

CENTER for JUDICIAL ACCOUNTABILITY, INC.*

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July 15, 2013

Shawn Kerby, Records Access Officer & Assistant Deputy Counsel
Office of Court Administration
25 Beaver Street, 11th Floor
New York, New York 10004

RE: Request, pursuant to FOIL and §124 of the Rules of the Chief Administrator, for records: (1) itemizing appropriations for the “Executive Direction’ portion” of the Judiciary’s “Administration and General Support” budgets; (2) of financial and operational audits of the Office of Inspector General; & (3) itemizing complaints received and initiated by the Office of Inspector General and their dispositions

Dear Ms. Kerby:

This responds to your March 20, 2013 letter, stating, in response to CJA’s March 7, 2013 FOIL request for “annual appropriations” for the Office of Court Administration’s Office of Inspector General, that:

“the Inspector General’s Office is part of the ‘Executive Direction’ portion of the ‘Administration and General Support’ budget”.

Please be advised that it is impossible to discern from such “Executive Direction’ portion” the appropriations for the Office of Inspector General. Indeed, although the Judiciary’s budgets for fiscal years 2013-2014 and 2012-2013 contain cumulative appropriation figures for “Executive Direction” of \$2,825,320 and \$2,886,294, respectively – its budgets for the prior three fiscal years appear to contain only cumulative appropriation figures for “Administration and General Support – \$21,479,978 (2011-2012); \$21,193,175 (2010-2011); and \$27,637,037 (2009-2010) – with the sole specifics as to “Executive Direction” being a description so completely vague as to give no clue that it encompasses the Office of Inspector General, *to wit*,

* **Center for Judicial Accountability, Inc. (CJA)** is a national, non-partisan, non-profit citizens’ organization, working to ensure that the processes of judicial selection and discipline are effective and meaningful.

“The Chief Administrative Judge of the Courts, assisted by the Chief of Operations and Administrative Director of the Courts, provides management and direction for the UCS under the general direction of the Chief Judge of the State of New York.”

For your convenience, the relevant pages from the past five fiscal-year budgets are enclosed.

Consequently, pursuant to FOIL and §124 of the Rules of the Chief Administrator, this is to request inspection of all records itemizing the appropriations for the “Executive Direction’ portion” of the Office of Court Administration’s “Administration and General Support” budgets for the past five fiscal years. If there has been an “internal fiscal and operational audit” of the Inspector General’s Office during its 30 years of existence – and the enclosed pages identify an “Office of Internal Affairs” that “conducts internal fiscal and operational audits for all courts and court-related agencies in the Unified Court System” – please also furnish same.

Finally, inasmuch as you state that “the Inspector General’s Office does not prepare ‘annual reports of its activities’”, please furnish any records itemizing complaints handled by the Inspector General’s Office, both received and initiated by it, since the Office was established in 1982, pertaining to “infractions of discipline standards, criminal activities, corrupt activity, conflicts of interest, misconduct, misfeasance and incompetence on the part of...non-judicial employees of the court system”¹ and their dispositions.

Pursuant to §124.6 of the Chief Administrator’s Rules and Public Officers Law §89.3, your response is required “within five business days” of your receipt of this request.

To expedite our receipt of same, kindly e-mail me at elena@judgewatch.org.

Thank you.

Yours for a quality judiciary,



ELENA SASSOWER, Director
Center for Judicial Accountability, Inc. (CJA)

Enclosures: 5 pages

¹ 1982 Administrative Order establishing the Office of Inspector General, Sec. 2 “Responsibilities of Inspector General”

Administration and General Support

Budget Summary - All Funds

	2013-14 Request		
	Personal Service	Nonpersonal Service	Total
UCS Commissions	\$749,570	\$149,626	\$899,196
Communications	\$455,348	\$12,794	\$468,142
Counsel Activities	\$2,640,060	\$35,965	\$2,676,025
Deputy Chief Administrative Judges	\$1,245,113	\$44,381	\$1,289,494
Division of Financial Management	\$1,757,786	\$25,300	\$1,783,086
✓ Executive Direction	\$2,626,620	\$198,700	\$2,825,320
Internal Audit Services	\$2,238,963	\$135,344	\$2,374,307
Judicial Institute Education & Training	\$826,844	\$839,500	\$1,666,344
Jury, Court Statistics & Operations	\$1,495,981	\$59,000	\$1,554,981
HR Civil Service & Labor Administration	\$2,450,541	\$350,515	\$2,801,056
Public Affairs	\$486,289	\$74,936	\$561,225
Attorney Registration	\$828,728	\$644,409	\$1,473,137
Court Facilities Administration	\$1,064,191	\$11,000	\$1,075,191
Web Design	\$437,543	\$38,200	\$475,743
Undistributed	(\$279,494)	\$0	(\$279,494)
Total:	\$19,024,083	\$2,619,670	\$21,643,753

Administration and General Support

Budget Summary - All Funds

	2012-13 Request		
	Personal Service	Nonpersonal Service	Total
UCS Commissions	\$770,463	\$149,926	\$920,389
Communications	\$447,698	\$12,000	\$459,698
Counsel Activities	\$2,588,681	\$35,965	\$2,624,646
Deputy Chief Administrative Judges	\$1,326,617	\$52,381	\$1,378,998
Division of Financial Management	\$1,710,916	\$21,800	\$1,732,716
✓ Executive Direction	\$2,710,894	\$175,400	\$2,886,294
Internal Audit Services	\$2,214,305	\$132,844	\$2,347,149
Judicial Institute Education & Training	\$861,161	\$849,500	\$1,710,661
Jury, Court Statistics & Operations	\$1,483,601	\$60,000	\$1,543,601
Personnel Activities	\$3,406,266	\$454,130	\$3,860,396
Public Affairs	\$401,085	\$89,425	\$490,510
Attorney Registration	\$832,244	\$583,195	\$1,415,439
Court Facilities Administration	\$1,056,393	\$411,000	\$1,467,393
Total:	\$19,810,324	\$3,027,566	\$22,837,890

Major Purpose Summary

ADMINISTRATION AND GENERAL SUPPORT

2011-12 Budget Request: \$21,479,978

General Fund: 18,314,008

Special Revenue Funds: 3,165,970

The Office of Court Administration provides management and operational support services for the Unified Court System (UCS). Executive and policy direction is provided by the Chief Administrative Judge of the Courts, the respective Deputy Chief Administrative Judges for the courts and court-related agencies within and outside New York City, and the Chief of Operations and Administrative Director of the Courts. Legal support and analysis is provided by Counsel's Office.

Chief Administrative Judge

Office of Internal Affairs

This office conducts internal fiscal and operational audits for all courts and court-related agencies in the UCS.

Counsel's Office

Counsel's Office provides legal analysis in policy formation, negotiates and prepares contracts to which the UCS is a party, provides legislative services, and represents the UCS in litigation.

Deputy Chief Administrative Judges Within NYC and Outside NYC

On behalf of the Chief Judge and Chief Administrative Judge of the Courts, the Deputy Chief Administrative Judges supervise the operation of the trial courts and court-related agencies within their respective jurisdictions. In meeting this responsibility, staff prepare court calendars and administrative orders, formulate judicial assignments, monitor individual assignment caseload, and provide general management assistance for automation, budget and personnel matters.

Office of Court Administration



Executive Direction

The Chief Administrative Judge of the Courts, assisted by the Chief of Operations and Administrative Director of the Courts, provides management and policy direction for the UCS under the general direction of the Chief Judge of the State of New York.

Division of Human Resources

The Director of Human Resources supervises the operations of the Employee Relations Office and Personnel Office which provide the following functions:

-Employee Relations negotiates and administers collective bargaining agreements with designated bargaining units. The office is also responsible for processing workers' compensation claims, administering sick leave banks, and processing alternative work schedule requests. Staff of the Employee Relations Office review and analyze contract grievances and represent the UCS before the Public Employment Relations Board (PERB).

Major Purpose Summary

ADMINISTRATION AND GENERAL SUPPORT

2010-11 Budget Request: \$21,193,175

General Fund: 18,025,478

Special Revenue Funds: 3,167,697

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Office of Court Administration

✓ Executive Direction

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Major Purpose Summary

ADMINISTRATION AND GENERAL SUPPORT

2009-10 Budget Request: \$27,637,037

<i>General Fund: 24,670,698</i>

<i>Special Revenue Funds: 2,966,339</i>

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Office of Court Administration

✓ Executive Direction

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Division of Technology

The director and administrative staff of the Division of Technology develop and oversee all automation and telecommunications systems that support the Unified Court System. In this capacity, they oversee software applications support and development and are responsible for CourtNet and related technical and communications services.