

2008-09 Spending Plan	Agency Name NYS Commission on Judicial Conduct
	Agency Head Robert H. Tembeckjian

A. Overview of Proposed Plan

A.1 Overall Approach

The Commission on Judicial Conduct achieves \$200,100 in savings, by reducing personal service expenditures and instituting administrative efficiencies. In Personal Service, the Commission will:

- Defer indefinitely the filling of 4 full-time staff positions, defer the starting dates of 7 new staff in FY2008-09; and
- Fill future vacancies at lower salaries & where possible reclassify such positions at lower grades.

In Non-Personal Service the Commission will:

- Reduce and/or eliminate outside contracted services, *e.g.* court reporting services and archival scanning of documents (pursuant to SARA, to dispose of voluminous hard copies);
- Reduce spending for conference and travel by using video & teleconferencing and aggressively monitoring costs¹; and
- Limit technology & equipment acquisitions and upgrades to the essential or compelling and reduce pricing wherever possible on replacements and services.

A.2 Achievement of Savings on a Recurring Basis

Savings will be realized by indefinitely deferring the filling of 4 of our 55 FTEs. This will generate savings of \$200,100 in FY 2008-09 and more in the years after, as the salaries for those 4 vacant positions will increase as a result of performance advances and COLAs. We plan on maintaining an FTE level of 51. Wherever possible, we will fill future vacancies at salaries lower than the departing incumbents and, where appropriate, reclassify the positions at lower salary grades, which would make the savings permanent.

For Non-Personal Service, we have also compared our FY 2007-08 actual spending to our FY 2008-09 projected spending and started applying the approaches identified in section A.1 to make sure that we can meet our basic needs while keeping our spending at the reduced NPS cash ceiling.

A.3 Protecting Key Priorities

With our recent staff expansion, the individual caseload for attorneys and investigators has gone down, even while the overall complaint load has gone up – to 1,711 in 2007, the most ever in the Commission’s history, and 9% greater than in 2005, which was the next highest. This has permitted us to reduce our backlog of pending matters, allowing us to more effectively discharge our primary and highest-priority mission: disposing of judicial misconduct complaints in as fair and expeditious a manner as possible. We will continue

¹ For example, we just rescheduled our December 2008 Commission meeting to take advantage of lower hotel rates for those Commission members traveling to New York City from upstate.

to keep more investigations and formal proceedings proceeding simultaneously and, to accommodate a reduction in resources, we will achieve this wherever possible by negotiating more stipulations in lieu of full-fledged hearings, using videoconferencing and other electronic capabilities more frequently, and thus reducing our reliance on time-consuming travel and retrieval/reliance on hard copies of voluminous documents and other records.

A.4 Treatment of New Initiatives

Not applicable. We will have no new program initiatives. We are focused on our primary constitutional mission of evaluating and investigating complaints and, where appropriate, disciplining those judges who violate the promulgated ethical rules incumbent on all judges.

B. Summary of General Fund Financial Impacts

GENERAL FUND -- SAVINGS SUMMARY			
	Required Reduction	2008-09 Savings	2009-10 Savings
Local Assistance	N/A	N/A	N/A
Personal Service	N/A	\$200,100	\$210,000
Non-personal Service	N/A	\$0	\$0
Total State Operations	\$200,000	\$200,100	\$210,000
Capital	N/A	N/A	N/A
TOTAL	\$200,000	\$200,100	\$210,000

GENERAL FUND -- YEAR-TO-YEAR CHANGE, AFTER SAVINGS			
	2007-08 Actual	Revised Projection	Percent Change
Local Assistance	N/A	N/A	N/A
Personal Service	\$2,673,588	\$3,800,828	+ 42%
Non-personal Service	\$1,369,382	\$1,205,742	-12%
Total State Operations	\$4,042,970	\$5,006,570	+24%
Capital	N/A	N/A	N/A
TOTAL	\$4,042,970	\$5,006,570	+24%

C. Identification of Proposed General Fund Savings Actions

	2008-09 Cash	2009-10 Cash	2010-11 Cash
GENERAL FUND			
State Operations			
<u>PS</u>			
Defer filling 4 positions and others	\$200,100	\$210,000	\$222,000

D. Summary of Impact on Other Funds:

N/A

E. Identification of Proposed Other Fund Actions:

N/A

F. Plan to Manage the Workforce

F.1 Overall Approach

We will achieve our workforce target through indefinitely deferring of 4 FTEs.

F.2 Plan for Refill of Vacant Positions (both current and anticipated vacancies)

A.FY 2008-09

- 2 new hired will start on or about May 15;
- 3 new hired will start on or about June 1;
- 1 new hired will start on or about June 15;
- 1 new hired will start on or about June 30.

Workforce Impact -- All Funds	
a. Initial Target:	55
b. Current Fills PP# 3 or 4	44
c. Recurring impact of proposed actions (see Parts C & E)	0
d. Recurring impact of vacancy-refilling plan (see F.2)	7
e. Total FTEs March 31, 2009 (line b minus line c, plus/minus line d)	51
f. Change from Initial 2008-09 Target (line a minus line e)	- 4

G. Monthly Projections: All Funds Workforce; General Fund State Operations/Local/Capital

See attached excel spread sheet file.

H. Assumptions Underlying the Proposed Plan

The expansion and renovation of our New York City office will be completed on schedule.

I. Management of Risks Inherent in the Plan

We project that our PS spending would be \$3,800,828, which is \$29,828 over the PS cash ceiling; We plan to curb our NPS spending to \$1,205,742, which is \$30,258 less than the NPS ceiling. Through an interchange, we could use the NPS surplus to offset the PS deficit, which would result in a positive cash balance of \$430.

In order to reach this goal, we are reinforcing our already stringent internal controls, aggressively monitoring our procurement activities, and keeping the appropriate pace in cash disbursements. (For example, we just rescheduled our December 2008 Commission meeting to take advantage of lower hotel rates for those Commission members traveling to New York City from upstate.)

J. Additional Savings Opportunities for 2008-09

The agency's senior management team is constantly reviewing our spending plan in detail and monitoring actual spending to see if there are additional savings opportunities.

K. Potential Future Savings Opportunities/Operational Improvements (indicate if statutory change is required)

We have employees who have already reached or will soon reach their retirement age. Wherever possible, we will replace them with appointees in titles of lower rank and/or at lower salary.

ATTACHMENTS:

A. Monthly Projections: All Funds Workforce; General Fund State Operations