

ANALYSIS OF THE NEW JERSEY
FISCAL YEAR 2001 - 2002 BUDGET



OFFICE OF THE PUBLIC DEFENDER
AND LEGAL SERVICES GRANTS

PREPARED BY

OFFICE OF LEGISLATIVE SERVICES

NEW JERSEY LEGISLATURE

APRIL 2001

NEW JERSEY STATE LEGISLATURE

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OFFICE OF THE PUBLIC DEFENDER AND LEGAL SERVICES GRANTS

Budget Pages..... C-12; D-499 to D-502

Fiscal Summary (\$000)

	Expended FY 2000	Adjusted. Appropriation FY 2001	Recommended FY 2002	Percent Change 2001-02
State Budgeted	\$79,180	\$87,524	\$89,445	2.2%
Federal Funds	1,431	1,451	1,451	0.0%
<u>Other</u>	<u>160</u>	<u>793</u>	<u>793</u>	<u>0.0%</u>
Grand Total	\$80,771	\$89,768	\$91,689	2.1%

Personnel Summary - Positions By Funding Source

	Actual FY 2000	Revised FY 2001	Funded FY 2002	Percent Change 2001-02
State	895	915	952	4.0%
Federal	0	0	0	—
<u>Other</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>0.0%</u>
Total Positions	897	917	954	4.0%

FY 2000 (as of December) and revised FY 2001 (as of September) personnel data reflect actual payroll counts. FY 2002 data reflect the number of positions funded.

Introduction

The data above summarize two functionally similar but distinct programs budgeted in the Department of the Treasury, the **Office of the Public Defender and Legal Services of New Jersey**, both of which provide legal representation to indigents. Specifically, the Office of the Public Defender provides trial and appellate legal services to: criminal defendants; juveniles charged with delinquency offenses; individuals making application to the Intensive Supervision Program of the Administrative Office of the Courts; individuals involuntarily committed to mental hospitals; abused and neglected children; and civilly committed sexual offenders. The Office of the Public Defender is "in but not of" the Department of the Treasury.

The second program, Legal Services of New Jersey, is an independent non-profit corporation which provides free legal assistance to indigents in a broad range of civil matters, primarily concerning issues related to housing, family, the consumer, and income maintenance. Legal Services is largely supported by State and federal grants, Interest on Lawyers' Trust Accounts (IOLTA) revenues, and to a lesser extent, private contributions.

Key Points

PROTECTION OF CITIZENS' RIGHTS

- ! The Governor's budget recommends funding of \$77.4 million for the Office of the Public Defender, an increase of \$1.9 million (2.5 percent) over the FY 2001 adjusted appropriation. The proposed increase is for costs associated with P.L.1999, c.53 which requires the Public Defender to represent children and indigent parents in termination of parental rights proceedings. This enactment conformed State law to the provisions of the federal Adoption and Safe Families Act of 1997 which was intended to speed the adoption of children placed in foster care.

- ! A continuation appropriation of \$12 million in State Grants-In-Aid and \$1.2 million in federal funds is recommended for Legal Services of New Jersey. These grants are distributed through the Treasurer's Office, not through the Office of the Public Defender. The \$12.0 million recommended appropriation is allocated directly to fourteen local field programs (\$4.0 million) which provide direct services to clients in all 21 counties, and to the Statewide coordinating office in Edison, N.J. (\$8.0 million) which in turn distributes grants to the regional offices. The Edison office reviews the regional offices' budgets and oversees their expenditures.

The Office of the Public Defender is "in but not of" the Department of the Treasury. As a result, identical information is included as part of the Department of the Treasury FY 2002 analysis.

Program Description and Overview

The Office of the Public Defender and the Legal Services program are functionally related in that both offices provide legal services to indigent clients. The Office of the Public Defender assists low income residents in criminal matters; the Office of Legal Services assists them in civil matters. The Office of the Public Defender is a State office staffed by State employees. Its primary source of funds is the State General Fund. Legal Services of New Jersey is a private non-profit corporation staffed by private attorneys. Its funding is primarily from three sources: State and federal grants and IOLTA fees.

OFFICE OF THE PUBLIC DEFENDER

The Office of the Public Defender (OPD) provides legal representation to indigent criminal defendants formally charged with an indictable offense; to juveniles charged with delinquency offenses when, in the opinion of the court, a finding of guilt could result in an institutional commitment; to individuals who are applying to the Administrative Office of the Courts' Intensive Supervision Program; to abused and neglected children in Family Court proceedings; and to the indigent mentally ill. It also provides mediation and other dispute resolution services to resolve complex public interest disputes and civil resolution services to resolve complex public interest and civil litigation.

The OPD is comprised of the following programs:

Program	FY 2002 Recommended Appropriation	FY 2002 Funded Positions Budget Estimate
Trial Services to Indigents and Special Programs	\$63,911,000	785
Appellate Services to Indigents	7,535,000	70
Mental Health Screening Services	3,095,000	53
Dispute Settlement	328,000	7
Administration and Support Services	2,576,000	39
Total, Office of the Public Defender	\$77,445,000	954

State funding of approximately \$77.4 million will be supplemented by \$1.02 million in federal and other funds in FY 2002. The recommended State appropriation represents an increase of \$1.9 million over the current FY2001 appropriation, the details of which are discussed below.

Approximately 82.5 percent of the OPD's funding, or \$63.9 million, is appropriated to the 22 regional offices and programs of the **Trial Services to Indigents and Special Programs** budgetary unit. Through this program, the Public Defender represents indigent criminal defendants; indigent defendants in Megan's Law notification hearings; and individuals who are either applying to the Intensive Supervision program or who are in the program and have violated probation. Through its **Law Guardian program**, the Public Defender also represents abused and neglected children in Family Court proceedings. The number of new cases anticipated in FY 2002 is 7,530, the same as

Program Description and Overview (Cont'd)

in the current year. The driving factor for expenditures within the Law Guardian unit is the number of clients assigned to it by the courts.

In September 1998, the Law Guardian (Child Abuse or "Title 9") program was expanded to respond to the increased caseload associated with the implementation of the federal "Adoption and Safe Families Act of 1997," Pub.L.105-89, the purpose of which was to speed the adoption of children placed in foster care. As a result of the act, the Office began representing both children and indigent parents in so-called "Title 30" cases in which the parental rights of biological parents are sought to be terminated in certain cases. In mid-1999, pursuant to P.L. 1999, c.53 (N.J.S.A.9:3-45.7 et seq.), the Office created the **Parental Representation Unit (PRU)** within the Law Guardian program to provide attorneys for indigent parents in some 1,200 termination of parental rights proceedings annually. This enactment included a provision that the PRU, through an internal administrative unit, be responsible for the supervision, evaluation and selection of non-staff counsel who represent indigent parents separately from the Law Guardian staff.

To carry out its responsibilities related to these legal services, the recommended Special Purpose appropriation is \$5.139 million for Continuous Representation - Title 9 to Title 30, an increase of \$1.921 million in FY2002, up from \$3.218 million in the current year. Of that amount, \$1.29 million is allocated to the Law Guardian Unit for legal services for children, while the balance (\$3.85 million) is allocated to the Parental Representation Unit. This appropriation will provide for a total of 53 positions (including 17 attorneys, 18 investigators, 1 attorney assistant, 14 secretaries and 3 clericals) of which 33 are assigned for representation of children and 20 for representation of indigent parents.

An increase in funding for this line item is recommended because the OPD has experienced much higher case costs than anticipated due to the nature of Title 30 proceedings. Initially, the OPD estimated that the cost of Title 30 cases would be comparable to its experience with Title 9 (Child Abuse and Neglect) cases. However, the OPD has found that Title 30 cases require more attorney hours (both in and out of court) than expected, and that more client (psychological, bonding, substance abuse) evaluations are necessary. Hence, the funding increase is recommended to provide for higher costs attributable to pool attorneys (\$1,454 actual per case versus \$690 budgeted), and to the use of experts (\$1,200 actual versus \$420 budgeted).

In addition to these sources, an amount of \$1.286 million is included in both the current and the FY2002 budgets of the Division of Youth and Family Services (DYFS) Foster Care and Permanency Initiative in the Department of Human Services to support this expanded function of the Law Guardian program.

The **Appellate Services to Indigents** is recommended to receive \$7.5 million in FY 2002. This appropriation will support 64 full-time staff and 6 part-time positions, in addition to providing for non-attorney costs (such as transcripts, court reports and experts) and the cost of pool attorneys for an estimated 643 cases. This program provides timely legal representation to indigent defendants on direct appeal of a criminal conviction or sentence, including all defendants sentenced to death. State and federal courts have held that the right to this representation is constitutionally guaranteed.

The Appellate Section opened FY2000 with an inventory of 1,650 files, assumed representation of 1,990 additional appeals cases before the Superior Court, Appellate Division, and disposed of 1,894 cases. The workload of the unit is expected to remain high as the number of new cases added annually continues to increase.

Program Description and Overview (Cont'd)

The **Mental Health Screening Services** program is recommended to receive \$3.1 million in FY 2002. This amount will support 42 positions within the OPD's Division of Mental Health. The division provides constitutionally and statutorily mandated representation for indigent individuals in initial commitment, periodic review and placement hearings at State, county and private psychiatric hospitals, as well as at Children's Crisis Intervention Services units throughout the State. Through its Guardianship program, Mental Health also represents developmentally disabled individuals in guardianship proceedings.

The recommended \$3.1 million appropriation for Mental Health continues a Special Purpose appropriation of \$602,000 for the representation of civilly committed sexual offenders. Effective August, 1999, pursuant to P.L. 1998, c.71, the Division of Mental Health must provide representation to all indigent individuals who now meet the definition of a "Sexual Violent Predator." The recommended amount will support 10 positions.

According to the OPD's budget request, in recent years the Division of Mental Health has successfully focused on shortening the length of time its clients spend hospitalized through the elimination of "inappropriate and unnecessary institutionalization" in favor of "therapeutically appropriate community-based facilities." The division's efforts in this regard were driven, in part, by the necessity to assist in the implementation of the State Mental Health Plan's stated goal of downsizing the State Psychiatric Hospital system.

Continuation funding of \$328,000 is recommended for the **Office of Dispute Settlement (ODS)** which was created in 1974 to provide mediation and other neutral dispute resolution services to resolve public issues such as environmental clean up, insurance coverage, medical malpractice, housing warranty disputes and resource allocation. The ODS is partially supported by revenues generated through inter-agency contracts, grants and charging fees for both its mediation and training services. ODS makes presentations and provides training in dispute resolution to the judiciary, Bar and government entities. Training programs have been conducted for staff of the Board of Public Utilities, the Attorney General's Office, the Department of Personnel, the Department of Environmental Protection and Bar Associations.

According to the Department's budget request, ODS' activities have produced a number of benefits, including: helping the court relieve its civil case backlog; saving hundreds of hours of judicial time; saving millions of dollars in transaction costs for litigants; and producing higher quality settlements.

During FY 2000, 573 new cases were referred to ODS. Of these, 203 were complex court cases involving claims totaling in excess of \$150 million. The settlement rate for cases mediated by ODS was over 75%. In addition, as part of its New Home Owner Warranty program, which resolves disputes between new home owners and builders, ODS resolved over 370 cases during FY 2000.

Finally, continuation funding of \$2.6 million is recommended for **Administration and Support Services**. This amount will be used to provided centralized supervision, training, policy development and analysis to the OPD's 30 regional offices. In addition to providing these centralized services, the administrative unit also allocates attorneys, investigative, clerical and other resources throughout the State and conducts staff and caseload evaluations.

Program Description and Overview (Cont'd)

PUBLIC DEFENDER - HISTORY

Pursuant to Reorganization Plan No. 004-1998, the Office of the Public Defender was transferred from the Department of State to the Department of the Treasury. The Office of the Public Defender was created pursuant to P.L. 1967, c.43 in but not of the Department of Institutions and Agencies to provide representation for indigent defendants in criminal cases. (Prior to 1967, legal representation for indigent defendants, as guaranteed by the U.S. Constitution, was handled in New Jersey on a case-by-case basis.) In 1974, when the Department of the Public Advocate was created (P.L. 1974, c.27), the Office of the Public Defender became part of that department. Pursuant to the Public Advocate Restructuring Act (P.L. 1994, c.58), the Department of the Public Advocate was abolished and the Office of the Public Defender was placed in but not of the Department of the State. In 1998, it was transferred to the Department of the Treasury.

STATE LEGAL SERVICES OFFICE - LEGAL SERVICES OF NEW JERSEY

The **Legal Services Program** was transferred from the Department of Community Affairs to the Department of the Treasury in FY 1999 pursuant to Reorganization Plan No. 002-1998. Legal Services programs are the primary means by which society provides free legal assistance in civil matters to people who cannot afford the cost of legal representation.

Although the types of cases handled vary from county to county, Legal Services of New Jersey provides support to indigents primarily in four areas:

- ! Housing - primarily tenancy and eviction matters;
- ! Family Matters - divorce, separation, domestic violence, child support and termination of parental rights;
- ! Income Maintenance - Social Security, Work First New Jersey, Food Stamps and other such programs;
- ! Consumer Matters - bankruptcy, collections, warranties, unfair sales practices and public utilities.

To a lesser extent, other cases concern education, health, employment and juvenile matters.

New Jersey has fifteen Legal Services programs: fourteen local field programs, which provide legal services to clients in all 21 counties, and Legal Services of New Jersey, the Statewide coordinating office in Edison. The Legal Services staff is approximately 430 Statewide, including 210 attorneys. Each program is a not-for-profit corporation governed by a board of trustees which includes members of the local bar association as well as representatives of the eligible client population.

In calendar year 2000, Legal Services programs closed more than 49,000 new cases, of which 2,000 were handled by volunteer private attorneys on a *pro bono* basis. According to information published by Legal Services, approximately four out of five of these cases were resolved without litigation. Currently, Legal Services is focused on several special projects which address a variety of issues, such as domestic violence representation; immigration; family representation involving disputes with the Division of Youth and Family Services; Supplemental Security Income; health care access, and the establishment of the New Jersey Poverty Research Institute. In addition,

Program Description and Overview (Cont'd)

as part of a multi-year, statewide re-engineering effort to improve and streamline its operations, Legal Services has established a statewide legal hotline (1-888-LSNJ-LAW) which offers brief service, advice and referrals over the phone.

Funding for Legal Services of New Jersey comes primarily from three sources: the State of New Jersey, Interest on Lawyers' Trust Accounts (IOLTA), and the Federal government. The budget for this program has been relatively stable for several years. For FY 2001, Legal Services is projecting revenues of \$35.9 million. Of that amount, approximately 38.0 percent is attributable to State sources; 33.4 percent to IOLTA sources; 19.5 percent from federal resources; and 9.1 percent from either county or private resources, including Legal Services' Campaign for Justice, United Way campaigns, bar association support and other gifts.

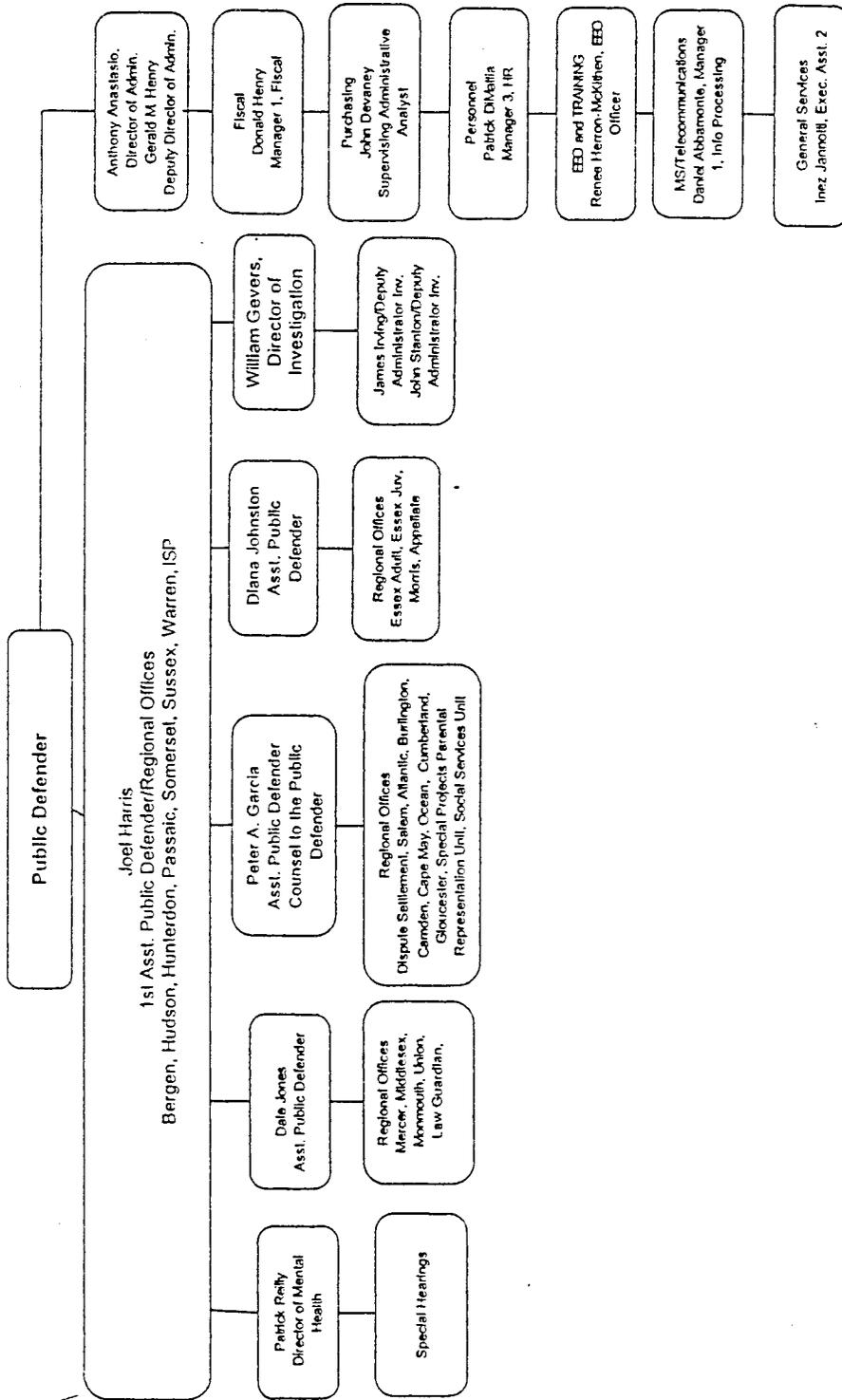
The State provides approximately one third of the funding through Grants-In-Aid. Of the \$12.0 million recommended for the State Legal Services Office or Legal Services of New Jersey in FY2002, \$1.0 million is recommended from general State revenues and \$11.0 million is recommended from the increase in filing fees pursuant to P.L. 1996, C. 52. The \$12.0 million recommended appropriation is allocated directly to the fourteen local Legal Services Programs (\$4.0 million) and to the Legal Services Office in Edison, N.J. (\$8.0 million) which in turn distributes grants to the regional offices. The Edison office reviews the regional offices' budgets and oversees their expenditures.

The second most significant source of funding is Interest on Lawyers' Trust Accounts, IOLTA fees. The IOLTA program was created by the New Jersey Supreme Court in 1988 to provide a means of using interest earned on nominal or short-term deposits to fund law-related, public-interest programs. Not less than 75 percent of these funds are awarded annually to Legal Services of New Jersey; the balance is awarded to the New Jersey State Bar Foundation and other entities to provide legal aid to the poor, to improve the administration of justice, to educate lay persons in legal or justice-related areas or for other such programs for the benefit of the public as are specifically approved by the New Jersey Supreme Court.

Finally, the third source of funds is the federal government which provides funding both through the State of New Jersey and directly to Legal Services of New Jersey. In FY 2002, the Governor's Budget recommends \$1.2 million in federal funds for Legal Services programs.

Organization Chart

OFFICE OF THE PUBLIC DEFENDER - December 1, 2000



Fiscal and Personnel Summary

AGENCY FUNDING BY SOURCE OF FUNDS (\$000)

	Expended FY 2000	Adj. Approp. FY 2001	Recom. FY 2002	Percent Change	
				2000-02	2001-02
General Fund					
Direct State Services	\$68,680	\$75,524	\$77,445	12.8%	2.5%
Grants-In-Aid	10,500	12,000	12,000	14.3%	0.0%
State Aid	0	0	0	0.0%	0.0%
Capital Construction	0	0	0	0.0%	0.0%
Debt Service	0	0	0	0.0%	0.0%
Sub-Total	\$79,180	\$87,524	\$89,445	13.0%	2.2%
Property Tax Relief Fund					
Direct State Services	\$0	\$0	\$0	0.0%	0.0%
Grants-In-Aid	0	0	0	0.0%	0.0%
State Aid	0	0	0	0.0%	0.0%
Sub-Total	\$0	\$0	\$0	0.0%	0.0%
Casino Revenue Fund	\$0	\$0	\$0	0.0%	0.0%
Casino Control Fund	\$0	\$0	\$0	0.0%	0.0%
State Total	\$79,180	\$87,524	\$89,445	13.0%	2.2%
Federal Funds	\$1,431	\$1,451	\$1,451	1.4%	0.0%
Other Funds	\$160	\$793	\$793	395.6%	0.0%
Grand Total	\$80,771	\$89,768	\$91,689	13.5%	2.1%

PERSONNEL SUMMARY - POSITIONS BY FUNDING SOURCE

	Actual FY 2000	Revised FY 2001	Funded FY 2002	Percent Change	
				2000-02	2001-02
State	895	915	952	6.4%	4.0%
Federal	0	0	0	0.0%	0.0%
All Other	2	2	2	0.0%	0.0%
Total Positions	897	917	954	6.4%	4.0%

FY 2000 (as of December) and revised FY 2001 (as of September) personnel data reflect actual payroll counts. FY 2002 data reflect the number of positions funded.

AFFIRMATIVE ACTION DATA

Total Minority Percent	34.3%	35.5%	35.5%	----	----
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Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2001</u>	<u>Recomm.</u> <u>FY 2002</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
TRIAL SERVICES TO INDIGENTS					
Special Purpose:					
Continuous					
Representation - Title 9					
to Title 30	\$3,218	\$5,139	\$1,921	59.7%	D-501

Pursuant to P.L.1999, c.53 (C.9:3-45.2 et seq.), which conformed State law to the federal "Adoption and Safe Families Act of 1997," Pub.L.105-89, the OPD is authorized to provide legal representation to children and indigent parents in child abuse and neglect (Title 9) and parental termination (Title 30) proceedings. For FY 2002, an appropriation of \$5.14 million is recommended to provide for costs associated with these legal services. Of that amount, \$1.29 million is allocated to the Law Guardian Unit for legal services for children, while the balance (\$3.85 million) is allocated to the Parental Representation Unit. This appropriation will provide for a total of 53 positions (including 17 attorneys, 18 investigators, 1 attorney assistant, 14 secretaries and 3 clericals) of which 33 are assigned for representation of children and 20 for representation of indigent parents.

An increase in funding for this line item is recommended because the OPD has experienced much higher case costs than anticipated due to the nature of Title 30 proceedings. Initially, the OPD estimated that the cost of Title 30 cases would be comparable to its experience with Title 9 (Child Abuse and Neglect) cases. However, the OPD has found that Title 30 cases require more attorney hours (both in and out of court) than expected, and that more client (psychological, bonding, substance abuse) evaluations are necessary. Hence, the funding is recommended to provide for higher costs attributable to its pool attorneys (\$1,454 actual per case versus \$690 budgeted), and to the use of experts (\$1,200 actual versus \$420 budgeted).

Discussion Points

1. According to the agency's budget request, during FY2000, staff attorneys in the Office of the Public Defender (OPD) disposed of an average of 252 cases each. The American Bar Association and the National Commission on Standards and Goals for the Criminal Justice System provides that defense counsel should not be required to dispose of more than 200 cases in a given year.

! **Question: What impact, if any, has the current caseload had on the OPD's ability to adequately serve clients? What resources (in terms of FTE's and dollars) would be required to decrease the current caseload to the recommended level of 200 cases per attorney?**

2. Existing and recommended budget language (Budget page D-502) prohibits the appropriation of State funds for expenses associated with the legal representation of persons appearing before the State Parole Board or Parole Bureau.

! **Question: What is the history of this policy? Absent this language would indigent convicts either seeking parole or contesting parole revocation be eligible for representation by the OPD? Does OPD have a legal opinion on the constitutionality of this language as it pertains to individuals either seeking parole or contesting revocation of parole?**

3. N.J.S.A. 2A:158A-16 et seq. requires the OPD to attempt to recoup its expenses through fees charged to its clients. The OPD, which in recent years has billed its clients between \$14 million and \$16 million annually, realized collections of \$2.16 million in FY2000. Of this amount, \$1.1 million was collected from Billings and Satisfaction of Liens, \$226,534 was collected from the Administrative Prepayment Program, and \$827,540 was collection from the SOIL Program. The Budget Recommendation anticipates collections of \$2.25 million in FY2001.

As part of the current budget, responsibility for certain collection activities was transferred from OPD to the Division of Revenue. Approximately \$145,000 was reallocated from the OPD to the Division of Revenue to fund four positions associated with this function.

! **Question: Year to date, has the transfer of responsibility for collections resulted in an increase in the amount collected either per client or as a percentage of the total amount billed?**

4. The OPD has implemented two Juvenile Justice Services Pilot Projects, one in Camden and one in Monmouth counties. Under the program, social workers hired by the OPD develop client-specific plans that enable appropriate juvenile clients to participate in community-based programs in lieu of detention. Attorneys can use these client-specific plans to negotiate pre-trial release plans with prosecutors and to provide judges with community-based sentencing options to serve as an alternative to incarceration.

! **Question: How many juvenile clients have benefitted from this program? What measures will the OPD use to determine the success of the pilot programs? Does the OPD anticipate expanding this program Statewide? Please provide an estimate of the "savings" to the State (either in the aggregate or per client) from this alternative to incarceration.**

Discussion Points (Cont'd)

5. In 1991, the New Jersey Supreme Court held that the OPD is required to underwrite the expenses of all ancillary services (such as expert testimony, transcripts, etc.) arising from indictable offenses whenever the defendant is determined to be indigent and in need of the requested service, even when that person is not represented by the OPD.

Since that decision, the OPD has received 475 applications for ancillary services (excluding transcripts), the majority of which have been approved. The Budget Recommendation includes \$109,434 for ancillary services in FY2002. According to the OPD's budget request, "...although budgeting appropriately for these services remains difficult due to the wide variance in the services requested and in the cost of those services..." the amount expended on ancillary services has been trending downward in recent years.

! Question: Are there specific factors which are driving down the amount expended for ancillary services?

6. In 1998, The Law Guardian program was expanded to respond to the increased caseload associated with the implementation of the federal "Adoption and Safe Families Act of 1997," Pub.L.105-89, which was intended to assist states' efforts to balance family preservation and reunification with a child's health, safety and need for permanency. Under P.L.1999, c.53 (C.9:3-45.2 et seq.), which conformed State law to the federal act, the OPD was authorized to provide representation to parents and children in termination of parental rights proceedings. The Division of Youth and Family Services which provides funding to OPD for its responsibilities in this regard, is required to seek termination of parental rights in certain circumstances, but no later than when a child has been in placement out of the home for 15 out of the most recent 22 months, with certain exceptions.

! Question: How successful has the effort been to expedite the termination of parental rights since the expansion of the OPD's Law Guardian program? What specific barriers, if any, has the OPD encountered in implementing the new federal time lines? How has the court process changed with respect to parental termination proceedings since the federal and State enactments?

7. The Office of Dispute Settlement (ODS) serves as a mediator for State and federal courts to resolve complex civil litigation and public policy disputes (among other functions). According to ODS, its activities yield a number of benefits, including: helping the Court relieve its civil case backlog; saving hundreds of hours of judicial time; saving millions of dollars in transaction costs for litigants; and producing higher quality settlements. During FY2000, 573 new cases were referred to ODS, of which 203 were complex court cases involving claims totaling in excess of \$150 million.

The Governor's Budget recommends an appropriation of \$328,000 in Direct State Services funding in FY2002, an amount which is unchanged from the current appropriation. According to the OPD's budget request, "the ODS is largely self-supporting," generating revenues through inter-agency contracts, grants, and fees collected for both its mediation and training services. However, according to the OPD's revenue statement, ODS mediation fee revenues totaled \$160,000 in FY2000.

! Question: Please indicate the total amount of revenue collected or anticipated by ODS, by source (contracts, grants, fees, etc.), in FY2000, FY2001, and FY2002. Given the apparent benefits which accrue to the court system, and to litigants in particular as a result of its activities, has OPD considered increasing fees to fully fund the ODS? Please describe how the ODS establishes its fee schedule, and indicate how these fees compare to those charged by other mediation entities.

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Individuals wishing information and committee schedules on the FY 2002 budget are encouraged to contact:

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