



ANALYSIS OF THE NEW JERSEY BUDGET

THE JUDICIARY

FISCAL YEAR

2008 - 2009

NEW JERSEY STATE LEGISLATURE

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THE JUDICIARY

Budget Pages..... C-11, C-12, C-20, C-27, C-29, C-31, D-475 to D-483, H-24, H-30, H-31, H-69, H-70

Fiscal Summary (\$000)

	Expended FY 2007	Adjusted Appropriation FY 2008	Recommended FY 2009	Percent Change 2008-09
State Budgeted	\$576,492	\$629,131	\$636,137	1.1%
Federal Funds	81,358	93,403	96,664	3.5%
Other	<u>60,210</u>	<u>59,223</u>	<u>60,394</u>	<u>2.0%</u>
Grand Total	\$718,060	\$781,757	\$793,195	1.5%

Personnel Summary - Positions By Funding Source

	Actual FY 2007	Revised FY 2008	Funded FY 2009	Percent Change 2008-09
State	7,975	7,928	8,030	1.3%
Federal	1,272	1,293	1,302	.7%
Other	<u>259</u>	<u>267</u>	<u>275</u>	<u>3.0%</u>
Total Positions	9,506	9,488	9,607	1.3%

FY 2007 (as of December) and revised FY 2008 (as of January) personnel data reflect actual payroll counts. FY 2009 data reflect the number of positions funded

Key Points

- Recommended FY 2009 State funding for the Judiciary totals \$636 million, \$7 million or 1 percent more than the Judiciary's FY 2008 adjusted appropriation.
- A total of \$38.473 million is recommended for drug courts in FY 2009, \$5.784 million or 17.7 percent more than the FY 2008 adjusted appropriation of \$32.689 million. This appropriation is divided into three distinct categories. Treatment/Aftercare; Operations and Judgeships. While the Judiciary would retain the \$12.071 million appropriated for operations and judicial positions, the remaining \$26.402 million would be transferred to the Division of Addiction Services within the Department of Human Services for treatment and aftercare services. This increase is in response to the enactment of P.L.2008, c.15, which implemented many of the reforms recommended by the Governor's Government Efficiency and Reform (GEAR) Commission to expand the current eligibility requirements for entry into the drug court program. Drug courts

Key Points (Cont'd)

provide for intensive, court supervised substance abuse treatment for carefully screened non-violent, addicted offenders as an alternative to incarceration.

- P.L.2008, c.15 expands the current eligibility requirements for entry into the drug court program. The Drug Court Treatment/Aftercare program is recommended to receive \$26.4 million in FY 2009, \$5.8 million more than FY 2008 adjusted appropriation of \$20.6 million. The increase is required to support the increased caseload of the drug courts as a result of this enactment. Budget evaluation data indicate that the number of participants will grow from 3,331 in FY 2008 to 3,871 in FY 2009, an increase of 540 offenders. The Drug Court Program is aimed toward diverting certain drug offenders from the State prison system and into treatment programs, thereby reducing the demand for State prison bed spaces. Increases in the drug court program would be offset by a reduction of \$6.2 million in the Department of Corrections' Purchase of Services for Inmates Incarcerated in County Penal Facilities account, resulting in a net savings of \$400,000.
- Drug Court Judgeships are recommended to receive \$1.612 million in FY 2009, the same amount received in FY 2008. P.L.2007, c.350 increased judicial salaries on January 1, 2008 and again on January 1, 2009. No provision has been made for these increases in this line item.
- The Intensive Supervision Program (ISP) is recommended to receive \$13.96 million in FY 2009, \$1.29 million or 10 percent more than the FY 2008 adjusted appropriation of \$12.67 million. The ISP program places State-sentenced non-violent adult offenders in alternative, strictly supervised community programs after two months of incarceration. The program operates as an alternative to incarcerating non-violent offenders in the overpopulated State prison system, reserving prison bed spaces for violent offenders. During FY 2008, the program diverted 1,275 adult offenders from the State's prisons. Of these offenders, 457, or 36 percent, were returned to State prison for various infractions of the ISP regulations. The FY 2009 recommended appropriation would support 1,350 program participants, an increase of 75 offenders. Program expansion was recommended by the Governor's Government Efficiency and Reform (GEAR) Commission. The Department of Corrections budget anticipates a savings of about \$1.7 million attributable to increased ISP funding.
- P.L.2002, c.34 provided for an increase in a number of judicial court fees and provides that revenue derived from fee increases be deposited in a non-lapsing "Court Technology Improvement Fund". The fund was established as a dedicated fund to be used for the development, establishment, operation and maintenance of computerized court information systems in the Judiciary. The budget recommendation estimates that \$12.3 million will be collected for this purpose in FY 2009, the same as anticipated in FY 2008 and \$1 million less than was collected in FY 2007.
- The Judiciary anticipates the receipt of \$96.7 million in Federal funding in FY 2009, an increase of \$3.3 million or 3.5 percent over the FY 2008 adjusted appropriation of \$93.4 million. The increase primarily constitutes growth in Federal matching funds for the Title IV-D Paternity program in both the Family and Probation Divisions. The program, established in 1975, is a Federal/State partnership whose primary mission is to enforce child support obligations against non-custodial parents. Under Title IV-D, the

Key Points (Cont'd)

Federal government reimburses the State and counties for 66.7 percent of the cost of conducting child support enforcement activities.

- The Judiciary has historically received authorization to carry forward unexpended balances into the following fiscal year. FY 2009 recommended budget language would permit the re-appropriation of up to \$9 million in unexpended balances from FY 2008 subject to the approval of the Director of the Division of Budget and Accounting. The FY 2008 budget allowed for the carry forward of \$3 million into FY 2008.

Background paper

- Judicial Compensation

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Fiscal and Personnel Summary

AGENCY FUNDING BY SOURCE OF FUNDS (\$000)

	Expended FY 2007	Adj. Approp. FY 2008	Recom. FY 2009	Percent Change	
				2007-09	2008-09
General Fund					
Direct State Services	\$576,492	\$629,131	\$636,137	10.3%	1.1%
Grants-In-Aid	0	0	0	0.0%	0.0%
State Aid	0	0	0	0.0%	0.0%
Capital Construction	0	0	0	0.0%	0.0%
Debt Service	0	0	0	0.0%	0.0%
Sub-Total	\$576,492	\$629,131	\$636,137	10.3%	1.1%
Property Tax Relief Fund					
Direct State Services	\$0	\$0	\$0	0.0%	0.0%
Grants-In-Aid	0	0	0	0.0%	0.0%
State Aid	0	0	0	0.0%	0.0%
Sub-Total	\$0	\$0	\$0	0.0%	0.0%
Casino Revenue Fund	\$0	\$0	\$0	0.0%	0.0%
Casino Control Fund	\$0	\$0	\$0	0.0%	0.0%
State Total	\$576,492	\$629,131	\$636,137	10.3%	1.1%
Federal Funds	\$81,358	\$93,403	\$96,664	18.8%	3.5%
Other Funds	\$60,210	\$59,223	\$60,394	0.3%	2.0%
Grand Total	\$718,060	\$781,757	\$793,195	10.5%	1.5%

PERSONNEL SUMMARY - POSITIONS BY FUNDING SOURCE

	Actual FY 2007	Revised FY 2008	Funded FY 2009	Percent Change	
				2007-09	2008-09
State	7,975	7,928	8,030	0.7%	1.3%
Federal	1,272	1,293	1,302	2.4%	0.7%
All Other	259	267	275	6.2%	3.0%
Total Positions	9,506	9,488	9,607	1.1%	1.3%

FY 2007 (as of December) and revised FY 2008 (as of January) personnel data reflect actual payroll counts. FY 2009 data reflect the number of positions funded.

AFFIRMATIVE ACTION DATA

Total Minority Percent	36.1%	36.1%	36.0%	---	---
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Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp. FY 2008</u>	<u>Recomm. FY 2009</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
DIRECT STATE SERVICES					
Special Purpose:					
Drug Court Treatment/Aftercare	\$20,618	\$26,402	\$ 5,784	28.1%	D-482
Drug Court Operations	\$10,459	\$10,459	0	—	D-482
Drug Court Judgeships	\$1,612	\$1,612	0	—	D-482
TOTAL Drug Courts	\$32,689	\$38,473	\$ 5,784	17.7%	

The FY 2009 recommendation for Drug Courts would provide an additional \$5.8 million for Drug Court Operations to support the increased case load of the drug courts. The Judiciary has stated that while the total increase is displayed in the Drug Court Treatment/Aftercare line, it is anticipated that \$1.2 million of the recommended increase will be transferred to the operations line to fund the Judiciary's costs of program expansion.

Budget evaluation data indicate that the number of participants in the Drug Court program will grow from 3,331 in FY 2008 to 3,871 in FY 2009, an increase of 540 offenders. This increase is in response to the enactment P.L.2008, c.15 which implemented many of the reforms recommended by the Governor's Government Efficiency and Reform (GEAR) Commission to expand the current eligibility requirements for entry into the drug court program. The Drug Court program is aimed toward diverting certain drug offenders from the State prison system and into treatment programs, thereby reducing the demand for State prison bed spaces. Increases in the drug court program would be offset by a reduction of \$6.2 million in the Department of Corrections' Purchase of Services for Inmates Incarcerated in County Penal Facilities account, resulting in a net savings of \$400,000.

Child Support and Paternity Program Title IV-D (Family Court)	\$13,444	\$14,251	\$ 807	6.0%	D-482
Child Support and Paternity Program Title IV-D (Probation)	\$27,516	\$26,099	(\$1,417)	(5.1%)	D-482
Child Support and Paternity Program Title IV-D (Trial)	\$2,040	\$2,650	\$ 610	29.9%	D-482

Significant Changes/New Programs (\$000) (Cont'd)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2008</u>	<u>Recomm.</u> <u>FY 2009</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
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**TOTAL: Child
Support and Paternity
Program Title IV-D**

	\$43,000	\$43,000	0	—	
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The FY 2009 recommendation for the various divisions' Child Support and Paternity Title IV-D programs represents a reallocation of funding among the divisions to better reflect program expenditures. The program, established in 1975, is a Federal/State partnership whose primary mission is to enforce child support obligations against non-custodial parents. No increase is recommended for the program in FY 2009.

**Intensive Supervision
Program**

	\$12,666	\$13,960	\$ 1,294	10.2%	D-482
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The recommended increase for this program would allow the Intensive Supervision program (ISP) to provide services to 1,350 participants, 75 more than the number of offenders served in FY 2008. The ISP program places State-sentenced non-violent adult offenders in alternative, strictly supervised community programs after two months of incarceration. The program operates as an alternative to incarcerating non-violent offenders in the overpopulated State prison system, reserving prison bed spaces for violent offenders. (Program expansion was recommended by the Governor's Government Efficiency and Reform (GEAR) Commission.) The Department of Corrections budget anticipates a \$3.6 million savings from the expansion of community supervision programs, of which about \$1.7 million is attributable to increased ISP funding.

FEDERAL FUNDS

Criminal Courts	\$0	\$1,500	\$ 1,500	—	D-483
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The FY 2009 recommendation anticipates the receipt of \$1.5 million in federal funding for family drug court programs. Since the publication of the FY 2009 budget recommendation, the Judiciary has been informed that this grant will not be received.

Family Courts	\$32,454	\$31,797	(\$ 657)	(2.0%)	D-483
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The FY 2009 recommendation includes an increase of \$243,000 for the Title IV-D Child Support and Paternity Program. The program, established in 1975, is a Federal/State partnership whose primary mission is to enforce child support obligations against non-custodial parents. Under Title IV-D, the federal government reimburses the State and counties for 66.7 percent of the cost of conducting child support activities. The increase represents the federal portion of the increase in salaries and fringe benefits costs. The program is anticipated to receive \$30.262 million in FY 2009.

The net decrease is the result of the elimination of federal funding for the Essex Family Drug Court and the Sussex Family Drug Court. These programs received \$450,000 each in FY 2008 and are not anticipated to receive funding in FY 2009.

Significant Changes/New Programs (\$000) (Cont'd)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2008</u>	<u>Recomm.</u> <u>FY 2009</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
Probation Services	\$56,399	\$58,655	\$ 2,256	4.0%	D-483
Trial Court Services	\$4,550	\$4,712	\$ 162	3.6%	D-483
TOTAL Probation and Trial Court	\$60,949	\$63,367	\$ 2,418	4.0%	

The anticipated FY 2009 increase in Federal Funds in both Probation Services and Trial court Services consists entirely of an increase in the Title IV-D Child Support and Paternity Program. The program, established in 1975, is a Federal/State partnership whose primary mission is to enforce child support obligations against non-custodial parents. Under Title IV-D, the federal government reimburses the State and counties for 66.7 percent of the cost of conducting child support activities. Probation Services and Trial Court Services are recommended to receive \$63.367 million in FY 2009, an increase of \$2.418 million over the FY 2008 appropriation. The increase represents the federal portion of the increase in salaries and fringe benefits costs.

ALL OTHER FUNDS

Supreme Court	\$16,032	\$16,748	\$ 716	4.5%	D-483
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The Supreme Court oversees operation of several self-funded activities. The Bar Admissions Financial Committee is funded through a fee charged to all applicants to the New Jersey Bar and revenues reflect the number of applicants to the New Jersey Bar. The Judiciary anticipates FY 2009 collections of \$3.709 million for this program, a \$248,000, or 7.2 percent increase over the FY 2008 collection level of \$3.461 million.

The Board on Attorney Certification is self-funded by fees charged to attorneys seeking certification in Civil Trial, Criminal Trial, Matrimonial Law and Workers Compensation Law in New Jersey. The FY 2009 income for this program is expected to increase from the FY 2008 level of \$326,000 to \$342,000, a \$16,000 or 4.9 percent increase.

The Ethics Financial Committee and the New Jersey Lawyers Fund for Client Protection are funded through assessments charged to all practicing attorneys. The Ethics Financial Committee is expected to increase collections by \$340,000, from \$10.368 million in FY 2008 to \$10.708 million in FY 2009, a 3.3 percent increase. The New Jersey Lawyers Fund for Client Protection is projected to collect \$1.989 million in FY 2009, a 6 percent increase over the FY 2008 collections of \$1.877 million.

Civil Courts	\$2,760	\$3,015	\$ 255	9.2%	D-483
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The FY 2009 budget estimates that the Superior Court Trust Fund will collect \$765,000 in FY 2008, an increase of \$5,000 over the FY 2008 adjusted appropriation of \$760,000. The Superior Court Trust Fund consists of deposits made into court as a result of various actions such as foreclosures, condemnations, liquidations, dissolutions, good faith deposits by insurers, sales of infants' lands, insolvencies, receiverships and interpleaders.

Significant Changes/New Programs (\$000) (Cont'd)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2008</u>	<u>Recomm.</u> <u>FY 2009</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
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The Special Civil Part, Certified Mailers fund is estimated to collect \$2.25 million in FY 2009, \$250,000, or 12.5 percent more than the amount collected in FY 2008. The fund provides for reimbursement to the trial courts for postage and printing costs incurred in sending out Special Civil Part service of process via certified mailers.

Probation Services	\$3,200	\$3,400	\$ 200	6.3%	D-483
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The recommended increase reflects growth in collections for the Comprehensive Enforcement Program. The program is anticipated to increase collections by \$200,000 in FY 2009 from \$3.2 million to \$3.4 million. The Comprehensive Enforcement Program (P.L.1995, c.9), provides for the enforcement of court orders and oversees the collection of court ordered fines, assessments, surcharges and judgments in the civil, criminal and family divisions, and Tax Court. In addition, municipal courts may request that any matters not resolved in accordance with their courts be transferred to the Comprehensive Enforcement Program. By statute, the Judiciary is permitted to deduct 25 percent of all funds collected through the program, (except for victim restitution and for Victim of Crime Compensation Board (VCCB) assessments) for deposit in the Comprehensive Enforcement Program Fund. The remaining 75 percent of the collections are paid to the agencies and individuals to whom these funds are owed.

Language Provisions

2008 Appropriations Handbook

2009 Budget Recommendations

p. B-224

Notwithstanding the provision of N.J.S.A. 2B:2-4, or any other law or regulation to the contrary, the amounts appropriated hereinabove for paying of judicial salaries shall be subject to the condition that, for Fiscal Year 2008, the annual salaries provided by law for justices and judges, pursuant to Article VI, Section VI, paragraph 6 of the New Jersey State Constitution shall be as follows:

No comparable language.

- Chief Justice of the Supreme Court - \$173,569
- Associate Justice of the Supreme Court - \$167,493
- Judge of the Superior Court, Appellate Division - \$158,511
- Judge of the Superior Court, Assignment Judge - \$155,076
- Judge of the Superior Court - \$149,000
- Judge of the Tax Court - \$149,000

Explanation

P.L.2007, c.350 statutorily increased judicial salaries as of January 1, 2008 and again on January 1, 2009. This language is no longer required.

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The unexpended balances at the end for the preceding fiscal year not to exceed \$3,000,000 in these respective accounts are appropriated subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balances at the end for the preceding fiscal year not to exceed \$9,000,000 in these respective accounts are appropriated subject to the approval of the Director of the Division of Budget and Accounting.

Explanation

The recommended language would increase the Judiciary's carry forward balance total from \$3 million, to \$9 million.

Discussion Points

1. P.L.2007, c.350 increased judicial salaries effective January 1, 2008, and again on January 1, 2009. Justices and judges are required to retire upon attaining age 70. They are permitted to retire prior to attaining the age of 70 if they have served from 5 to 20 years on the bench and have reached a specified age ranging from 60 to 65 years old. Judicial pensions are based upon a percentage of the final salary of the retiring judge.

- **Question:** What is the average number of judges who retire on an annual basis? What is the average retirement age of New Jersey's judges? Please provide a list of the number of judges who have retired or are anticipated to retire between July 1, 2007 and June 30, 2009 and their retirement dates. How many of these judges are retiring as a result of the mandatory retirement age? What is the overall status of judicial vacancies?

2. During recent years the Judiciary has made it a priority to reduce case backlogs. In an effort to maintain a lower backlog of court cases, the Judiciary has for many years used retired judges to serve on a recall basis in vicinages where there are judicial vacancies.

- **Question:** Please provide a description of the Recall Judge program. Why is the recall judge program necessary? How many retired judges participate in the program? What types of cases do recall judges normally handle?
- **Question:** How has the Judiciary addressed court backlogs during the last court year? How do judicial vacancies play a role in the growth of court backlogs? How do judicial retirements impact upon court operations and court backlogs?

3. The FY 2009 budget recommendation reduces the number of State employees through an early retirement initiative and layoffs. The Governor has further proposed that the ability to hire employees to fill these positions be limited to 10 percent of the positions vacated. The impact these personnel actions may have on the Judiciary's programs and services is not clear.

- **Question:** Do you anticipate that the Judiciary will participate in the early retirement proposal? How many of the Judiciary's staff would be eligible for the early retirement initiative or may be laid off, by division? To the extent that new employees cannot be hired, what services or programs would be reduced or eliminated? How will this impact the Judiciary's programs and services?

5. Under the Strategic Gun Initiative pilot program, Camden, Essex and Mercer vicinages have participated in a program designed to give priority to gun related cases. Under the program, "gun courts" handle first- and second-degree offenses committed with a gun such as robbery, assault, kidnapping or weapon possession for an unlawful purpose. Homicides are excepted.

- **Question:** How has the implementation of this pilot program affected the court's docket of gun cases? How has it affected the backlog of other cases? Does the Judiciary anticipate expansion of this program?

Discussion Points (Cont'd)

6. P.L.2008, c.15 expands the current eligibility requirements for entry into the drug court program so that more offenders may participate in the program as an alternative to incarceration. Drug courts provide for intensive, court supervised substance abuse treatment for certain non-violent, addicted offenders.

- **Question:** What impact will the population expansion have on the operation of the drug courts? What are the estimated costs of this program expansion? Does the FY 2009 budget recommendation make adequate provision for these costs?
- **Question:** How is success measured in a drug court program? What is the recidivism rate of drug court graduates as compared to the rate of recidivism of offenders housed in the general prison population? How do you respond to criticism that says drug courts "cherry pick" the defendants who are unlikely to re-offend even if drug court did not exist?

7. Recently, the Judiciary published for comment a report on Public Access to Court Information. The report included a proposed new court rule on public access to records, a history of public access to court records in New Jersey, a description of court structure and automated court records, and a review of current methods of public access to court records.

- **Question:** Please comment on the actions that the Judiciary is taking to improve public access to the courts and to make these improvements known to the public. Please comment on the issues that have arisen following the recommendation to provide Internet access to court records. How is the Judiciary balancing the concerns for privacy with the public's right to know? What is being done to protect litigants from identity theft in court records?
- **Question:** What impact would implementation of this rule as proposed have on judicial costs? Does the FY 2009 budget recommendation make adequate provision for these costs?

8. The Governor has stated that in order to save money and reduce the property tax burden on New Jersey taxpayers, municipalities should investigate the feasibility of entering into contracts with one another to share services, including court services.

- **Question:** How many of the State's municipalities participate in joint municipal courts? In sharing court services with other jurisdictions? What savings have been generated by such sharing? Please illustrate by specific examples the types of savings achieved. What actions has the Judiciary taken in order to assist municipalities in sharing municipal courts and municipal court services? What are the potential difficulties to such sharing arrangements?
- **Question:** Has the Administrative Office of the Courts been asked by the Department of Community Affairs to advise or assist in an effort to promote municipal court consolidation or other service sharing? If so please elaborate on the AOC's response and actions.

Discussion Points (Cont'd)

9. The New Jersey Supreme Court has just issued an opinion in State v. Chun (March 17, 2008) dealing with the use of the "Alcotest" in drunk driving cases. The opinion holds that the "Alcotest" is scientifically reliable and that its results are admissible in drunk driving prosecutions. The Court also vacated its January 10, 2006, stay of drunk driving prosecutions, appeals, and sentencing, which had been implemented pending the issuance of this opinion. As a result the stay on the prosecution of these cases, municipal courts may be experiencing backlogs in drunk driving cases.

- **Question:** What is the status of drunk driving cases in the State's municipal courts? What actions can be taken to help reduce any backlogs?

Background Paper: Judicial Compensation

Budget Pages.... D-475 to D-483

The New Jersey Constitution in Article VI, Section VI, Paragraph 6 provides that the salaries of the Justices of the Supreme Court and the Judges of the Superior Court may be provided by law and shall not be diminished during the term of their appointment. The salaries for the Judiciary are set forth in N.J.S.A.2B:2-4. These salaries were increased on July 1, 2007 as a result of budget language in the FY 2008 Appropriations Act (P.L.2007, c.111) and again on January 1, 2008 under P.L.2007, c.350. This statute provides that judicial salaries will increase again on January 1, 2009. A summary of these increases is provided in the table below.

JUDICIAL SALARY INCREASES

Position	Effective	Effective	Effective
	7/1/2007	1/1/2008	1/1/2009
	P.L.2007, c.111	P.L.2007, c.350	P.L.2007, c.350
Supreme Court Chief Justice	\$173,569	\$183,182	\$192,795
Supreme Court Associate Justice	\$167,493	\$176,488	\$185,482
Appellate Judge-Superior	\$158,511	\$167,023	\$175,534
Assignment Judge-Superior	\$155,076	\$163,404	\$171,731
Superior Court Judge	\$149,000	\$157,000	\$165,000
Tax Court Judge	\$149,000	\$157,000	\$165,000

OTHER STATE AND COUNTY OFFICER COMPENSATION

Judicial salaries are the standard by which several other State officials' salaries are determined. Various State statutes link the salaries of other State and local positions to the salary of that of the Superior Court judge. As a result whenever the salary of a Superior Court judge is increased, so is the salary of these positions. Affected State positions are Administrative Law Judges and Workers' Compensation judges. While the salaries of Administrative Law judges are funded out of the General Fund, the salaries of Workers' Compensation judges are not. Rather, they are funded from assessments on Workers' Compensation insurers and self-insured employers. The increased salaries and accompanying statutes are listed in the table below.

OTHER AFFECTED STATE OFFICER SALARIES

	Effective	Effective	Effective
	7/1/2007	1/1/2008	1/1/2009
	P.L.2007, c.111	P.L.2007, c.350	P.L.2007, c.350
Director/Chief Administrative Law Judge (N.J.S.A.52:14F-3)	\$132,610	\$139,730	\$146,850
Administrative Law Judge (N.J.S.A.52:14F-3)	\$126,650	\$133,450	\$140,250
Director/Chief Workers' Compensation Judge (N.J.S.A.34:15-49)	\$132,610	\$139,730	\$146,850

Background Paper: Judicial Compensation (Cont'd)

Workers' Compensation Judge (N.J.S.A.34:15-49)	\$126,650	\$133,450	\$140,250
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County positions whose compensation is determined by that of the Superior Court Judge include county surrogates (N.J.S.A.2B:14-3); county clerks (N.J.S.A.40A:9-76); registers of deeds and mortgages (N.J.S.A.40A:9-92); and sheriffs (N.J.S.A.40A:9-104). The statutes governing these salaries require that these positions be compensated at **not less than** 65 percent of the annual salary of a judge of the Superior Court. The new salaries for these positions are as follows:

MINIMUM COUNTY OFFICIAL SALARIES AFFECTED

	Effective 7/1/2007 P.L.2007, c.111	Effective 1/1/2008 P.L.2007, c.350	Effective 1/1/2009 P.L.2007, c.350
County Surrogate	\$96,850	\$102,050	\$107,250
County Clerk	\$96,850	\$102,050	\$107,250
Register of Deeds & Mortgages	\$96,850	\$102,050	\$107,250
County Sheriff	\$96,850	\$102,050	\$107,250

Indirectly, the salaries of various positions subordinate to the sheriff, county clerk and register of deeds and mortgages are also affected by any change in the salary of a Superior Court Judge. N.J.S.A.40A:19-117 provides that the undersheriff's annual compensation **shall not exceed** 90 percent of the annual compensation of the sheriff. N.J.S.A.40A:9-77 provides that the deputy county clerk's annual compensation shall not exceed 3/4 of the annual compensation of the county clerk, and any chief clerk in the office of the county clerk **shall not exceed** 3/5 of the annual compensation of the county clerk. N.J.S.A.40A:9-93 provides that the deputy register of deeds and mortgages annual compensation **shall not exceed** 3/4 of the annual compensation of the register of deeds and mortgages and the annual compensation of any chief clerk in the office of the register of deeds and mortgages **shall not exceed** 3/5 of the annual compensation of the register. A table listing these positions' maximum salaries is provided below.

MAXIMUM COUNTY SUBORDINATE SALARIES AFFECTED

	Effective 7/1/2007 P.L.2007, c.111	Effective 1/1/2008 P.L.2007, c.350	Effective 1/1/2009 P.L.2007, c.350
Undersheriff	\$87,165	\$91,845	\$96,525
Deputy County Clerk	\$72,638	\$76,538	\$80,438
Chief Clerk in County Clerk Office	\$52,299	\$55,107	\$57,915
Deputy Register of Deeds and Mortgages	\$72,638	\$76,538	\$80,438
Chief Clerk in Register of Deeds and Mortgages Office	\$52,299	\$55,107	\$57,915

Background Paper: Judicial Compensation (Cont'd)**COUNTY PROSECUTORS**

The salaries of county prosecutors, while not statutorily tied to the salary of a Superior Court judge, were also recently increased. Their salary, as set in P.L.2007, c.350 is as follows:

PROSECUTORS

	Salary Prior to P.L.2007, c.350	Effective 1/1/2008 P.L.2007, c.350	Effective 1/1/2009 P.L.2007, c.350
Prosecutors	\$141,000	\$153,000	\$165,000

N.J.S.A.2A:158-10 mandates that the State fund that portion of the County Prosecutors' salaries which exceeds \$100,000.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services provides nonpartisan assistance to the State Legislature in the areas of legal, fiscal, research, bill drafting, committee staffing and administrative services. It operates under the jurisdiction of the Legislative Services Commission, a bipartisan body consisting of eight members of each House. The Executive Director supervises and directs the Office of Legislative Services.

The Legislative Budget and Finance Officer is the chief fiscal officer for the Legislature. The Legislative Budget and Finance Officer collects and presents fiscal information for the Legislature; serves as Secretary to the Joint Budget Oversight Committee; attends upon the Appropriations Committees during review of the Governor's Budget recommendations; reports on such matters as the committees or Legislature may direct; administers the fiscal note process and has statutory responsibilities for the review of appropriations transfers and other State fiscal transactions.

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Individuals wishing information and committee schedules on the FY 2009 budget are encouraged to contact:

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