

# **JUDICIAL COMMISSIONS**

## **MISSION**

New York State's three Judicial Commissions play important roles in maintaining the integrity of the court system. The Commission on Judicial Nomination and the Judicial Screening Committees screen potential nominees for high-level judicial appointments by the Governor. The Commission on Judicial Conduct investigates and acts upon allegations of judicial misconduct.

## **COMMISSION ON JUDICIAL CONDUCT**

The State Constitution established the Commission on Judicial Conduct, which is responsible for investigating complaints of misconduct against State judges and local justices. The Commission has disciplinary powers, which include the authority to remove judges and justices from office for serious misconduct, subject to review by the Court of Appeals.

The Commission on Judicial Conduct has 11 members, 4 of whom are appointed by the Governor, 3 by the Chief Judge of the Court of Appeals and the remaining 4 by the Legislature. Commission members serve without pay and meet periodically to consider complaints, hear testimony and determine the disposition of cases. The Commission will have a staff of **55 FTES** in fiscal year 2008-09, which is unchanged from 2007-08. Its main office is in New York City, with branches in Albany and Rochester. The recommended 2008-09 budget of approximately **\$5.2 million General Fund** grows **\$0.4 million**, reflecting inflationary increases. .

## **COMMISSION ON JUDICIAL NOMINATION**

The State Constitution established the Commission on Judicial Nomination to evaluate candidates and make recommendations to the Governor for appointment to the Court of Appeals, the State's highest court.

The Commission on Judicial Nomination has 12 members appointed by the Governor, the Chief Judge of the Court of Appeals and the Legislature. These members serve without pay and conduct the search for qualified candidates upon formal notification of a vacancy on the Court of Appeals.

## **GOVERNOR'S JUDICIAL SCREENING COMMITTEES**

The Governor's Judicial Screening Committees are established by Executive Order to evaluate the qualifications of candidates and make recommendations to the Governor for appointment to judgeships other than those on the Court of Appeals. The Committees are located throughout the State.

# JUDICIAL COMMISSIONS

## ALL FUNDS APPROPRIATIONS (dollars)

| Category          | Available<br>2007-08 | Appropriations<br>Recommended<br>2008-09 | Change  | Reappropriations<br>Recommended<br>2008-09 |
|-------------------|----------------------|--|---------|--|
| State Operations  | 4,843,000            | 5,241,000                                | 398,000 | 0  |
| Aid To Localities | 0                    | 0  | 0       | 0  |
| Capital Projects  | 0                    | 0  | 0       | 0  |
| Total             | 4,843,000            | 5,241,000                                | 398,000 | 0  |

## ALL FUND TYPES PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM FILLED ANNUAL SALARIED POSITIONS

### Full-Time Equivalent Positions (FTE)

| Program                          | 2007-08<br>Estimated FTEs<br>03/31/08 | 2008-09<br>Estimated FTEs<br>03/31/09 | FTE Change |
|----------------------------------|---------------------------------------|---------------------------------------|------------|
| Judicial Conduct<br>General Fund | 55                                    | 55                                    | 0          |
| Total                            | 55                                    | 55                                    | 0          |

## STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

| Fund Type    | Available<br>2007-08 | Recommended<br>2008-09 | Change  |
|--------------|----------------------|------------------------|---------|
| General Fund | 4,843,000            | 5,241,000              | 398,000 |
| Total        | 4,843,000            | 5,241,000              | 398,000 |

## STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

| Program  | Available<br>2007-08 | Recommended<br>2008-09 | Change  |
|--|----------------------|------------------------|---------|
| Judicial Conduct<br>General Fund                   | 4,795,000            | 5,173,000              | 378,000 |
| Judicial Nomination, Commission on<br>General Fund | 10,000               | 30,000                 | 20,000  |
| Judicial Screening Committees<br>General Fund      | 38,000               | 38,000                 | 0       |
| Total  | 4,843,000            | 5,241,000              | 398,000 |

## STATE OPERATIONS - GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 2008-09 RECOMMENDED (dollars)

| Program                       | Total     |          | Personal Service Regular<br>(Annual Salaried) |          |
|-------------------------------|-----------|----------|---|----------|
|                               | Amount    | Change   | Amount  | Change   |
| Judicial Conduct              | 3,847,000 | (92,000) | 3,847,000                                     | (92,000) |
| Judicial Screening Committees | 13,000    | 0        | 13,000  | 0        |
| Total                         | 3,860,000 | (92,000) | 3,860,000                                     | (92,000) |

# JUDICIAL COMMISSIONS

**STATE OPERATIONS - GENERAL FUND  
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED  
APPROPRIATIONS AND CHANGES  
2008-09 RECOMMENDED  
(dollars)**

| <b>Program</b>                     | <b>Total</b>     |                | <b>Supplies and Materials</b> |                |
|------------------------------------|------------------|----------------|-------------------------------|----------------|
|                                    | <b>Amount</b>    | <b>Change</b>  | <b>Amount</b>                 | <b>Change</b>  |
| Judicial Conduct                   | 1,326,000        | 470,000        | 54,000                        | (4,000)        |
| Judicial Nomination, Commission on | 30,000           | 20,000         | 0                             | 0              |
| Judicial Screening Committees      | 25,000           | 0              | 0                             | 0              |
| Total                              | <u>1,381,000</u> | <u>490,000</u> | <u>54,000</u>                 | <u>(4,000)</u> |

| <b>Program</b>                     | <b>Travel</b>  |               | <b>Contractual Services</b> |                |
|------------------------------------|----------------|---------------|-----------------------------|----------------|
|                                    | <b>Amount</b>  | <b>Change</b> | <b>Amount</b>               | <b>Change</b>  |
| Judicial Conduct                   | 100,000        | 46,000        | 1,077,000                   | 402,000        |
| Judicial Nomination, Commission on | 30,000         | 20,000        | 0                           | 0              |
| Judicial Screening Committees      | 10,000         | 0             | 15,000                      | 0              |
| Total                              | <u>140,000</u> | <u>66,000</u> | <u>1,092,000</u>            | <u>402,000</u> |

| <b>Program</b>                     | <b>Equipment</b> |               |
|------------------------------------|------------------|---------------|
|                                    | <b>Amount</b>    | <b>Change</b> |
| Judicial Conduct                   | 95,000           | 26,000        |
| Judicial Nomination, Commission on | 0                | 0             |
| Judicial Screening Committees      | 0                | 0             |
| Total                              | <u>95,000</u>    | <u>26,000</u> |