

JOINT LEGISLATIVE HEARING ON THE 2015-2016 JUDICIARY BUDGET

REMARKS OF CHIEF ADMINISTRATIVE JUDGE A. GAIL PRUDENTI

FEBRUARY 26, 2015

Good morning, Chairpersons DeFrancisco, Farrell, Bonacic and Weinstein, committee members, staff, ladies and gentlemen.

It is a pleasure and honor for me to be here, once again, to discuss with you the fiscal needs of the State's Judiciary. First, I want to thank you for your support over the past year, and especially for creating much-needed new Family Court judgeships. The 11 new judgeships outside of New York City have all been filled, and we expect that all nine of the new Family Court judges in the City will soon be appointed. On behalf of the Chief Judge, and the families and children of our state, thank you.

At the hearing last year, I testified about the impact that years of zero-growth budgets have had on the courts and the public. We talked about how the reduction in our back-office staff delayed the processing of court documents, and how the loss of courtroom staff had made it increasingly difficult to staff all court parts. We also talked about the widespread dissatisfaction with the 4:30 courtroom closing time, which we had adopted as an overtime control measure. I said that the Judiciary was at a crossroads, and that the courts simply could not fulfill their duty to the people of New York with another budget that would require that we continue to reduce our workforce.

We, therefore, asked for, and you gave us, the first increase in our budget in years. I promised you that, if we received the requested increase, we would be able to keep the courts open to 5:00 p.m. I also committed that the courts would be able to maintain their

current staffing levels, and, that we would no longer have to rely on attrition to live within our means.

We have kept those promises. The courts have been able to remain open until 5:00 p.m., thereby avoiding inconvenience and disruption to jury trials and other court proceedings. We have also been able to maintain the level of our nonjudicial workforce. Over the past five years, our nonjudicial workforce was reduced by about 2,000 employees. Finally, this year, that downtrend was arrested, and we have been able to maintain our staffing levels.

This has not been an easy task because of the large number of court employees who have left state service this year. The demographics of our workforce are such that many of our employees are now or will soon be eligible for retirement. Keeping up with this attrition has been a challenge. But, it has also been an opportunity to rethink our workforce and, in close consultation with local court administrators, make hiring decisions that will position us to best meet the needs of the people of New York. Our priority has been on filling such positions as clerks, officers, reporters and interpreters, to ensure that our judges have the courtroom team they need and that the back offices are able to process cases quickly and efficiently.

During this fiscal year, we have hired more than 700 new employees, including almost 300 court officers, as well as many court interpreters and reporters. As noted before, many of these new hires have been offset as a result of an unprecedented rate of attrition. However, we have, as promised, been able to maintain the level of nonjudicial employment. In addition, as court managers have left, we have also promoted hundreds

of employees to higher positions, allowing us to put into place the court system's next generation of supervisors and leaders.

The budget increase that we received for the current fiscal year has started the courts on the road to recovery, and has allowed us to address the worst of the impacts caused by the years of no-growth budgets. It is essential that in the coming fiscal year we continue to move forward and not lose any of the ground that we have achieved.

In the coming year, we again face increased costs, including the costs of contractually-required increments for nonjudicial employees, collectively bargained raises, the annualized costs related to the new Family and City Court judgeships established, and various increases in other contractual obligations, such as contracts with local law enforcement agencies to provide court security in certain parts of the state. We are seeking an increase in our budget so we can meet these new costs without losing ground and returning to a budget that is premised on the need to reduce our workforce to make ends meet.

Consistent with our long-standing commitment to work with the other branches of state government to hold the line on spending growth, we are limiting our request to a two percent increase, the same growth to which the Executive and Legislative Branches have been held to in the state budget over the past few years. We are seeking cash funding of \$1.85 billion for General Fund State Operations to support court operations, which represents an increase of \$36.3 million, or two percent.

The modest increase that we are requesting, along with our ongoing search for savings and efficiencies, will allow us to build on the progress that we have accomplished

this year. Most importantly, it will enable us to maintain current staffing levels, and, indeed, add new positions in critical areas of court operations.

This coming year, we will continue to do what we have been doing for years – carefully and critically monitoring every expenditure and rethinking every aspect of court operations and administration to find better and more effective and cost-efficient ways of serving the public. As I said last year, we have seized upon the challenge of these fiscally difficult times as an opportunity to rethink the way that we go about our business, and find ways not just to save money, but to work better and smarter. We will continue to look for ways to streamline administration, reorganize and consolidate offices and programs that provide services to the courts and the public, eliminate or reduce the cost of programs that are not critical to the courts' core mission, and utilize technology to improve service to the public, while reducing costs at the same time.

Our ongoing, top-to-bottom rethinking of court operations is based on a number of strategic objectives, which are allowing us to reduce costs, increase efficiencies and improve processes, all toward the goal of finding better and more effective ways to serve the people of New York:

Creating the Virtual Courthouse We are making our courts more accessible by expanding e-filing, developing simple web-based programs to assist advocates in preparing Family Court petitions, and sending emails and text messages to inform court users of court appearances and court closings.

Information Sharing: One Entry, Repeated Use We are eliminating the need to enter the same data multiple times within the courthouse or between the courts and our

criminal and civil justice partners. For example, we are working with a variety of agencies, at all levels of government, to improve the inter-agency transmission of data, and thereby improve efficiency and accuracy, while also reducing costs.

Universal Access, Reduced Travel We are reducing the need to travel and eliminating the need to keep multiple copies of the same records. For example, web-based training for Judges and court personnel has made our training programs more accessible, while sharply reducing their cost. The automation of the transfer of probation cases between counties makes the information accessible to multiple locations and saves courts the time and expense of printing, mailing, and storing multiple copies of case files for over 10,000 probation transfer cases each year.

Efficiency, Innovation and Automation We are continuously seeking ways to streamline court and administrative processes, through such initiatives as the statewide deployment of Internet Protocol telephones, which operate over the court system's own data network, and the regionalization of scanning and printing of millions of juror qualification questionnaires and summonses to save equipment costs and reduce the burden on local commissioners of juror offices.

The Electronic Courthouse: Modern Automated Case Management A modern, automated case management system provides the foundation of our ability to efficiently keep accurate and timely information about the millions of cases filed each year. Over the past ten years, we have installed modern case management software in our family, surrogate's and city courts, and, during the next few years, we will complete this work in our remaining courts.

This budget also provides \$15 million in additional funding for civil legal services, to help ensure equal justice to the millions of litigants who appear each year without counsel in eviction, domestic violence, consumer debt, and other cases involving the essentials of life. Legal representation in foreclosure cases continues as a major concern, especially in light of the dramatic increase in filings over the past several years. Not only does the lack of representation in these cases impose a profound human and social toll on the most vulnerable New Yorkers, but our judges bear significant additional burdens, including more frequent and longer court appearances, when they hear cases in which a party is not represented. The result is delay and inefficiency, as well as increased costs, both to the court system and to represented parties. These additional funds for civil legal services are also a sound investment: for every dollar invested in civil legal services, there is a return of six dollars in economic benefit to the State of New York in terms of reduced social services and other public expenses.¹

It has now been just over three years that I have served as the Chief Administrative Judge. As I have said before, this has been the most challenging position I have held in more than 20 years as a judge. But, I believe that, with your support, we have made real progress and we look forward to continuing our partnership with you.

On behalf of the Judiciary, I pledge that we will continue to stand strong as we adapt to these changing times and we will do our best to serve the residents of our great state. Thank you for inviting me to address you today. I would now be happy to answer any questions you may have on the Judiciary Budget.

¹See The Task Force to Expand Civil Legal Services in New York, Report to the Chief Judge of the State of New York, November 2012.