

Department of Law

The FY 2019 Executive Budget recommends All Funds spending of \$247 million, an increase of \$5.1 million, or 2.1 percent, from FY 2018 levels.

The spending increase is primarily due to an additional \$5.6 million, or four percent, in spending for personal service costs and \$3.5 million, or 12 percent, in spending for fringe benefit costs. This rise in spending is primarily a result of agreed to increases for collective bargaining units and management confidential employees.

Non-personal service spending would increase \$1.28 million, or 2.1 percent. A reduction of \$5.3 million, or 53 percent, in capital spending on the IT Initiative program would offset these increases. The IT Initiative program spending would be used to acquire equipment, software, and services associated with the implementation of case management, e-discovery and charities registration systems, as well upgrading IT systems and data centers.

The Executive proposes no change in Full Time Equivalent (FTE) positions.

Judicial Commissions

The FY 2019 Executive Budget recommends an All Funds increase of \$112,000, or two percent, from FY 2018 levels for the Commission on Judicial Conduct. The increase is primarily due to an increase in lease costs.

The FY 2019 Executive Budget recommends the same level of funding as in FY 2018 for the Commission on Judicial Nomination (\$30,000) and the Judicial Screening Committees (\$38,000).

Judiciary ✓

The FY 2019 Executive Budget recommends All Funds spending of \$3.1 billion, an increase of \$102 million, or 3.4 percent.

This reflects a spending increase of \$24 million for employee benefit costs, and \$55.9 million for personal service and nonpersonal service/indirect costs for Court and Agency Operations. Aid to Localities spending for the Court Facilities Incentive Aid Program and Justice Court Assistance Program would increase by \$3.7 million, or 3.4 percent. Capital spending would increase \$3 million, or 20 percent. The Judiciary transfers \$15 million for grants for civil legal services to the Interest on Lawyer Account.

The \$55.9 million increase to Court and Agency Operations reflects a personal service increase of \$58.9 million, or 3.7 percent, and a non-personal service/indirect costs decrease of \$3 million, or 0.6 percent. Of the personal service increase, \$16.3 million would be attributable to compensation increases for Judges. Over the past six to eight months, the Office of Court Administration has agreed to new contracts with its 12 unions. Approximately \$25.5 million of the increase is attributable to incremental step progression and raises for non-judicial employees. The remaining personal service increase is nearly all attributable to costs associated with the new contracts.

The Office of Court Administration and the Executive disagree over whether the proposed OCA budget conforms with the two percent spending cap. The difference is a result of how each accounts for an \$11 million interchange of appropriation authority, that occurred during FY 2018, which transferred \$11 million of spending from General State Charges to State Operations.

OCA treats this as an increase of \$11 million to FY 2018 spending to \$2,186.5 million. The

Executive does not increase the FY 2018 State Operations spending from \$2,175.5 million. Thus the Executive's approach results in a State Operations spending increase of \$11 million more than OCA, and 0.5 percent higher. Notwithstanding this discrepancy, the Governor stated at the Executive Budget presentation that he would support the 2.5 percent spending increase, provided Judges certify court rooms are operating from nine to five.

Of the \$18 million in capital projects spending, \$13 million would be used to continue plans to modernize the Judiciary's computer network, provide computing equipment for judges, court staff, the court system's data centers, and provide various communications upgrades for all judges and court staff. OCA would invest \$3 million to purchase critical security equipment including x-ray scanning machines, magnetometers, security cameras and access control systems. The remaining \$2 million would be used to enhance the court system's capabilities to digitize paper records.

The Judiciary Budget does not include retroactive pay for the recently agreed to collective bargaining agreements between the State and the two public employee unions for the New York City senior court officers and the New York City court officers. To fully fund the retroactive salary increases and other benefits included in the agreements for the period from April 1, 2011 to April 2018, would require an appropriation of \$43 million.

Public Protection
Proposed Disbursements - All Funds
(Thousands of Dollars)

Agency	Estimated FY 2018	Proposed FY 2019	Change Amount	Percent
Department of Corrections and Community Supervision	3,004,183	3,007,995	3,812	0.13%
Division of Criminal Justice Services	222,485	212,699	-9,786	-4.40%
Division of State Police	826,238	776,397	-49,841	-6.03%
Office of Victim Services	86,737	85,515	-1,222	-1.41%
Commission of Correction	2,651	2,651	0	0.00%
Judicial Commissions	5,652	5,764	112	1.98%
Division of Military and Naval Affairs	122,678	112,416	-10,262	-8.36%
Division of Homeland Security and Emergency Services	1,383,994	1,092,270	-291,724	-21.08%
Office of Indigent Legal Services	79,781	166,393	86,612	108.56%
Office for the Prevention of Domestic Violence	2,881	2,881	0	0.00%
Totals:	5,737,280	5,464,981	(272,299)	-4.75%
Judiciary	2,960,997	3,062,529	101,532	3.43%
Department of Law	241,984	247,030	5,046	2.09%