

**TESTIMONY OF JUDGE PHILIP S. CARCHMAN
ACTING ADMINISTRATIVE DIRECTOR OF THE COURTS**

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

April 20, 2005

Mr. Chairman, thank you for the opportunity to appear and tell you about the work and the needs of the Judiciary and to answer your questions. With me today are Assignment Judges Sybil Moses of Bergen County, Lawrence Lawson of Monmouth County, Graham T. Ross of Hunterdon, Somerset and Warren Counties and John Sweeney of Burlington County, as well as Theodore Fetter, deputy administrative director of the courts.

This is my first appearance before the committee. Just seven months and 20 days ago, I was appointed acting administrative director of the courts. This assignment has proven to be an enormous challenge and responsibility, and I am invigorated every day by the hard work and dedication of the judges and staff in every courthouse and every administrative office within our branch of government. Early on, I vowed to visit each Superior Court courthouse in the state. I have to date visited 10 counties and, to a person, from mailrooms to executive offices, I have found hard-working people who are proud of what they do and how their work contributes to our great mission of the administration of justice.

I am very much a product of the courtroom. I have been a trial attorney, a prosecutor and a judge, where I have heard cases at all levels in the Judiciary, from Municipal Court in Princeton Township and Princeton Borough, through all the case types in the Superior Court, and up to, and I say this with pride and humility, the Supreme Court when called to do so.

So it is with that background, and supported by my colleagues from across the state, that I come to share our successes and to inform you of our needs.

We continue to reduce the backlog of cases. In the past five years we have reduced the number of backlogged cases by 54 percent. We operate drug courts in every county in the state and we continue to see lives changed by this approach to treating the drug offender who is prepared to work hard toward recovery. We operate what we believe to be the nation's only statewide system to pay tickets online and our systems facilitate automatic updating of all Municipal Court and Motor Vehicle Commission records. We provide case-specific packets of information with forms and instructions for those who choose to come to court without an attorney. We provide options for litigants to resolve their disputes through arbitration or mediation and avoid the time and expense of a trial. Your support for these Judiciary initiatives has made these successes possible.

The Judiciary resolves more than 7 million cases each year, an enormous responsibility. But of all of the responsibilities of the Judiciary, I believe that resolving cases of children in court are the most critical. Perhaps I feel particularly strongly about these cases because for three years, during my tenure as presiding judge of the family part in the

Mercer vicinage during the early 1990s, I saw first hand the tragedy of children who, for their own safety and well-being, cannot live at home and who have no sense of a safe, permanent place to live.

The Judiciary is actively involved in the efforts to reform the child welfare system in New Jersey. We are an integral member of the Interagency Council for Children and Families and have committed our resources to ensuring that cases move forward timely and that the rights of children and all parties are respected. For example, Child Placement Review Boards, which by statute must review the case of every child placed out of home, have specific timeframes under which they must operate. The reviews are a critical part of ensuring that plans for a permanent home are made and followed. At the end of 2003, 403 case reviews did not meet the time goals. By the end of 2004, all but six cases had been reviewed on time. We are vigilant in our effort to ensure timely review. We will continually train our judges in these cases and work with other agencies and groups of concerned citizens toward that goal. Children cannot and should not have to wait for permanent homes.

Nothing is more critical than the cases where parents' rights are terminated, allowing children who have no permanent home to be available for adoption. We must ensure that hearings for those children are conducted in a timely manner so they are free to become part of a new family. Family court judges throughout the state are hearing these cases, and we are adding retired judges on recall to ensure we meet the children's needs. Our commitment to the children of New Jersey is unwavering and their cases have been and will continue to be a top priority.

Even in the difficult past few budget years, the Legislature has been fair and forward thinking, identifying those programs that must be strengthened and those initiatives that offer the people of New Jersey not only a high-quality justice system, but the finest state Judiciary in the United States. Drug court is just one example. Last year the Legislature funded the expansion of drug courts into the final seven counties of the state. The proposed budget before you today includes an additional \$1.7 million for drug treatment so that we will have the necessary funds for a full year of statewide operations and treatment programs. We are monitoring carefully the success of our drug courts and, with grant money from the Robert Wood Johnson Foundation we are applying the principles of drug court to family division cases in Morris County.

With your support, we have developed one of the best statewide judicial information systems in the nation, one that is integrated with other agencies as well. We are now faced with the need to maintain our leadership position for the benefit of all of the citizens of this state. The Judiciary processes approximately four million electronic transactions each day. From municipal court to small claims disputes to criminal cases and up to the appellate courts, the Judiciary relies on electronic systems to accept and process new cases, to manage them and to provide others access.

The municipal court Automated Traffic System has proven to be an unparalleled success and has benefited greatly from the fee increase for traffic and parking offenders approved

by the Legislature in 2004. The funds also enable us to maintain and enhance our NJMCDirect Web site, through which parking and traffic offenders can view information about their case and pay their tickets online. More than 1 million transactions—18 percent of all eligible tickets—have been processed on NJMCDirect, accounting for payments of more than fifty-two million dollars. We also are using the increased funding to provide parking authorities with updated wireless, handheld ticketing devices that are fully integrated with the state's municipal court computer system through an online connection. Finally, we are providing each municipal court with upgraded computer systems to improve their financial operations and to give them access to the Internet to accept online criminal complaints from law enforcement officers.

We have made a Judiciary-wide effort to increase efficiency and improve customer service through well-planned and carefully implemented technologies. Let me give you some examples. We provide 24/7 electronic access for law enforcement. State Police and local police departments now can access data directly from their patrol cars, to enable officers to determine immediately if a traffic offender has an outstanding municipal court warrant. Additionally, attorneys can file electronically cases valued at \$15,000 or less, initiating a chain of paperless transactions and saving significant resources for us, for attorneys and for their clients. Prisoners can be summoned to court with an “e-writ,” an electronic communication with the Department of Corrections that replaces time-consuming and error-prone paper writs. In addition, our award-winning Web site, njcourtsonline.com, continues to be a valuable resource for attorneys and litigants, offering assistance for those representing themselves in a wide variety of case types. The site also provides contact information, court opinions, and thousands of other files and pages of services to lawyers, litigants and the general public.

Our most recent addition to the Web site is the live “webcasting” of Supreme Court oral arguments, giving unprecedented access to students, educators, attorneys and other members of the public who wish to observe Supreme Court arguments but cannot travel to Trenton. Through a partnership with Rutgers Law School-Newark, the public can view archived arguments, a valuable legal resource and one that will bring the study of law alive in a way never before possible.

We have many more success stories to share, but I will choose just one more to report to you today. Child support collection is a critical responsibility of government and the Judiciary in particular. For the first time, this year we will collect and distribute to families one billion dollars in child support payments. And we have added a new service in three counties. In partnership with the Department of Human Services, we created a centralized child support call center. Accounts are viewed electronically and both parent payors' and payees' questions are addressed promptly, efficiently and effectively. I visited the call center about one month ago and I can tell you from what I saw first-hand, it is a resounding success, with an overwhelmingly positive public response.

Finally, I address court security. In the past few years, we have benefited from enhanced security systems in the Justice Complex and in courthouses around the state. We have worked hard to ensure that security plans are in place in each courthouse and that they are

updated and reviewed regularly. But recent tragic events have made the issues of security even more acute. I have been communicating with assignment judges and they are working with their county sheriffs. I recently redistributed our judicial security guidelines. We are in regular contact with the State Police and are currently working with the State Police Central Security Unit to create a link between their Web site and ours for judges and their staff. We appreciate the support and concern we have received from you and your colleagues for the safety of our judges and all those who come into our courthouses.

Your continued support and commitment, your investment and confidence have helped to make New Jersey's Judiciary the finest in the United States.

I would be pleased to respond to your questions.