

CENTER for JUDICIAL ACCOUNTABILITY, INC.

Post Office Box 8101
White Plains, New York 10602

Tel. (914)455-4373

E-Mail: cja@judgewatch.org
Website: www.judgewatch.org

January 17, 2014

TO: New York State Senate
Francis W. Patience, Secretary of the Senate
New York State Assembly
Robin Marilla, Records Access Officer

FROM: Elena Ruth Sassower, Director
Center for Judicial Accountability, Inc. (CJA)

RE: RECORDS REQUEST: The Legislature's "General State Charges" and the certifications thereof by the Temporary Senate President and Assembly Speaker, as likewise their certifications of the Legislature's proposed operating budgets.

Review of the Legislature's proposed budgets for the last 15 fiscal years, 1999-2000 to 2013-2014, accessible from the Division of the Budget's website, www.budget.ny.gov, does not reveal any "General State Charges", these being and/or including the "fringe benefit costs".

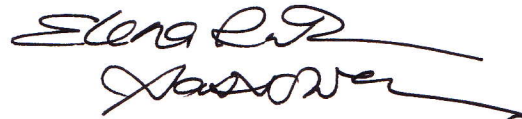
As you know, the Judiciary has purported that the Legislature has a "long-standing practice" of "separately presenting" its "fringe benefit costs".¹ If so, copies of these separately presented "fringe benefit costs" should be in your possession and request is made for these "General State Charges" for the past 15 years.

If you find no "General State Charges" for the past 15 years, please continue your search back through all the Legislature's proposed budgets until you locate "General State Charges" for the Legislature, be they separately presented or as part of a single proposed Legislative budget.

Inasmuch as Article VII, §1 requires that the Legislature's "itemized estimates" of its "financial needs" be "certified by the presiding officer of each house", please furnish the certifications of the Temporary Senate President and Assembly Speaker for such "General State Charges" as you find, as likewise their certifications of the Legislature's proposed operating budgets. For your convenience, enclosed are the Judiciary's separate certifications of its proposed "General State Charges" and operating budget for fiscal year 2014-2015, reflective of what its certifications have looked like since its budget presentation for fiscal year 2011-2012.

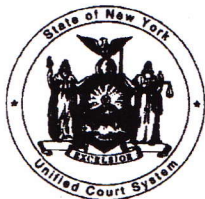
Thank you.

cc: Governor Andrew M. Cuomo
Budget Director Robert L. Megna
Committee on Open Government
ATT: Robert Freeman, Executive Director
The Public & The Press



¹ See the Judiciary's memoranda dated December 1, 2010, November 30, 2012, and November 29, 2013, transmitting its "General State Charges" to the Governor, the Legislature's majority and minority leaders, the chairs and ranking members of the Legislature's fiscal committees, and the chairs of the Legislature's Judiciary Committees. Copies are enclosed, as likewise pages 9-10 of the transcript of the Legislature's February 9, 2011 joint budget hearing on "public protection" containing the Judiciary's representation on the subject.

*State of New York
Unified Court System*



*Ann Pfau
Chief Administrative Judge*

*25 Beaver Street
New York, N.Y. 10004
(212) 428-2100*

December 1, 2010

To: Honorable David A. Paterson Honorable John L. Sampson
 Honorable Pedro Espada, Jr. Honorable Sheldon Silver
 Honorable Dean G. Skelos Honorable Brian M. Kolb
 Honorable Carl Kruger Honorable Herman D. Farrell, Jr.
 Honorable Helene E. Weinstein

From: Ann Pfau *AP*

I respectfully submit the itemized estimates of the annual financial needs of the Judiciary for General State Charges for the Fiscal Year beginning April 1, 2011. Article VII, Section 1 of the Constitution requires the submission of these estimates to the Governor and legislative leaders on or before December 1, 2010.

For the 2011- 2012 Fiscal Year, the Judiciary will submit itemized estimates of funding for General State Charges necessary to pay the fringe benefits of judges, justices and nonjudicial employees separately from itemized estimates of the annual operating needs of the Judiciary. This presentation follows the long-standing practice of the Executive and Legislative Branches of separately presenting requests for funding of fringe benefit costs and requests for operating funds. The Judiciary will submit a single budget bill, which includes requests for funding for operating expenses and fringe benefit costs for the 2011-2012 Fiscal Year. ✓



*New York State
Unified Court System
25 Beaver Street
New York, New York 10004*

*A. Gail Prudenti
Chief Administrative Judge*

212-428-2120

November 30, 2012

To: Honorable Andrew M. Cuomo Honorable Sheldon Silver
 Honorable Dean G. Skelos Honorable Brian M. Kolb
 Honorable John L. Sampson Honorable Herman D. Farrell, Jr.
 Honorable John DeFrancisco Honorable Helene E. Weinstein
 Honorable John J. Bonacic

From: A. Gail Prudenti

I respectfully submit the itemized estimates of the annual financial needs of the Judiciary for General State Charges for the Fiscal Year beginning April 1, 2013. Article VII, Section 1 of the Constitution requires the submission of these estimates to the Governor and the Legislature on or before December 1, 2012.

For the 2013-2014 Fiscal Year, the Judiciary is again submitting itemized estimates of funding for General State Charges necessary to pay the fringe benefits of judges, justices and nonjudicial employees separately from itemized estimates of the annual operating needs of the Judiciary. This presentation follows the long-standing practice of the Executive and Legislative branches of separately presenting requests for funding of fringe benefit costs and requests for operating funds. The Judiciary will submit a single budget bill, which includes requests for funding for operating expenses and fringe benefit costs for the 2013-2014 Fiscal Year. ✓



*New York State
Unified Court System
25 Beaver Street
New York, New York 10004*

*A. Gail Prudenti
Chief Administrative Judge*

212-428-2120

MEMORANDUM

November 29, 2013

To: Honorable Andrew M. Cuomo Honorable Sheldon Silver
 Honorable Dean G. Skelos Honorable Jeffrey D. Klein
 Honorable Andrea Stewart-Cousins Honorable Brian M. Kolb
 Honorable John DeFrancisco Honorable Herman D. Farrell, Jr.
 Honorable Liz Krueger Honorable Robert C. Oaks
 Honorable John J. Bonacic Honorable Helene E. Weinstein

From: A. Gail Prudenti

I respectfully submit the itemized estimates of the annual financial needs of the Judiciary for General State Charges for the Fiscal Year beginning April 1, 2014. Article VII, Section 1 of the Constitution requires the submission of these estimates to the Governor and legislative leaders on or before December 1, 2013.

For the 2014-2015 Fiscal Year, the Judiciary is again submitting itemized estimates of funding for General State Charges necessary to pay the fringe benefits of judges, justices and nonjudicial employees separately from itemized estimates of the annual operating needs of the Judiciary. This presentation follows the long-standing practice of the Executive and Legislative Branches of separately presenting requests for funding of fringe benefit costs and requests for operating funds. The Judiciary will submit a single budget bill, which includes requests for funding for operating expenses and fringe benefit costs for the 2014-2015 Fiscal Year. ✓

AGP/bw

BEFORE THE NEW YORK STATE SENATE FINANCE
AND ASSEMBLY WAYS AND MEANS COMMITTEES

JOINT LEGISLATIVE HEARING
In the Matter of the
2011-2012 EXECUTIVE BUDGET ON
PUBLIC PROTECTION

Hearing Room B
Legislative Office Bldg.
Albany, New York

February 9, 2011
9:30 a.m.

PRESIDING:

Senator John A. DeFrancisco
Chair, Senate Finance Committee

Assemblyman Herman D. Farrell, Jr.
Chair, Assembly Ways & Means Committee

PRESENT:

Assemblyman James P. Hayes
Assembly Ways & Means Committee (RM)

Assemblywoman Helene E. Weinstein
Chair, Assembly Committee on Judiciary

Senator John J. Bonacic
Chair, Senate Committee on Judiciary

Assemblyman Joseph R. Lentol
Chair, Assembly Committee on Codes

Senator Michael F. Nozzolio
Chair, Senate Committee on Crime Victims,
Crime and Correction

Assemblyman Jeffrion L. Aubry
Chair, Assembly Committee on Corrections

1 2011-2012 Executive Budget
2 Public Protection
2-09-11

3
4 PRESENT: (Continued)

5 Senator Stephen M. Saland
Chair, Senate Committee on Codes

6 Assemblywoman RoAnn M. Destito
7 Chair, Assembly Committee on Governmental
Operations

8 Senator Elizabeth O'C. Little

9 Assemblyman Marcus Molinaro

10 Senator Ruth Hassell-Thompson

11 Assemblyman Rory I. Lancman

12 Senator Michael N. Gianaris

13 Assemblywoman Aravella Simotas

14 Senator Gustavo Rivera

15 Assemblyman Philip Boyle

16 Assemblyman William Colton

17 Senator Velmanette Montgomery

18 Assemblyman Clifford W. Crouch

19 Assemblyman J. Gary Pretlow

20 Senator Catharine M. Young

21 Assemblyman Mike Spano
22
23
24

Chief
Administrative
Judge
Ann Pfau

1 for the courts outside of New York City.
2 And next to me is Maureen McAlary, who's our
3 director of the budget.

4 And before I begin with the fiscal
5 needs, I really want to just begin by
6 expressing my great gratitude to the
7 Legislature for enacting the judicial
8 compensation law that was recently enacted,
9 with the salary commission. It really does
10 produce a long-standing solution to the
11 crisis that has crippled us for so long with
12 judicial salaries.

13 We are very grateful, and we know what
14 it means for the institution and the future
15 of New York, that it means that we can
16 maintain the high-quality bench in New York
17 that is just so critical to the economic
18 well-being and to the families who live in
19 New York. So again, I want to begin by
20 expressing my great gratitude to you for
21 that legislation.

22 I want to also discuss what the budget
23 looks like this year, which is different
24 from last year. What we have presented this

1 ✓ year, for purposes of clarity and to conform
2 our format to that used by the other
3 branches, are two separate documents. One
4 contains the operating budget, which are
5 really the operating needs for the courts
6 for the coming fiscal year. And the second
7 contains the general state charges; that is
8 the pension and health-related costs --
9 costs that certainly are outside of our
10 control -- again for the judiciary for the
11 coming fiscal year.

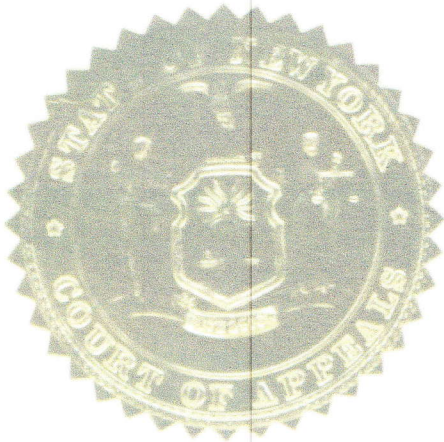
12 ✓ This is the first step in what we hope
13 to continue working with you to continue to
14 make sure that our budget is as transparent,
15 as simple, and as straightforward as
16 possible so everybody understands very
17 clearly how the taxpayers', hardworking
18 taxpayers' dollars are being put to use in
19 the New York State Judiciary.

20 This year particularly we are very,
21 very aware of the need to make sure that our
22 budget is as fiscally prudent as possible,
23 but at the same time a budget that allows us
24 to carry out our constitutional obligations

CHIEF JUDGE'S CERTIFICATION

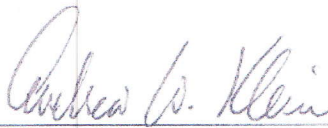
ITEMIZED ESTIMATES OF THE
FINANCIAL NEEDS OF THE JUDICIARY
FOR GENERAL STATE CHARGES

Pursuant to Article VII, Section 1 of the Constitution of the State of New York, I certify that the attached schedules are the itemized estimates of the financial needs of the Judiciary for General State Charges for the fiscal year beginning April 1, 2014 and that they have been approved by the Court of Appeals.




Jonathan Lippman
Chief Judge of the Court of Appeals

ATTEST:

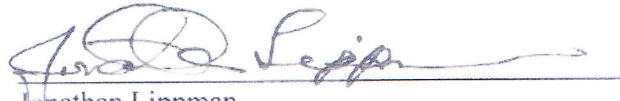

Clerk of the Court of Appeals

Date: November 26, 2013

COURT OF APPEALS APPROVAL

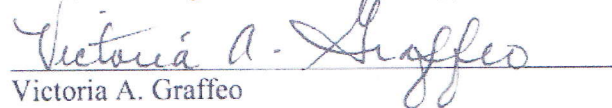
ITEMIZED ESTIMATES OF THE
FINANCIAL NEEDS OF THE JUDICIARY
FOR GENERAL STATE CHARGES

Pursuant to Article VII, Section 1 of the Constitution of the State of New York, the Court of Appeals approves the attached itemized estimates of the financial needs of the Judiciary for General State Charges for the fiscal year beginning April 1, 2014.

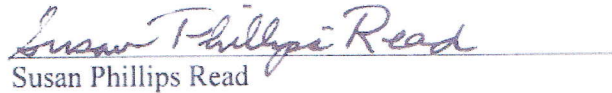


Jonathan Lippman
Chief Judge of the Court of Appeals

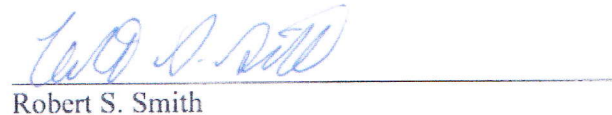
Associates Judges of the Court of Appeals:



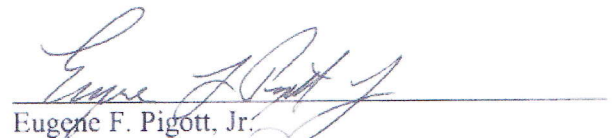
Victoria A. Graffeo



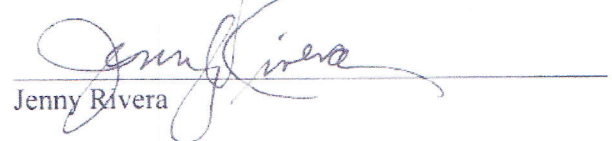
Susan Phillips Read



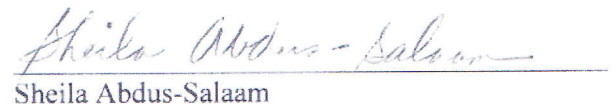
Robert S. Smith



Eugene F. Pigott, Jr.

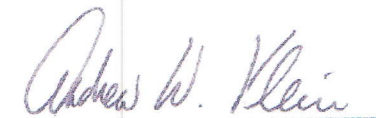


Jenny Rivera



Sheila Abdus-Salaam

ATTEST:


Clerk of the Court of Appeals

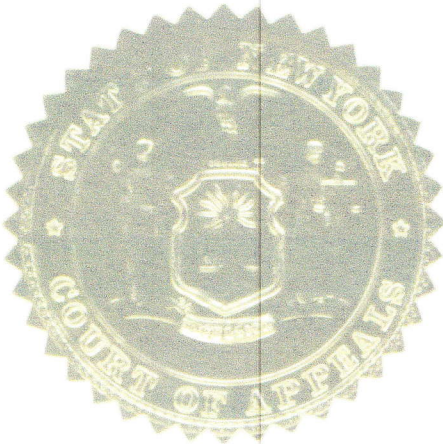
Date: November 26, 2013



CHIEF JUDGE'S CERTIFICATION

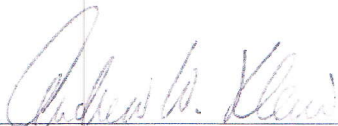
ITEMIZED ESTIMATES OF THE
FINANCIAL NEEDS OF THE JUDICIARY

Pursuant to Article VII, Section 1 of the Constitution of the State of New York, I certify that the attached schedules are the itemized estimates of the financial needs of the Judiciary for the fiscal year beginning April 1, 2014 and that they have been approved by the Court of Appeals.




Jonathan Lippman
Chief Judge of the Court of Appeals

ATTEST:

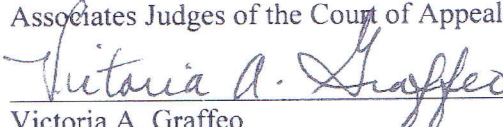

Clerk of the Court of Appeals

Date: November 26, 2013


COURT OF APPEALS APPROVAL
ITEMIZED ESTIMATES OF THE
FINANCIAL NEEDS OF THE JUDICIARY

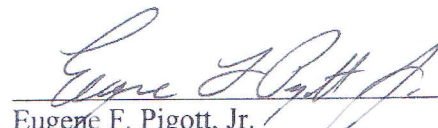
Pursuant to Article VII, Section 1 of the Constitution of the State of New York, the Court of Appeals approves the attached itemized estimates of the financial needs of the Judiciary for the fiscal year beginning April 1, 2014.

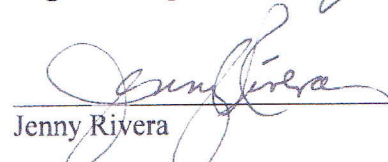

Jonathan Lippman
Chief Judge of the Court of Appeals

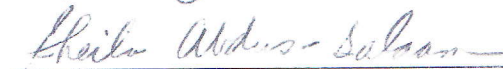
Associates Judges of the Court of Appeals:

Victoria A. Graffeo

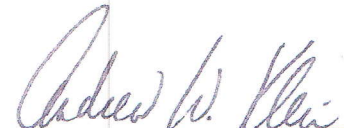

Susan Phillips Read


Robert S. Smith


Eugene F. Pigott, Jr.


Jenny Rivera


Sheila Abdus-Salaam

ATTEST: 
Clerk of the Court of Appeals

Date: November 26, 2013

