

**JUDICIARY BUDGET**  
**2017-2018 BUDGET REQUEST**  
**EXECUTIVE SUMMARY**

Pursuant to Article VII, Section 1 of the State Constitution, the Judiciary respectfully submits the following itemized estimate of its financial needs for Fiscal Year 2017-2018.

✓ At her investiture as New York’s new Chief Judge earlier this year, Janet DiFiore announced, as her highest priority, the Excellence Initiative, a comprehensive and critical evaluation of court operations and administration at every level. As noted by the Chief Judge, this system-wide review is the first step toward a larger purpose--nothing less than “operational and decisional excellence in everything that we do” in the Judiciary.

This budget request reflects the Judiciary’s renewed commitment to and focus on excellence. To ensure that the courts have the resources necessary to fulfill their constitutional mission, this request seeks \$2.18 billion for the State Operations portion of the Judiciary budget. That represents an increase of \$42.7 million, or two percent, over current-year cash funding. In addition, the Judiciary is seeking a capital appropriation of \$15 million, to rebuild the technology and security infrastructure necessary to support the work of the courts. In sum, this request seeks the resources necessary to deliver justice in a manner that reflects the full measure of the State’s commitment to a just society under the rule of law.

✓ **The Excellence Initiative: Back to Basics**

The initial focus of the Excellence Initiative is on court fundamentals – the Judiciary’s core mission to fairly and promptly adjudicate each of the millions of cases filed in the New York State courts every year. Working closely with our Administrative Judges and local court administrators, and consulting the bar, prosecutors and other partners in the justice community, we have undertaken an extensive examination into the causes of the backlogs, bottlenecks and delays in adjudicating cases. Based on this self-examination, we are designing and implementing solutions – such as restructuring how courts process cases, redeploying judges and nonjudicial employees to fully maximize our resources, and increasing trial capacity – tailored to the needs of individual courts and jurisdictions.

A critical feature of these efforts is obtaining and analyzing timely and accurate data. Consequently, we have devoted substantial efforts to developing new data tools–dashboards that allow us to analyze the court system’s enormous case inventory, in real time, to identify problems earlier and with greater precision. These tools also allow the development of objective metrics and standards which permit swift assessment of management successes and deficiencies.

The data show that we have already made significant progress in addressing delays and backlogs. But there is more that remains to be done, and we will continue to focus on this core issue.

While perhaps the most important aspect of the Excellence Initiative, the timely resolution of disputes is only one of its many concerns. In the months ahead, we will examine each aspect of court operations to assess what works, what doesn't, and what we can improve. Among the areas we will examine are the jury system, records management, court interpreting, back office operations, training of judges and court employees, and ensuring access to persons with disabilities.

### **The Judiciary's 2017-2018 Budget Request**

The Judiciary's budget request seeks the funds necessary to support this commitment to excellence.

This request must be understood within the context of the Judiciary's budget over the past seven years. Over that time the Judiciary faced significant cost increases, mostly nondiscretionary, without corresponding increases in funding. In Fiscal Year 2009-2010, the State Operations portion of the Judiciary budget was \$2.012 billion. Seven years later, that amount is \$2.132 billion, an increase of only \$120 million, or about nine-tenths of one percent annually. Yet in that period of extremely modest growth in funding, the Judiciary was required to pay out hundreds of millions of dollars in new, unfunded costs.

During those years the Judiciary demonstrated its commitment to being a good partner with its co-equal branches to address the State's fiscal challenges, not only by seeking to reduce costs where possible, but more fundamentally by seeking better and more efficient ways to serve the justice needs of New Yorkers. Our primary objective was to minimize the impact of these difficult budgets on the public. In this regard we cannot overstate the extraordinary efforts of our judges and employees to maintain a high level of service in the face of a reduction in resources. Despite those efforts, service to the public did suffer. During Fiscal Years 2009-2010 to 2013-2014, the only way for the court system to meet its financial obligations was to reduce the size of its workforce by not refilling positions as employees left service. As a result of these attrition-based budgets, the staffing of the courts fell by more than 2,000 employees. The loss of back office staff led to delays in processing cases. In many courthouses, the loss of court officers and other courtroom staff caused delays in opening court parts.

The budgets for Fiscal Years 2014-2015 to 2016-2017 provided increases to offset some new costs, so that we were able to avoid further reduction of our workforce and to hire a limited number of new employees in operationally critical positions in the courts. As a result, we are currently about 250 employees above the low point reached in 2014.

#### **A. State Operations: Supporting the Courts' Core Mission**

The requested two percent increase in our operating budget will be dedicated to providing the courts with the resources they need to improve our core operations, toward the goal of achieving excellence. With the requested increase, we will be able to continue our efforts to ensure adequate court staffing, especially in clerk, court officer, interpreter, court reporter, and other courtroom and back office positions that are critical to providing a high level of service to the