

THE JUDICIARY
OVERVIEW

The recommendation of \$102,731,000 presented in this budget represents primarily continuation funding for the Judiciary with some increase to fund anticipated additional judicial appointments, bringing the total number of judges funded to 411. Continuation funding is recommended for successful programs such as the Intensive Supervision Program (ISP) with 800 participants and the Juvenile Intensive Supervision Program (JISP) with 225 juveniles. These cost effective programs present alternatives to incarceration for certain classes of offenders with maximum community protection through effective supervision and rigorous program requirements.

Court unification, or State financing of the trial courts, finally approved by voters in a referendum last November, has been a long sought reform for New Jersey Courts. Although the implementation of this constitutional amendment must be accomplished by 1997, assumption of costs may begin in fiscal year 1994 but that cost has not been included in the recommendation presented in this budget pending the enactment of enabling legislation.

The State currently funds all judges salaries other than Municipal Court judges. All expenses of the Supreme Court, the Appellate Division, and the Tax Court in addition to court reporters, judicial education programs, and the Administrative Office of the Courts are funded at the State level as well as trial court expenses such as arbitration, public defender eligibility and child placement review. The counties, however, are responsible for probation as well as court support staff.

Pending the passage of enabling legislation, costs associated with the first year of phase-in will soon be determined. According to Senate Bill 888, trial court employees, with the exception of Surrogates and their staffs, will become State employees on January 1, 1994. The costs of their salaries, fringe benefits, and operating costs, previously borne by the counties, become State obligations on that date. It is estimated that continuation costs will have a net impact on the State of approximately \$17 million in the first year.

SUMMARY OF APPROPRIATIONS BY PROGRAM
(thousands of dollars)

Year Ending June 30, 1992					Year Ending June 30, 1994			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	1993 Adjusted Approp.	Requested	Recommended	
3,430	123	-4	3,549	3,487				
10,280	153	244	10,677	10,578				
24,444	3,831	-4,354	23,921	23,129				
13,744	778	2,182	16,704	16,184				
10,471	330	-14	10,787	10,642				
890	52	-13	929	885				
4,833	484	-345	4,972	4,915				
9,003	59	1,137	10,199	10,147				
1,056	45	303	1,404	1,331				
10,186	1,078	624	11,888	11,570				
1,762	80	460	2,302	2,286				
4,594	427	390	5,411	5,131				
94,693	7,440	610	102,743	100,285				
					Judicial Services			
					Supreme Court	3,353	3,769	3,480
					Superior Court--Appellate Division	10,228	11,442	10,642
					Civil Courts	21,516	24,948	23,820
					Criminal Courts	15,544	16,023	15,565
					Family Courts	10,657	11,731	11,399
					Municipal Courts	880	1,013	846
					Probation Services	9,321	9,460	9,358
					Court Reporting	9,199	10,809	9,185
					Legal and Professional Services	1,170	1,702	1,322
					Information Services	9,588	10,921	9,986
					Field Operations	1,900	2,514	2,373
					Management and Administration	4,648	6,492	4,755
					Total Appropriation	98,004	110,824	102,731

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.

10. PUBLIC SAFETY AND CRIMINAL JUSTICE
15. JUDICIAL SERVICES

EVALUATION DATA

	Actual FY 1991	Actual FY 1992	Revised FY 1993	Budget Estimate FY 1994
PROGRAM DATA				
Supreme Court				
Court Year—July 1 to June 30				
Appeals				
Added	238	212	240	250
Disposed	273	222	240	250
Pending June 30	143	133	133	133
Certifications added	1,302	1,261	1,300	1,350
Motions added	1,605	1,627	1,675	1,700
Disciplinary proceedings added	263	195	200	200
Superior Court—Appellate Division				
Appeals				
Added	6,649	6,909	7,116	7,329
Disposed	6,730	6,465	6,700	6,700
Pending June 30	5,748	6,189	6,605	7,234
Motions added	6,781	7,081	7,292	7,511
Civil Courts				
Civil Cases				
Added	169,045	157,075	152,019	157,740
Disposed	151,031	151,329	160,800	160,800
Pending June 30	191,397	199,121	190,340	187,280
Average time to disposition (months)	15.2	15.8	14.2	14.0
Special Civil Component				
Added	507,794	433,203	448,964	454,199
Disposed	508,729	441,630	451,968	451,968
Pending June 30	48,295	42,311	39,307	41,538
Average time to disposition (months)	1.1	1.1	1.0	1.1
General Equity				
Added	8,071	7,703	7,895	7,914
Disposed	7,964	7,919	7,893	7,893
Pending June 30	4,536	4,281	4,283	4,304
Average time to disposition (months)	6.8	6.5	6.5	6.5
Judgment and Search Section				
Judgments Indexed and Docketed	135,826	143,298	145,000	150,000
Warrants of satisfactions, assignments, releases, etc	53,422	51,559	51,000	52,500
Automobile Arbitration				
Cases scheduled	51,190	43,778	46,853	48,492
Cases removed	4,786	4,977	5,076	5,126
Cases settled prior to hearing	10,361	6,260	7,512	8,263
Cases arbitrated	16,039	15,253	15,634	15,868
Trial de novo requests	7,800	9,094	9,821	10,214
Trials de novo completed	94	71	79	84
Personal Injury Arbitration				
Cases scheduled	16,159	15,571	15,960	16,199
Cases removed	1,890	1,877	1,884	1,890
Cases settled prior to hearing	2,307	1,788	1,984	2,093
Cases arbitrated	5,205	5,473	5,637	5,729
Trial de novo requests	2,981	3,763	4,252	4,549
Trials de novo completed	39	27	31	33

10. PUBLIC SAFETY AND CRIMINAL JUSTICE
15. JUDICIAL SERVICES

	Actual FY 1991	Actual FY 1992	Revised FY 1993	Budget Estimate FY 1994
Tax Court				
Local Appeals				
Added	10,502	16,112	14,700	14,700
Closed	5,193	9,052	10,700	14,700
Pending June 30	12,105	19,165	23,165	23,165
State Appeals				
Filed	354	188	300	300
Disposed of	243	172	300	300
Pending June 30	297	313	313	313
Criminal Courts				
Criminal Cases				
Added	54,703	51,054	48,501	48,501
Disposed	58,554	57,145	52,500	52,500
Pending June 30	20,916	17,232	15,233	13,234
Average time to disposition (months)	4.3	3.6	3.5	3.0
Public Defender Eligibility Review				
Applications	62,384	61,000	62,830	64,715
Applications approved for representation	57,923	55,561	57,175	58,890
Family Courts				
Dissolution				
Added	49,226	55,462	56,571	57,703
Disposed	49,436	53,637	57,682	57,084
Pending June 30	18,155	20,834	19,723	20,342
Average time to disposition (months)	4.4	4.7	4.1	4.3
Juvenile Delinquency				
Added	122,778	99,708	99,708	99,708
Disposed	123,733	100,072	101,665	100,612
Pending June 30	14,459	14,657	12,700	11,796
Average time to disposition (months)	1.4	1.8	1.5	1.4
Non-Dissolution				
Added	124,733	139,294	139,294	139,294
Disposed	122,818	137,762	142,028	140,557
Pending June 30	10,030	11,843	9,109	7,846
Average time to disposition (months)	1.0	1.0	.8	.7
Domestic Violence				
Added	36,054	48,492	54,796	59,180
Disposed	35,916	47,768	54,248	58,588
Pending June 30	809	1,864	2,412	3,004
Average time to disposition (months)3	.5	.5	.6
Other Family - Abuse/Negligence Complaints				
Added	3,705	2,766	2,766	2,766
Disposed	3,693	2,681	2,820	2,791
Pending June 30	374	580	526	501
Average time to disposition (months)	1.2	2.6	2.2	2.1
Other Family - Adoption Complaints				
Added	2,400	2,410	2,410	2,410
Disposed	2,382	2,464	2,457	2,432
Pending June 30	659	590	543	521
Average time to disposition (months)	3.3	2.9	2.7	2.6
Other Family - Child Placement Review				
Added	4,360	4,419	4,463	4,500
Disposed	4,620	4,765	4,551	4,504
Pending June 30	9,149	8,839	8,751	8,747
Average time to disposition (months)	23.8	22.3	23.1	23.3

10. PUBLIC SAFETY AND CRIMINAL JUSTICE
15. JUDICIAL SERVICES

	Actual FY 1991	Actual FY 1992	Revised FY 1993	Budget Estimate FY 1994
Other Family – Juvenile/Family Crisis Petition				
Added	1,582	1,777	1,777	1,777
Disposed	1,522	1,770	1,812	1,793
Pending June 30	140	161	126	110
Average time to disposition (months)	1.1	1.1	.8	.7
Other Family – Termination of Parental Rights Complaints				
Added	1,269	866	866	866
Disposed	1,230	846	883	874
Pending June 30	176	265	248	240
Average time to disposition (months)	1.7	3.8	3.4	3.3
Other Family – Other				
Added	8,389	8,166	8,493	8,832
Disposed	8,304	7,848	8,659	8,570
Pending June 30	875	1,310	1,144	1,406
Average time to disposition (months)	1.3	2.0	1.6	2.0
Volunteer Services				
Number of Volunteers	3,751	3,176	3,493	3,842
Number of Volunteer Hours Served	201,728	210,190	231,209	254,329
Municipal Courts				
Non-Traffic Violations				
Indictables	201,354	201,468	201,468	201,569
Disorderly Person	353,168	338,919	338,919	325,362
Other Non-Traffic	152,236	140,826	140,826	150,683
Traffic Violations				
Drunk Driving	46,502	46,024	46,024	45,564
Moving Violations	2,102,641	2,175,370	2,175,370	2,251,507
Parking	3,548,602	3,304,917	3,304,917	3,326,399
Probation Services				
Adults Under Supervision	70,562	83,351	90,852	98,962
Juveniles Under Supervision	11,926	13,189	13,822	14,486
Intensive Supervision Program				
Applications	2,444	2,570	2,904	3,283
Assessment Reports	678	672	789	892
Resentencing Panel Hearings	1,496	1,800	2,100	2,400
Participants	526	612	700	800
Revocations	126	179	207	237
Child Support & Paternity – Title IV-D				
Child Support Hearings	86,255	72,029	76,000	79,000
Collections	\$347,281,097	\$419,415,017	\$480,650,000	\$567,167,000
Automated Child Support Enforcement System				
Checks Distributed	2,209,758	2,732,484	3,032,000	3,517,120
Information Services				
System Installation Sites				
Automated Case Management System				
Law & Equity	1	2	—	—
Special Civil Part	3	2	4	5
Family Automated Case Tracking System	3	3	2	5
Criminal				
Promis/Gavel	7	5	—	1

10. PUBLIC SAFETY AND CRIMINAL JUSTICE

15. JUDICIAL SERVICES

	Actual FY 1991	Actual FY 1992	Revised FY 1993	Budget Estimate FY 1994
PERSONNEL DATA				
Affirmative Action Data				
Male Minority	44	58	63	68
Male Minority %	3.2	4.6	5.0	5.4
Female Minority	209	198	213	228
Female Minority %	15.0	15.8	17.0	18.0
Total Minority	253	256	276	296
Total Minority %	18.2	20.4	22.0	23.4
Position Data				
Budgeted Positions	1,621	1,621	1,621	1,620
Supreme Court	71	71	71	71
Superior Court—Appellate Division	232	232	232	233
Civil Courts	425	416	402	406
Criminal Courts	149	183	199	192
Family Courts	116	118	124	126
Municipal Courts	12	13	13	13
Probation Services	23	23	20	19
Court Reporting	227	227	227	226
Legal and Professional Services	26	26	28	29
Information Services	168	142	140	139
Field Operations	42	45	45	44
Management and Administration	130	125	120	122
Authorized Positions—Federal	69	68	72	59
Authorized Positions—All Other	75	100	109	109
Positions Budgeted in Lump Sum Appropriations	101	102	164	164
Total Positions	1,880	1,891	1,966	1,952

APPROPRIATIONS DATA
(thousands of dollars)

Year Ending June 30, 1992					Year Ending June 30, 1994				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1993 Adjusted Approp.	Requested	Recom- mended	
3,430	123	-4	3,549	3,487	Distribution by Program				
10,280	153	244	10,677	10,578	01	3,353	3,769	3,480	
24,444	3,831	-4,354	23,921	23,129	02	10,228	11,442	10,642	
13,744	778	2,182	16,704	16,184	03	21,516	24,948	23,820	
10,471	330	-14	10,787	10,642	04	15,544	16,023	15,565	
890	52	-13	929	885	05	10,657	11,731	11,399	
4,833	484	-345	4,972	4,915	06	880	1,013	846	
9,003	59	1,137	10,199	10,147	07	9,321	9,460	9,358	
1,056	45	303	1,404	1,331	08	9,199	10,809	9,185	
10,186	1,078	624	11,888	11,570	09	1,170	1,702	1,322	
1,762	80	460	2,302	2,286	10	9,588	10,921	9,986	
4,594	427	390	5,411	5,131	11	1,900	2,514	2,373	
					12	4,648	6,492	4,755	
94,693	7,440	610	102,743	100,285		98,004^(a)	110,824	102,731^(b)	
					Distribution by Object				
					Personal Services:				
120	1	—	121	120		120	120	120	
690	—	—	690	690		690	690	690	

10. PUBLIC SAFETY AND CRIMINAL JUSTICE
15. JUDICIAL SERVICES

Year Ending June 30, 1992					Year Ending June 30, 1994			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1993 Adjusted Approp.	Requested	Recommended
35,440	836	1,910	38,186	37,779		39,207	42,099	42,049
36,460	173	4,139	40,772	40,377	Judges			
					Salaries and Wages	36,704	46,528	38,993
72,710	1,010	6,049	79,769	78,966	Total Personal Services	76,721	89,437	81,852
2,218	372	-250	2,340	2,178	Materials and Supplies	1,927	2,011	1,994
6,734	1,477	-3,094	5,117	4,866	Services Other Than Personal	5,820	5,923	5,618
309	98	-5	402	334	Maintenance and Fixed Charges	298	301	301
					Special Purpose:			
155	3	46	204	198	Rules Development	01 155	155	155
	646							
350	1,373 ^R	-646	1,723	1,370	Automobile Arbitration	03 350	—	—
	41							
80	109 ^R	-33	197	144	Alternative Dispute Resolution	03 80	80	80
	205							
150	556 ^R	-285	626	432	Personal Injury Arbitration	03 150	—	—
4,100	—	-3,860	240	235	New Civil Court Judges	03 —	—	—
—	15	—	15	14	Automated Case Management System Backloading	03 —	—	—
210	74	1	285	205	Criminal Disposition Commission	04 —	—	—
26	616	472	1,114	1,002	Speedy Trial Program, Case Processing Improvement	04 26	50	50
893	21	—	914	914	Child Support and Paternity Program (State Share)	05 1,124	1,124	1,124
75	46	-2	119	104	Child Placement Review Advisory Council	05 75	75	75
325	179	-98	406	330	Juvenile Delinquency Commission	05 325	325	325
310	16	-19	307	281	Municipal Court Assistance	06 310	310	310
	294							
3,584	115 ^R	—	3,993	3,976	Intensive Supervision Program	07 5,847	5,847	5,847
—	—	—	—	—	Juvenile Intensive Supervision Program	07 2,567	2,567	2,567
179	24	-63	140	138	Affirmative Action	12 179	179	179
—	12	1	13	—	Justice Complex Daycare Center	12 —	—	—
10,437	4,345	-4,486	10,296	9,343	Total Special Purpose	11,188	10,712	10,712
2,285	138	2,396	4,819	4,598	Additions, Improvements and Equipment	2,050	2,440	2,254

OTHER RELATED APPROPRIATIONS

3,288	150	-605	2,833	2,689	Total Grants-in-Aid	3,021	3,021	3,021
97,981	7,590	5	105,576	102,974	Total General Fund	101,025	113,845	105,752
—	15 ^R	3	18	18	Federal Funds			
—	20 ^R	—	20	5	Supreme Court	01 —	—	—
—	134 ^R	168	302	302	Civil Courts	03 10	—	—
					Criminal Courts	04 —	—	—

10. PUBLIC SAFETY AND CRIMINAL JUSTICE
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Year Ending June 30, 1992					Year Ending June 30, 1994				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1993 Adjusted Approp.	Requested	Recommended	
—	15 38 ^R	34,174	34,227	34,207	05	38,866	45,807	45,807	
—	6 ^R	—	6	6	07	—	—	—	
—	—	728	728	728	10	—	—	—	
—	145 ^R	—	145	145	11	15	—	—	
—	373	35,073	35,446	35,411	<i>Total Federal Funds</i>				
					<i>38,891 45,807 45,807</i>				
All Other Funds									
—	31 4,018 ^R	—	4,049	4,049	01	4,294	4,577	4,577	
—	344 ^R	-2	342	342	03	389	389	389	
—	334 3,457 ^R	—	3,791	3,531	06	4,000	4,100	4,100	
—	15	—	15	—	12	—	—	—	
—	8,199	-2	8,197	7,922	<i>Total All Other Funds</i>				
					<i>8,683 9,066 9,066</i>				
97,981	16,162	35,076	149,219	146,307	GRAND TOTAL				
					148,599 168,718 160,625				

Notes: (a) The fiscal year 1993 appropriation has been reduced to reflect the transfer of funds to the Interdepartmental Employee Benefits accounts.

(b) The fiscal year 1994 recommendation does not include any appropriation for costs associated with the State takeover of county courts. According to Senate Bill 888 presently pending enactment, estimates of county reimbursements will not be available until March 1993. At such time as both appropriation needs and certifiable revenue estimates are available, an amendment to the Budget Request will be submitted to the Legislature

LANGUAGE PROVISIONS

It is recommended that the unexpended balance as of June 30, 1993 in these respective accounts be appropriated.

It is further recommended that receipts from charges to Special Purpose and Grant accounts listed hereinabove be appropriated for services provided to these funds.

It is further recommended that the receipts from charges to the Superior Court Trust Fund, Clients' Security Fund, Ethics Financial Committee, Board on Trial Attorney Certification, Bar Admission Financial Committee, and Automated Traffic System Fund for services provided to those funds be appropriated.

It is further recommended that notwithstanding the provisions of section 1 of P.L.1974, c.57 (C.2A:1A-6), the salaries of the Associate Justices of the Supreme Court shall be fixed and established at \$115,000 per year.

94,693	7,440	610	102,743	100,285	Total Appropriation, The Judiciary	98,004	110,824	102,731
4,539,160	287,418	20,108	4,846,686	4,693,259	Grand Total, Direct State Services	4,393,747	4,862,158	4,563,373