

2B:2-1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2008 **CHAPTER:** 26

NJSA: 2B:2-1 (Creates two additional Superior Court judgeships)

BILL NO: S1950 (Substituted for A2805)

SPONSOR(S) Cunningham and others

DATE INTRODUCED: June 9, 2008

COMMITTEE: **ASSEMBLY:** ---

SENATE: Budget and Appropriations

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** June 23, 2008

SENATE: June 23, 2008

DATE OF APPROVAL: June 30, 2008

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Original version of bill)

S1950

SPONSOR'S STATEMENT:	(Begins on page 3 of original bill)	Yes
COMMITTEE STATEMENT:		No
	ASSEMBLY:	No
	SENATE:	Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	No
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LEGISLATIVE FISCAL NOTE:	Yes
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A2805

SPONSOR'S STATEMENT:	(Begins on page 3 of original bill)	Yes
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COMMITTEE STATEMENT:	ASSEMBLY:	Yes
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	SENATE:	No
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FLOOR AMENDMENT STATEMENT:	No
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LEGISLATIVE FISCAL NOTE:	Yes
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VETO MESSAGE:	No
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(continued)

GOVERNOR'S PRESS RELEASE ON SIGNING:	No
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FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW

P.L. 2008, CHAPTER 26, *approved June 30, 2008*
Senate, No. 1950

1 AN ACT creating two additional Superior Court judgeships and
2 amending N.J.S.2B:2-1.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. N.J.S.2B:2-1 is amended read as follows:

8 2B:2-1. Number of Judges.

9 a. The Superior Court shall consist of **[441]** 443 judges.

10 b. (1) The Superior Court shall at all times consist of the
11 following number of judges, who at the time of their appointment
12 and reappointment were resident of each county:

13	Atlantic	11
14	Bergen	28
15	Burlington	10
16	Camden	16
17	Cape May	4
18	Cumberland	7
19	Essex	34
20	Gloucester	11
21	Hudson	24
22	Hunterdon	3
23	Mercer	9
24	Middlesex	24
25	Monmouth	18
26	Morris	16
27	Ocean	15
28	Passaic	17
29	Salem	3
30	Somerset	6
31	Sussex	4
32	Union	20
33	Warren	3

34 (2) Additionally, the following number of those judges of the
35 Superior Court satisfying the residency requirements set forth above
36 shall at all times sit in the county in which they reside:

37	Atlantic	4
38	Bergen	12
39	Burlington	4
40	Camden	8
41	Cape May	2
42	Cumberland	4

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

S1950

2

1	Essex	14
2	Gloucester	6
3	Hudson	6
4	Hunterdon	2
5	Mercer	6
6	Middlesex	8
7	Monmouth	4
8	Morris	6
9	Ocean	8
10	Passaic	6
11	Salem	2
12	Somerset	4
13	Sussex	2
14	Union	6
15	Warren	2

16 (cf: P.L.2001, c.250, s.13)

17

18 2. This act shall take effect immediately.

19

20

21

STATEMENT

22

23 This bill would create two additional Superior Court judgeships.

24 The bill is related to a recommendation of the Governor's 2009
25 Proposed Budget concerning the expansion of the State's drug court
26 program. The addition of the judgeships is a component of this
27 expansion. Drug court is a court-based diversion program that
28 serves as an alternative to incarceration for drug-addicted offenders,
29 who instead receive intensive supervision, drug treatment,
30 counseling and job training.

31 The expansion of the drug court program is expected to result in
32 a net savings to the State, as supervision and treatment through drug
33 court are significantly less costly than incarceration.

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38 _____
Creates two additional Superior Court judgeships.

SENATE, No. 1950

STATE OF NEW JERSEY

213th LEGISLATURE

INTRODUCED JUNE 9, 2008

Sponsored by:

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Assemblywoman BONNIE WATSON COLEMAN

District 15 (Mercer)

Assemblywoman NELLIE POU

District 35 (Bergen and Passaic)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington and Camden)

SYNOPSIS

Creates two additional Superior Court judgeships.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/24/2008)

S1950 CUNNINGHAM, TURNER

2

1 AN ACT creating two additional Superior Court judgeships and
2 amending N.J.S.2B:2-1.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. N.J.S.2B:2-1 is amended read as follows:

8 2B:2-1. Number of Judges.

9 a. The Superior Court shall consist of **[441]** 443 judges.

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11 following number of judges, who at the time of their appointment
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19	Essex	34
20	Gloucester	11
21	Hudson	24
22	Hunterdon	3
23	Mercer	9
24	Middlesex	24
25	Monmouth	18
26	Morris	16
27	Ocean	15
28	Passaic	17
29	Salem	3
30	Somerset	6
31	Sussex	4
32	Union	20
33	Warren	3

34 (2) Additionally, the following number of those judges of the
35 Superior Court satisfying the residency requirements set forth above
36 shall at all times sit in the county in which they reside:

37	Atlantic	4
38	Bergen	12
39	Burlington	4
40	Camden	8
41	Cape May	2
42	Cumberland	4
43	Essex	14
44	Gloucester	6

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Matter underlined thus is new matter.

S1950 CUNNINGHAM, TURNER

3

1	Hudson	6
2	Hunterdon	2
3	Mercer	6
4	Middlesex	8
5	Monmouth	4
6	Morris	6
7	Ocean	8
8	Passaic	6
9	Salem	2
10	Somerset	4
11	Sussex	2
12	Union	6
13	Warren	2

14 (cf: P.L.2001, c.250, s.13)

15

16 2. This act shall take effect immediately.

17

18

19

STATEMENT

20

21 This bill would create two additional Superior Court judgeships.

22 The bill is related to a recommendation of the Governor's 2009
23 Proposed Budget concerning the expansion of the State's drug court
24 program. The addition of the judgeships is a component of this
25 expansion. Drug court is a court-based diversion program that
26 serves as an alternative to incarceration for drug-addicted offenders,
27 who instead receive intensive supervision, drug treatment,
28 counseling and job training.

29 The expansion of the drug court program is expected to result in
30 a net savings to the State, as supervision and treatment through drug
31 court are significantly less costly than incarceration.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1950

STATE OF NEW JERSEY

DATED: JUNE 16, 2008

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1950.

This bill creates two additional Superior Court judgeships.

The bill is related to a proposal in the Governor's FY 2009 Budget Recommendation concerning the expansion of the State's drug court program. The addition of the judgeships is a component of this expansion. Drug court is a court-based diversion program that serves as an alternative to incarceration for drug-addicted offenders, who instead receive intensive supervision, drug treatment, counseling and job training.

This bill is identical to Assembly Bill No. 2805.

FISCAL IMPACT:

According to the Administrative Office of the Courts (AOC), the two new judgeships authorized under this bill each require a complete judge team consisting of a Superior Court Judge, a Judge's Secretary, a Law Clerk, a Court Clerk, and an Official Court Reporter. Associated costs include salaries and fringe benefits, office and courtroom space, and start-up, recurring and optional costs. Based on these factors, total expenditures for the additional judgeships is estimated to be \$0.8 million in FY 2009, \$1.1 million in FY 2010, and \$1.1 million in FY 2011.

As noted above, these costs, which are related to the expansion of the State's drug court program are anticipated in the Governor's proposed budget for FY 2009-2010, and are expected to be offset by the net savings to the Department of Corrections county jail budget. Offenders diverted to drug court will no longer need to be held in county jails at State cost while awaiting space in a State prison.

FISCAL NOTE
SENATE, No. 1950
STATE OF NEW JERSEY
213th LEGISLATURE

DATED: JUNE 20, 2008

SUMMARY

Synopsis: Creates two additional Superior Court judgeships.

Type of Impact: General Fund expenditure.

Agencies Affected: Judiciary

Executive Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	\$810,446	\$1,084,162	\$1,113,936

- The Office of Legislative Services **concurs** with the Executive estimate.
- The bill would create two additional Superior Court judgeships to accommodate the proposed expansion of the State's drug court program.
- The Administrative Office of the Courts (AOC) states that total annual costs to the Judiciary for the two new judgeships in FY 2009, FY 2010, and FY 2011 are \$810,446, \$1,084,162 and \$1,113,936, respectively.

BILL DESCRIPTION

Senate Bill No. 1950 of 2008 would create two additional Superior Court judgeships to accommodate the proposed expansion of the State's drug court program. Drug court is a court-based diversion program that serves as an alternative to incarceration for drug-addicted offenders, who instead receive intensive supervision, drug treatment, counseling and job training.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Administrative Office of the Courts

According to the AOC, each judge team consists of a Superior Court Judge, a Judge's Secretary, a Law Clerk, a Court Clerk, and an Official Court Reporter. The AOC notes that under P.L.2007, c.350, Tax court Judges will receive a salary increase effective January 1, 2009. The AOC states that it is unlikely that the program would not become operational until midway through the fiscal year. Given this, salaries are pro-rated to 54 percent of the total annual salary to reflect this assumption. Total salary and fringe benefits costs would equal \$465,986 in FY 2009, \$948,774 in FY 2010 and \$971,780 in FY 2011.

The AOC notes that one-time start-up costs of \$107,760 per judge team, or a total of \$215,520, would be generated to fund office furniture, video court room capability, computers, law books, etc. Continuing operating expenses (office supplies, telephone bills, postage, office machine rentals, etc.) are estimated at \$28,940 during the first year of operation. Second and third-year program costs would total \$30,388 and \$31,906. In addition, the AOC noted that although not included in the cost projection as it is beyond the projection period, after 2 years, the maintenance of the video court capability is approximately \$3,675 per year.

Finally, the AOC stated that for the purpose of this fiscal note, it is assumed that the Judiciary would have to rent 100 percent of the office and courtroom space necessary to facilitate the judge team. Assuming that a 2,000 square foot space per judge team is necessary, at a cost of \$25 per square foot, the annual facility rental cost would total \$100,000 in the first year, \$105,000 in the second year, and \$110,250 in the third year after implementation.

Total annual costs to the Judiciary for the two new judgeships in FY 2009, FY 2010, and FY 2011 are \$810,446, \$1,084,162 and \$1,113,936, respectively.

As noted above these costs, which are related to the expansion of the State's drug court program, are anticipated in the Governor's proposed budget for FY 2009-2010, and are expected to be offset by the net savings to the Department of Corrections county jail budget. Offenders diverted to drug court will no longer need to be held in county jails at State cost while awaiting space in a State prison.

Department of Corrections

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services concurs with Executive estimate.

Section: Judiciary
Analyst: Anne Raughley
Principal Fiscal Analyst
Approved: David J. Rosen
Legislative Budget and Finance Officer

This fiscal note has been prepared pursuant to P.L. 1980, c.67 (C. 52:13B-1 et seq.).

ASSEMBLY, No. 2805

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED JUNE 12, 2008

Sponsored by:

Assemblywoman BONNIE WATSON COLEMAN

District 15 (Mercer)

Assemblywoman NELLIE POU

District 35 (Bergen and Passaic)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington and Camden)

SYNOPSIS

Creates two additional Superior Court judgeships.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/24/2008)

A2805 WATSON COLEMAN, POU

2

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2 amending N.J.S.2B:2-1.

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39	Burlington	4
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44	Gloucester.	6
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A2805 WATSON COLEMAN, POU

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1	Hunterdon	2
2	Mercer	6
3	Middlesex.	8
4	Monmouth	4
5	Morris	6
6	Ocean	8
7	Passaic	6
8	Salem	2
9	Somerset	4
10	Sussex	2
11	Union	6
12	Warren	2

13 (cf: P.L.2001, c.250, s.13)

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STATEMENT

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22 Proposed Budget concerning the expansion of the State's drug court
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27 counseling and job training.

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29 a net savings to the State, as supervision and treatment through drug
30 court are significantly less costly than incarceration.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2805

STATE OF NEW JERSEY

DATED: JUNE 19, 2008

The Assembly Budget Committee reports favorably Assembly Bill No. 2805.

The bill would create two additional Superior Court judgeships.

The bill is related to a proposal in the Governor's FY 2009 Budget Recommendation concerning the expansion of the State's drug court program. The addition of the judgeships is a component of this expansion. Drug court is a court-based diversion program that serves as an alternative to incarceration for drug-addicted offenders, who instead receive intensive supervision, drug treatment, counseling and job training.

FISCAL IMPACT:

According to the Administrative Office of the Courts (AOC), the two new judgeships authorized under this bill each require a complete judge team consisting of a Superior Court Judge, a Judge's Secretary, a Law Clerk, a Court Clerk, and an Official Court Reporter. Associated costs include salaries and fringe benefits, office and courtroom space, and start-up, recurring and optional costs. Based on these factors, total expenditures for the additional judgeships is estimated to be \$0.8 million in FY 2009, \$1.1 million in FY 2010, and \$1.1 million in FY 2011.

As noted above, these costs, which are related to the expansion of the State's drug court program are anticipated in the Governor's proposed budget for FY 2009-2010, and are expected to be offset by the net savings to the Department of Corrections county jail budget. Offenders diverted to drug court will no longer need to be held in county jails at State cost while awaiting space in a State prison.

FISCAL NOTE
ASSEMBLY, No. 2805
STATE OF NEW JERSEY
213th LEGISLATURE

DATED: JUNE 24, 2008

SUMMARY

Synopsis: Creates two additional Superior Court judgeships.

Type of Impact: General Fund expenditure.

Agencies Affected: Judiciary

Executive Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	\$810,446	\$1,084,162	\$1,113,936

- The Office of Legislative Services **concurs** with the Executive estimate.
- The bill would create two additional Superior Court judgeships to accommodate the proposed expansion of the State's drug court program.
- The Administrative Office of the Courts (AOC) states that total annual costs to the Judiciary for the two new judgeships in FY 2009, FY 2010, and FY 2011 are \$810,446, \$1,084,162 and \$1,113,936, respectively.

BILL DESCRIPTION

Assembly Bill No. 2805 of 2008 would create two additional Superior Court judgeships to accommodate the proposed expansion of the State's drug court program. Drug court is a court-based diversion program that serves as an alternative to incarceration for drug-addicted offenders, who instead receive intensive supervision, drug treatment, counseling and job training.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Administrative Office of the Courts

According to the AOC, each judge team consists of a Superior Court Judge, a Judge's Secretary, a Law Clerk, a Court Clerk, and an Official Court Reporter. The AOC notes that under P.L.2007, c.350, Tax court Judges will receive a salary increase effective January 1, 2009. The AOC states that it is unlikely that the program would not become operational until midway through the fiscal year. Given this, salaries are pro-rated to 54 percent of the total annual salary to reflect this assumption. Total salary and fringe benefits costs would equal \$465,986 in FY 2009, \$948,774 in FY 2010 and \$971,780 in FY 2011.

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Department of Corrections

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services concurs with Executive estimate.

Section: Judiciary
Analyst: Anne Raughley
Principal Fiscal Analyst
Approved: David J. Rosen
Legislative Budget and Finance Officer

This fiscal note has been prepared pursuant to P.L.1980, c.67 (C.52:13B-1 et seq.).