1,928	1,625	1,641	1,657
Pending June 30	210	197	185	173
Average time to disposition (months)	1.3	1.5	1.4	1.3
Other Family – Termination of Parental Rights Complaints				
Added	519	568	568	568
Disposed	516	517	517	517
Pending June 30	319	366	417	468
Average time to disposition (months)	7.4	8.5	9.7	10.9
Other Family – Other				
Added	12,185	11,572	12,035	12,516
Disposed	11,635	11,780	12,251	12,741
Pending June 30	2,164	1,831	1,615	1,390
Average time to disposition (months)	2.2	1.9	1.6	1.3

Volunteer Services				
Number of Volunteers	6,000	6,060	6,302	6,552
Number of Volunteer Hours Served	360,000	363,600	378,144	393,120
Municipal Courts				
Non-Traffic Violations				
Indictables	185,211	176,516	168,220	160,314
Disorderly Person	310,313	327,744	346,098	365,479
Other Non-Traffic	151,752	149,577	147,483	145,418
Traffic Violations				
Drunk Driving	39,283	42,190	45,312	48,665
Moving Violations	2,175,989	2,235,419	2,295,775	2,357,761
Parking	2,810,455	2,582,615	2,373,423	2,181,176
Probation Services				
Adults Under Supervision	84,689	84,970	85,130	85,216
Juveniles Under Supervision	13,890	15,789	15,817	15,834
Intensive Supervision Program				
Applications	3,529	3,220	3,625	3,625
Assessment Reports	990	946	1,183	1,183
Resentencing Panel Hearings	2,149	2,359	2,854	2,854
Participants	768	834	1,000	1,200
Revocations	238	308	369	369
Juvenile Intensive Supervision Program				
Applications	816	50	295	295
Assessment Reports	238	30	295	295
Resentencing Panel Hearings	514	304	—	—
Participants	130	5	250	250
Revocations	95	81	83	83
Child Support & Paternity – Title IV–D				
Child Support Hearings	113,388	111,676	115,000	120,000
Collections	\$545,881,647	\$585,330,778	\$630,000,000	\$670,000,000
Checks Distributed	3,700,000	3,900,000	4,000,000	4,200,000
PERSONNEL DATA				
Affirmative Action Data				
Male Minority	471	461	459	459
Male Minority %	5.2	5.0	5.2	5.2
Female Minority	2,029	2,053	2,045	2,045
Female Minority %	22.4	23.0	23.0	23.0
Total Minority	2,500	2,514	2,504	2,504
Total Minority %	27.5	28.0	28.0	28.0
Position Data				
Filled Positions by Funding Source				
State Supported	7,932	7,780	7,620	7,417
Federal	1,163	1,207	1,179	1,285
All Other	118	142	162	172
Total Positions	9,213	9,129	8,961	8,874
Filled Positions by Program Class				
Supreme Court	136	159	163	163
Superior Court–Appellate Division	215	222	218	206
Civil Courts	1,895	1,899	1,868	1,814
Criminal Courts	1,611	1,585	1,485	1,496
Family Courts	1,692	1,647	1,636	1,639
Municipal Courts	52	49	54	58
Probation Services	2,594	2,583	2,543	2,692
Court Reporting	152	151	136	88
Legal and Professional Services	20	20	19	20
Information Services	134	127	129	133
Field Operations	596	557	574	461
Management and Administration	116	130	136	104
Total Positions	9,213	9,129	8,961	8,874

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Notes: Actual fiscal year 1995 and 1996 and Revised fiscal year 1997 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1998 reflects the number of positions funded.

- (a) Actual fiscal year 1995 program data does not account for adjustments made in fiscal year 1996.
 (b) Data does not include inactive pending cases.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1996					Year Ending June 30, 1998				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recommended	
Distribution by Program									
3,457	70	179	3,706	3,640	01	3,661	3,661	3,661	
11,771	11	1,094	12,876	12,706	02	12,618	12,618	12,618	
71,307	12,812	-9,470	74,649	71,188	03	73,876	73,679	73,679	
62,380	53	-653	61,780	59,736	04	60,375	59,909	59,909	
61,373	49	527	61,949	56,820	05	58,638	58,277	58,277	
854	2	85	941	808	06	866	770	770	
89,124	4,626	-5,582	88,168	79,477	07	84,128	85,967	85,967	
5,586	4	4,258	9,848	9,676	08	5,772	5,772	5,772	
1,156	5	89	1,250	1,199	09	1,138	1,148	1,148	
10,905	29	421	11,355	11,130	10	10,875	11,928	11,928	
30,393	28	6,665	37,086	33,638	11	27,243	27,206	27,206	
<u>5,047</u>	<u>55</u>	<u>2,471</u>	<u>7,573</u>	<u>7,294</u>	12	<u>6,565</u>	<u>6,565</u>	<u>6,565</u>	
353,353	17,744	84	371,181	347,312		345,755^(a)	347,500	347,500	
Distribution by Object									
Personal Services:									
—	—	—	—	129		138	138	138	
—	—	—	—	739		794	794	794	
—	—	—	—	42,666		47,376	47,376	47,376	
<u>270,032</u>	<u>7,869</u>	<u>2,640</u>	<u>280,541</u>	<u>226,698</u>		<u>219,524</u>	<u>219,524</u>	<u>219,524</u>	
270,032	7,869	2,640	280,541	270,232		267,832	267,832	267,832	
11,241	12	-963	10,290	8,444		9,344	8,705	8,705	
35,448	49	-3,784	31,713	27,411		28,352	28,245	28,245	
2,402	13	-33	2,382	1,932		2,615	2,118	2,118	
Special Purpose:									
155	48	—	203	176	01	200	200	200	
80	1,441	—	3,504	1,868	03	— ^(b)	—	—	
—	3,293 ^R	-1,310	93	—	03	—	—	—	
—	114	-21	—	—	03	3,000 ^{S(c)}	3,000	3,000	
50	20	-20	50	44	04	— ^(d)	—	—	
75	26	-26	75	62	05	75	75	75	
3,447	—	34	3,481	3,155	05	3,744	4,228	4,228	
5,847	448	—	6,179	5,935	07	7,597	9,342	9,342	
2,067	174 ^R	-290	2,126	2,089	07	2,067	2,067	2,067	
17,833	192	-133	19,197	15,012	07	15,777	17,329	17,329	
—	3,700	-2,336	89	—	07	—	—	—	
—	—	89	89	—	07	—	—	—	

Year Ending June 30, 1996						Year Ending June 30, 1998			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recommended	
183	16	23	222	220	Affirmative Action and Equal Employment Opportunity	12	288	288	288
—	7	1	8	1	Justice Complex Daycare Center	12	—	—	—
29,737	9,479	-3,989	35,227	28,562	<i>Total Special Purpose</i>		32,748	36,529	36,529
4,493	322	6,213	11,028	10,731	Additions, Improvements and Equipment		4,864	4,071	4,071

OTHER RELATED APPROPRIATIONS

					Federal Funds				
—	4	—	4	4	Civil Courts	03	—	—	—
250									
33 ^S	436	—	719	551	Criminal Courts	04	250	250	250
6,990									
250 ^S	1,595	300	9,135	8,070	Family Courts	05	10,260	10,212	10,212
—	81	173	254	140	Municipal Courts	06	—	—	—
43,014									
123 ^S	-214	-264	42,659	32,062	Probation Services	07	39,501	39,161	39,161
400	217	1,070	1,687	217	Information Services	10	—	—	—
36 ^S	5	—	41	41	Management and Administration	12	—	—	—
51,096	2,124	1,279	54,499	41,085	Total Federal Funds		50,011	49,623	49,623
					All Other Funds				
—	21	—	—	—	Supreme Court	01	7,451	7,755	7,755
—	6,691 ^R	—	6,712	6,581	Civil Courts	03	370	402	402
—	393 ^R	—	393	370					
—	3,869	—	—	—	Municipal Courts	06	7,000	7,050	7,050
—	7,428 ^R	—	11,297	7,155					
—	116	—	—	—	Probation Services	07	695	825	825
—	709 ^R	—	825	604					
—	232	—	—	—	Information Services	10	499	553	553
—	426 ^R	—	658	394	Management and Administration	12	—	—	—
—	15	8	23	2	Total All Other Funds		16,015	16,585	16,585
—	19,900	8	19,908	15,106	GRAND TOTAL		411,781	413,708	413,708
404,449	39,768	1,371	445,588	403,503					

- Notes: (a) The fiscal year 1997 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 Increases and Other Benefits accounts.
 (b) Appropriation of \$80,000 has been distributed to applicable operating accounts.
 (c) Appropriation adjusted to reflect a \$3,000,000 supplemental appropriation effective fiscal year 1997 pursuant to P. L. 1996, c.52.
 (d) Appropriation of \$50,000 distributed to applicable operating 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, NJ Lawyers Fund for Client Protection, Ethics Financial Committee, Board of Trial Attorney Certification, Bar Admission Financial Committee, Automated Traffic System Fund, Municipal Court Administrator Certification, Comprehensive Enforcement Program, and Courts Computerized Information Systems Fund are appropriated for services provided to these funds.

The unexpended balances as of June 30, 1997 in these respective accounts are appropriated, provided, however, that an amount not to exceed \$5,000,000 shall lapse, as the Director of the Division of Budget and Accounting shall determine.

The unexpended balances as of June 30, 1997 in the Civil Arbitration Program and the Ten Additional Judgeships accounts are appropriated subject to the approval of the Director of the Division of Budget and Accounting.

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Receipts in excess of the amount hereinabove for the Ten Additional Judgeships account are appropriated for the same purpose subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated from dedicated fee increases, not to exceed \$9,000,000, are appropriated for judicial operations, subject to enactment of enabling legislation.

353,353	17,744	84	371,181	347,312	Total Appropriation, The Judiciary	345,755	347,500	347,500
5,323,161	217,451	6,363	5,546,975	5,320,568	Grand Total, Direct State Services	5,094,451	5,100,588	4,997,849
