

THE JUDICIARY
OVERVIEW

The recommendation of \$104 million presented in this budget includes continuation funding of the courts and its operations. Pursuant to P.L. 1993, c. 275, the State becomes responsible for certain county court costs on January 1, 1995. The fiscal year 1995 recommendation for the State assumption of the trial courts is in the State Aid section of the budget. The entire cost of State assumption of county court costs is estimated at \$163.5 million, which includes fringe benefits totaling \$27.2 million. Approximately 8,000 county employees will be transferred to the State on January 1, 1995 within the trial courts, probation services and field operations. These positions are not included in the position data for the Judiciary. The State will not be responsible for pension payments for the transferred employees until fiscal year 1997 due to a two year delay in the payment of actual pension costs.

P.L. 1993, c. 275 provides for a phase-in of State funding of court unification through a schedule of county reimbursements in 1995, 1996 and 1997. In addition, certain fees, fines, and assessments collected by the counties will become State revenues beginning January 1, 1995. It is anticipated that \$114 million of county reimbursements and \$19.6 million of fees, fines and assessments will be forwarded to the State in fiscal year 1995. The net cost impact of State assumption of the county courts on the State in fiscal year 1995 will be \$29.9 million based upon the anticipated revenue and expenditures. Specific employee and fiscal information will be provided when the actual 1993 base year expenditures and revenues are certified by the counties and accepted by the Administrative Office of the Courts.

The State 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. This budget includes full funding for 421 judgeships and 1,112 non-judge salary positions in the Judiciary's base appropriation. There are no increases other than the court unification costs for fiscal year 1995.

Continuation funding is recommended for the Intensive Supervision Program (ISP) with 800 participants. The ISP has proven to be a cost effective program that presents an alternative to incarceration for certain classes of offenders with maximum community protection through effective supervision and rigorous program requirements.

SUMMARY OF APPROPRIATIONS BY PROGRAM
(thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995		
Orig. & Supplemental	Reapp. & Recpts.	Transfers & Emergencies	Total Available	Expended	1994 Adjusted Approp.	Requested	Recommended
					Judicial Services		
3,379	45	41	3,465	3,315	3,571	3,839	3,571
10,231	57	441	10,729	10,617	11,412	12,154	11,412
21,338	3,007	558	24,903	23,577	25,891	26,390	25,891
15,554	197	18	15,769	15,632	14,684	14,964	14,684
10,674	114	947	11,735	11,625	11,394	12,574	11,394
885	6	-70	821	739	884	1,054	884
9,371	202	-2,198	7,375	6,671	8,760	9,597	8,760
9,199	22	-193	9,028	8,908	8,819	11,007	8,819
1,170	25	136	1,331	1,237	1,033	1,177	1,033
10,314	458	354	11,126	10,818	10,292	18,982	10,292
1,900	14	425	2,339	2,298	2,361	2,741	2,361
4,648	182	221	5,051	4,750	4,915	7,026	4,915
98,663	4,329	680	103,672	100,187	104,016	121,505	104,016

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 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
PROGRAM DATA				
Supreme Court				
Court Year—July 1 to June 30				
Appeals				
Added	212	218	230	240
Disposed	222	218	230	240
Pending June 30	133	133	133	133
Certifications added	1,261	1,256	1,400	1,450
Motions added	1,627	1,519	1,650	1,700
Disciplinary proceedings added	195	171	180	190
Superior Court—Appellate Division				
Appeals				
Added	6,909	6,605	6,803	6,936
Disposed	6,465	6,439	6,696	6,696
Pending June 30	6,189	6,355	6,462	6,702
Motions added	7,081	7,344	7,564	7,715
Civil Courts				
Civil Cases				
Added	157,075	139,809	139,809	139,809
Disposed	151,329	159,248	156,609	156,609
Pending June 30	199,121	181,526	164,726	147,926
Average time to disposition (months)	15.8	13.7	12.6	11.3
Special Civil Component				
Added	433,203	426,061	430,322	434,625
Disposed	441,630	428,304	432,587	436,913
Pending June 30	42,311	40,351	38,086	35,797
Average time to disposition (months)	1.1	1.1	1.1	1.0
General Equity				
Added	7,703	6,833	6,765	6,697
Disposed	7,919	7,342	6,800	6,800
Pending June 30	4,281	3,747	3,712	3,609
Average time to disposition (months)	6.5	6.1	6.6	6.4
Judgment and Search Section				
Judgments Indexed and Docketed	143,298	153,315	160,981	160,981
Warrants of satisfactions, assignments, releases, etc	51,559	49,299	51,764	51,764
Automobile Arbitration				
Cases scheduled	43,778	52,281	52,000	52,000
Cases removed	4,977	4,528	4,500	4,500
Cases settled prior to hearing	6,260	6,535	6,500	6,500
Cases arbitrated	15,253	19,504	19,500	19,500
Trial de novo requests	9,094	11,863	11,800	11,800
Trials de novo completed	71	114	100	100
Personal Injury Arbitration				
Cases scheduled	15,571	18,995	18,900	18,900
Cases removed	1,877	1,690	1,600	1,600
Cases settled prior to hearing	1,788	1,864	1,800	1,800
Cases arbitrated	5,473	667	600	600
Trial de novo requests	3,763	4,745	4,700	4,700
Trials de novo completed	27	55	50	50
Tax Court				
Local Appeals				
Added	16,112	15,287	15,000	15,000
Closed	9,052	16,027	16,000	16,000
Pending June 30	19,165	18,738	17,738	16,738

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	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Criminal Courts				
Criminal Cases				
Added	51,054	47,958	47,958	48,917
Disposed	57,145	49,227	49,227	49,227
Pending June 30	17,232	16,469	15,835	15,680
Average time to disposition (months)	3.6	4.0	3.9	3.8
Public Defender Eligibility Review				
Applications	61,000	60,030	61,831	63,685
Applications approved for representation	55,561	54,027	55,648	57,317
Family Courts				
Dissolution				
Added	55,462	54,064	52,983	51,923
Disposed	53,637	54,819	52,443	50,892
Pending June 30	20,834	20,145	20,685	21,716
Average time to disposition (months)	4.7	4.4	4.7	5.1
Juvenile Delinquency				
Added	99,708	92,048	93,889	95,767
Disposed	100,072	93,453	92,932	93,865
Pending June 30	14,637	13,439	14,396	16,297
Average time to disposition (months)	1.8	1.7	1.9	2.1
Non-Dissolution				
Added	133,366	120,652	132,065	134,526
Disposed	131,834	121,389	130,719	131,854
Pending June 30	11,843	10,819	12,165	14,836
Average time to disposition (months)	1.1	1.1	1.1	1.4
Domestic Violence				
Added	48,492	53,321	57,053	61,047
Disposed	47,768	52,886	56,472	59,835
Pending June 30	1,864	2,253	2,834	4,047
Average time to disposition (months)5	.5	.6	.8
Other Family – Abuse/Negligence Complaints				
Added	2,766	2,435	2,508	2,583
Disposed	2,681	2,432	2,505	2,580
Pending June 30	580	578	581	584
Average time to disposition (months)	2.6	2.9	2.8	2.7
Other Family – Adoption Complaints				
Added	2,410	2,274	2,229	2,184
Disposed	2,464	2,329	2,283	2,237
Pending June 30	590	537	483	430
Average time to disposition (months)	2.9	2.8	2.5	2.3
Other Family – Child Placement Review				
Added	4,419	3,691	3,691	3,691
Disposed	4,765	4,277	4,277	4,277
Pending June 30	8,839	8,177	7,591	7,005
Average time to disposition (months)	22.3	22.9	21.3	19.7
Other Family – Juvenile/Family Crisis Petition				
Added	1,777	1,923	1,942	1,961
Disposed	1,770	1,949	1,968	1,988
Pending June 30	161	139	113	86
Average time to disposition (months)	1.1	.9	.7	.5
Other Family – Termination of Parental Rights Complaints				
Added	866	382	382	382
Disposed	846	393	393	393
Pending June 30	265	244	233	222
Average time to disposition (months)	3.8	7.5	7.1	6.8

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Other Family – Other				
Added	8,166	9,196	9,840	10,529
Disposed	7,848	9,104	9,742	10,424
Pending June 30	1,310	1,434	1,532	1,638
Average time to disposition (months)	2.0	1.9	1.9	1.9
Volunteer Services				
Number of Volunteers	3,176	4,877	5,121	5,377
Number of Volunteer Hours Served	210,190	244,793	257,033	269,885
Municipal Courts				
Non-Traffic Violations				
Indictables	203,268	193,351	183,935	174,978
Disorderly Person	342,134	325,300	309,296	294,079
Other Non-Traffic	141,982	140,433	138,903	137,389
Traffic Violations				
Drunk Driving	46,024	42,302	39,299	36,509
Moving Violations	2,186,076	2,072,645	1,965,282	1,863,481
Parking	3,338,103	3,122,486	2,915,086	2,727,063
Probation Services				
Adults Under Supervision	83,351	83,454	85,215	87,013
Juveniles Under Supervision	13,189	13,075	13,311	13,550
Intensive Supervision Program				
Applications	2,570	2,253	2,321	2,390
Assessment Reports	672	680	688	697
Resentencing Panel Hearings	1,800	1,847	1,880	1,901
Participants	612	646	651	660
Revocations	179	180	181	182
Child Support & Paternity – Title IV-D				
Child Support Hearings	72,029	99,147	105,000	110,000
Collections	\$419,415,017	\$454,561,361	\$493,000,000	\$530,000,000
Automated Child Support Enforcement System Checks Distributed	2,732,484	2,961,467	3,211,894	3,452,948
PERSONNEL DATA				
Affirmative Action Data				
Male Minority	58	65	70	75
Male Minority %	4.6	5.1	5.6	5.8
Female Minority	198	210	220	230
Female Minority %	15.8	16.5	17.5	17.9
Total Minority	256	275	290	305
Total Minority %	20.4	20.4	23.1	23.8
Position Data				
Filled Positions by Funding Source				
State Supported	1,462	1,456	1,472 (a)	1,533
Federal	61	68	65	53
All Other	91	101	104	116
Total Positions	1,614	1,625	1,641	1,702

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	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Filled Positions by Program Class				
Supreme Court	125	131	133	145
Superior Court--Appellate Division	201	205	209	213
Civil Courts	342	349	366	394
Criminal Courts	176	169	160	167
Family Courts	166	180	164	162
Municipal Courts	40	42	41	47
Probation Services	81	86	125	147
Court Reporting	192	185	159	159
Legal and Professional Services	27	24	19	18
Information Services	130	132	131	119
Field Operations	37	36	36	38
Management and Administration	97	86	98	93
Total Positions	1,614	1,625	1,641	1,702

Notes: Actual fiscal year 1992 and 1993 and Revised fiscal year 1994 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1995 reflects the number of positions funded.

Budget Estimate for fiscal year 1995 positions does not include the estimated 6,900-8,000 county positions associated with State assumption of county court costs.

(a) The difference between Revised fiscal year 1994 actual payroll count and Budget Estimate for fiscal year 1995 positions funded includes 15 funded vacant judgeships.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended	
Distribution by Program									
3,379	45	41	3,465	3,315	Supreme Court	01	3,571	3,839	3,571
10,231	57	441	10,729	10,617	Superior Court--Appellate Division	02	11,412	12,154	11,412
21,338	3,007	558	24,903	23,577	Civil Courts	03	25,891	26,390	25,891
15,554	197	18	15,769	15,632	Criminal Courts	04	14,684	14,964	14,684
10,674	114	947	11,735	11,625	Family Courts	05	11,394	12,574	11,394
885	6	-70	821	739	Municipal Courts	06	884	1,054	884
9,371	202	-2,198	7,375	6,671	Probation Services	07	8,760	9,597	8,760
9,199	22	-193	9,028	8,908	Court Reporting	08	8,819	11,007	8,819
1,170	25	136	1,331	1,237	Legal and Professional Services	09	1,033	1,177	1,033
10,314	458	354	11,126	10,818	Information Services	10	10,292	18,982	10,292
1,900	14	425	2,339	2,298	Field Operations	11	2,361	2,741	2,361
4,648	182	221	5,051	4,750	Management and Administration	12	4,915	7,026	4,915
98,663	4,329	680	103,672	100,187	Total Appropriation		104,016^(a)	121,505	104,016
Distribution by Object									
Personal Services:									
120	—	—	120	120	Chief Justice		120	120	120
690	—	—	690	690	Associate Justices		690	690	690
38,940	—	999	39,939	39,926	Judges		42,365	42,365	42,365
36,704	51	2,795	39,550	39,043	Salaries and Wages		40,513	48,878	40,513
76,454	51	3,794	80,299	79,779	Total Personal Services		83,688	92,053	83,688
1,996	193	-34	2,155	1,900	Materials and Supplies		1,983	2,127	1,983
6,665	460	-2,004	5,121	4,745	Services Other Than Personal		6,233	7,919	6,233
309	35	10	354	271	Maintenance and Fixed Charges		460	494	460
Special Purpose:									
155	25	1	181	109	Rules Development	01	155	155	155
350	1,848 ^R	-330	2,066	1,256	Automobile Arbitration	03	—	—	—
80	25 ^R	-95	125	94	Alternative Dispute Resolution	03	80	80	80

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Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Rcpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended	
	105								
150	686 ^R	-217	724	331	Personal Injury Arbitration	03	—	—	
—	—	—	—	—	General Equity	03	737 ^(b)	737	
26	82	981	1,089	1,041	Speedy Trial Program, Case Processing Improvement	04	50	50	
1,124	—	—	1,124	1,124	Child Support and Paternity Program (State Share)	05	1,124	1,693	
75	10	1	86	59	Child Placement Review Advisory Council	05	75	75	
325	86	-35	376	319	Juvenile Delinquency Commission	05	—	325	
310	—	-58	252	244	Municipal Court Assistance	06	— ^(c)	—	
	44								
5,847	149 ^R	-817	5,223	4,805	Intensive Supervision Program	07	5,847	5,847	
2,567	—	-1,281	1,286	1,021	Juvenile Intensive Supervision Program	07	2,067	2,482	
179	1	—	180	174	Affirmative Action	12	183	183	
—	—	—	—	—	Court Unification Support	12	— ^(d)	—	
11,188	3,374	-1,850	12,712	10,577	<i>Total Special Purpose</i>		10,318	11,627	
2,051	216	764	3,031	2,915	Additions, Improvements and Equipment		1,334	7,285	
							1,334	1,334	

OTHER RELATED APPROPRIATIONS

3,288	541	-1,607	2,222	2,132	<i>Total Grants-in-Aid</i>		3,021	3,021	—
—	—	—	—	—	<i>Total State Aid</i>		—	167,033	163,481
—	—	—	—	—	<i>Total Capital Construction</i>		—	14,132	1,200
101,951	4,870	-927	105,894	102,319	<i>Total General Fund</i>		107,037	305,691	268,697
Federal Funds									
—	—	1	1	1	Supreme Court	01	—	—	—
	15								
—	19 ^R	—	34	19	Civil Courts	03	—	—	—
—	—	132	132	132	Criminal Courts	04	—	—	—
—	13 ^R	39,224	39,237	39,237	Family Courts	05	45,807	48,084	45,784
—	—	17	17	17	Municipal Courts	06	—	—	—
—	—	535	535	535	Information Services	10	—	—	—
—	67 ^R	—	67	67	Field Operations	11	28	—	—
—	6 ^R	-3	3	3	Management and Administration	12	—	—	—
—	120	39,906	40,026	40,011	<i>Total Federal Funds</i>		45,835	48,084	45,784
All Other Funds									
	53								
—	5,100 ^R	1	5,154	4,304	Supreme Court	01	4,577	5,510	5,510
	2								
—	420 ^R	-1	421	324	Civil Courts	03	389	403	403
	279								
—	3,791 ^R	-1	4,069	3,669	Municipal Courts	06	4,100	5,701	5,701
—	—	126	126	52	Probation Services	07	—	75	75
—	13	—	13	9	Management and Administration	12	—	—	—
—	9,658	125	9,783	8,358	<i>Total All Other Funds</i>		9,066	11,689	11,689
101,951	14,648	39,104	155,703	150,688	GRAND TOTAL		161,938	365,464	326,170

Notes: (a) The fiscal year 1994 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 accounts.

(b) Due to State assumption of county court costs in FY 1995, \$500,000 of the \$1,237,000 appropriation has been distributed to applicable operating accounts.

(c) Appropriation of \$310,000 distributed to applicable operating accounts.

(d) Appropriation of \$1,100,000 distributed to applicable operating accounts.

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LANGUAGE PROVISIONS

It is recommended that the unexpended balance as of June 30, 1994 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 receipts from charges to the Superior Court Trust Fund, Clients' Security Fund, Ethics Financial Committee, Board of Trial Attorney Certification, Bar Admission Financial Committee, and Automated Traffic System Fund for services provided to these 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.

98,663	4,329	680	103,672	100,187	Total Appropriation, The Judiciary	104,016	121,505	104,016
5,101,032	237,398	-1,130	5,337,300	5,207,920	Grand Total, Direct State Services	5,286,354	6,019,062	5,065,183