

**REMARKS OF JUDGE GLENN A. GRANT
ACTING ADMINISTRATIVE DIRECTOR OF THE COURTS
BEFORE THE ASSEMBLY BUDGET COMMITTEE
APRIL 28, 2011**

Good Afternoon. Thank you Chairman Greenwald, and members of the Assembly Budget Committee, for offering the Judiciary the opportunity to appear before you today. With me are Assignment Judges: Peter Doyne of Bergen County, Lawrence Lawson of Monmouth County, Vincent Grasso of Ocean County, Yolanda Ciccone of Somerset, Hunterdon, and Warren Counties, Georgia Curio of Gloucester, Cumberland and Salem Counties. In addition, are Shelley Webster, Director of the Office of Management and Administrative Services and James Rebo, Director of Information Technology Office.

We are here this afternoon to offer testimony on behalf of the proposed budget for the Judiciary's fiscal year 2011-2012. The economic issue confronting our operation is the same for all of government and the rest of our community. As all of you are aware, the state and all of its operations have been negatively impacted over the past few years as a result of the recession. The challenge is how we manage our operations in this time of economic retrenchment.

We, the Judiciary, are mindful of our responsibility to share in the sacrifices faced by all New Jerseyans and all Americans in this time of economic hardship. All branches of government have a duty to reduce costs of operation given the economic circumstances of our state. As one of the three branches of government, we accept that responsibility and have focused our efforts on meeting our mandates: to provide timely and efficient administration of justice for all individuals who seek access to our court system.

We, the Judiciary, are committed to providing a forum for citizens and businesses of this state to resolve their disputes, protecting rights and liberties and ensuring equal justice for all. During the past year, we resolved more than 7 million cases in our various courts – the Supreme Court, the appellate and trial divisions of our Superior Court, the Tax Court and our municipal courts. I am pleased to report that we have accomplished this despite the significant staffing and resource challenges.

We have been able to meet such challenges because of the extraordinary work of the judges and staff of the Judiciary in providing services to our citizenry. The reduction in our funding has challenged us as never before. The primary strength of our organization is the quality and talent of the members of our workforce. On behalf of Chief Justice Stuart Rabner and myself, I would like to publicly acknowledge and recognize the hard work, dedication and commitment of our judges, administration and staff in ensuring that we meet our responsibilities as an organization.

The reductions in operating funds have required the Judiciary, like all of government, to operate within our means and to analyze where we can create greater economy and efficiencies. We have been able to successfully manage the significant reductions in our

budgets based upon the outstanding leadership and talent of the personnel of the Judiciary.

We have, over the past three years, deferred many of our initiatives and seen a significant reduction in our workforce due to decreased funding. These difficult times require us as an organization to rededicate and recommit ourselves to our guiding principles - independence, integrity, fairness and quality customer service.

For fiscal year 2012, we have been asked to reduce our budget by an additional \$25 million. The reduction is not immediately apparent in a comparison between this year's budget and last year's. The \$25 million is taken as a reduction to our salary program funding that is budgeted in the executive branch's Interdepartmental account. The salary program funding is needed to pay for the contractually obligated salary increases for our staff. Therefore, the shortfall must be absorbed in our existing allocation.

Today, I would like to briefly highlight how the Judiciary is managing its operation in this downsized environment. I would like to advise and discuss the following: a) the scope and size of the reductions in our budget; b) the strategies that we have utilized to increase efficiency in our operations; c) the programs that illustrate the Judiciary's effort to address issues affecting our communities and the litigants who appear before us; d) our ongoing efforts to develop and maintain strong partnerships with executive branch and other agencies; and e) the review and monitoring of our annual performance within the context of the commitment and dedication of our staff.

By way of background, the past four fiscal years we have had reductions in our budget in the following amounts – \$37.6 million in 2009, \$44.1 million in 2010, \$31.7 million in 2011 and this year \$25 million. In addition, we have seen additional increases in our filings; particularly in some of the most critical areas affected by the economic recession, such as foreclosure filings where we have had a more than 300 percent increase in our filings since 2005.

We also have seen a reduction in our workforce by more than 500 people in the past five years. We have deferred projects and eliminated expenditures in discretionary areas in our system. We in the Judiciary have a duty and responsibility to manage our resources with the same care that our citizens are managing their personal finances. Overall, our approach has been to focus our attention on the core operations of the Judiciary and to eliminate or defer operations that are ancillary to our core mission.

One unfortunate but necessary example of this strategy is the elimination of the Camden Prep Program. For those of you who are unaware, for more than 30 years the Judiciary operated a residential treatment facility for juveniles in the City of Camden. The economic recession required us to examine the viability of the Judiciary maintaining this program at a cost of approximately \$1 million a year, in light of the reduction in our resources. We recognize that the Juvenile Justice Commission was developed and charged with the responsibility of providing residential treatment services for all

juveniles adjudicated delinquent and this function was an ancillary operation of the Judiciary.

Next, in the context of this smaller government, we have begun to rely even more heavily on information technology to increase our efficiencies and to improve customer service. We are engaging in information technology initiatives at all levels of our court system – from municipal court to the Supreme Court. We are continuously exploring how information systems can assist us in expediting the resolution of cases and making the court more accessible and convenient for our customers. I will not detail all of the programs and projects that we are currently involved with, but I would like to identify four initiatives that are examples of our efforts.

JEFIS Foreclosure

On July 1, we began using our existing electronic filing system for special civil cases, the Judiciary Electronic Filing Imaging System (JEFIS), as the foundation for an electronic filing and case management system for mortgage foreclosure cases. Since 2005, the annual number of foreclosure cases filed in New Jersey has tripled, from 20,250 cases filed in court year 2005 to a high of 66,717 cases filed in court year 2009. These foreclosure cases generate more than 500,000 documents per year, and that number is expected to grow for the foreseeable future. Each foreclosure case represents a cost to the courts, from judicial and staff resources, storage costs, moving files and mailing notices.

As we manage the deluge of increased foreclosure filings, the number of judges and staff available to resolve those cases remained static. Electronic filing was identified as an essential step to take to help address the rapid increase in foreclosures.

Electronic filing significantly reduces the need for court staff to manually enter case information into the Judiciary's database, resulting in greater efficiency and fewer clerical errors at critical points in the case processing system. It also saves attorneys time, effort and cost in delivering documents to the courts.

Even more important, the JEFIS-Foreclosure system is helping to meet the demands on our system caused by an expanded increase in case filings and is efficiently processing more cases than ever before. Documents filed in electronic case jackets can be accessed simultaneously by judges, court staff and attorneys. If a case document file is deficient, the system automatically sends an electronic notice to the party. For all of these reasons, JEFIS-Foreclosure is helping us serve more court users more efficiently than ever before.

Web Enhancement

Recently, we redesigned our website to make it more user-friendly. We added a link for Internet access to civil case information and created an online self-help center for pro se litigants. The New Jersey Law Journal and The Star Ledger wrote about the new site and we even garnered a positive editorial from the Law Journal.

We continue to expand our use of social media to reach as many New Jersey citizens, through as many communication methods, as possible. Our YouTube video library continues to grow, and through Twitter, Facebook and text messages, our court users get the latest information on weather-related court closings, new programs and Supreme and Appellate opinions and schedules in real time.

Both the website enhancements and the growth of our social media presence have been executed with existing resources, a source of pride as we use creative solutions to work through difficult circumstances.

Jury On-line

We introduced our Juror Online Services to enhance the convenience and efficiency of the jury selection process. New Jersey residents summoned for grand and petit jury service can answer their summonses online at njcourts.com/juror. The online option gives jurors 24-hour convenience, does not require postage, and allows jurors to print a record of their online response. In short, the online juror response system is one way we can make jury service easier and more convenient for those who are summoned to serve as representatives of the community.

The online system also helps the Judiciary improve the efficiency and accuracy of a jury system that issues approximately 1.3 million juror notices each year. The program reduces the handling of paper documents, eliminates some data entry because jurors' data is electronically transferred into the existing jury management system, and reduces costs to store paper records.

The online system complements the information on the njcourts.com juror page, where jurors can check about whether they need to report the next day, read general information about jury duty, and click to view the video, "You the Juror," a joint project of the judiciary and the New Jersey State Bar Foundation. As indicated, a number of additional projects that we are currently working on are designed to provide greater assistance to staff and the public in accessing our court system. We look forward to providing this body with additional information on such programs as they are developed.

Municipal Courts

Cities and towns across the state are looking for ways to streamline operations and save money. The Judiciary has created computer systems, such as the NJMCDirect website and electronic ticketing systems to help municipalities work more effectively and efficiently. In September, Chief Justice Rabner circulated the "Municipal Court Consolidation Plan" to legislative and court leaders across the state. The plan outlines the options of joint or shared courts, steps to establish a joint or shared court, financial and procedural issues to be considered and other valuable information. The plan is online and available to local government leaders for their consideration. We are ready to help any towns that want to explore consolidation.

Next, our court system has been asked to become involved in addressing some of the larger systemic issues affecting our communities and the litigants who appear in our court system. The Judiciary is engaged in partnerships with various elements of the legislative and executive branches to address such issues as substance abuse and assistance to veterans and victims of domestic violence. I would like to detail briefly a few of these initiatives.

“Robo signing”

The foreclosure crisis of the past few years has been nothing short of staggering. I want to take a minute, before I go into recent developments in foreclosure issues, to thank Assemblyman Burzichelli, Assemblywoman Pou, and Assemblywoman Watson Coleman for their efforts to provide funds and programs in efforts to help families and lenders come to fair resolutions in foreclosure matters.

In addition to finding new ways to manage the foreclosure caseload, the Judiciary has taken a proactive role in ensuring that lenders filing foreclosures are following the letter of the law. In December 2010, Chief Justice Rabner announced a series of steps to protect the integrity of filings of foreclosures in New Jersey. His actions came after careful review of a report and series of recommendations presented to the Judiciary by Legal Services of New Jersey on irregularities by mortgage lenders and servicers and actions by other states. The report focused on the practice of having employees with no personal knowledge of the contents of a file attest to its accuracy on behalf of the company; a practice that has been called “robo-signing.”

To carry out the Chief Justice’s instructions, I issued an administrative order that detailed the scope of the problem and ordered certain procedures to safeguard the mortgage foreclosure document preparation and filing process.

Since the initial announcement, Judge Mary Jacobson in Mercer and retired Assignment Judge Walter Barisonek sitting in Union have received documents from dozens of banks about how their foreclosure systems operate. In a recent step, the six largest mortgage servicers in the state have agreed to be subject to review by a special master and to adhere to certain processes to ensure the integrity of their foreclosure filings. Judge Jacobson approved the plan and the special master is ready to begin work. In the interest of transparency and public access, all papers in the matter of residential mortgage foreclosure irregularities have been posted on njcourts.com.

Drug Courts

Every year it is with great pride that I report to you about the success of drug court. It was not that long ago that drug court was labeled a pilot program. No more. Today New Jersey’s drug courts are a model for the nation and an intrinsic component of our criminal justice system.

In a recent report by the Justice Policy Institute, New Jersey was singled out as a model program amid national concerns about how drug courts were operating in other states.

This and another national report on drug courts follow a report we issued last November, "A Model for Success: A Report on New Jersey's Adult Drug Courts." We distributed the report to every state and to national court-related associations. We continue to keep our drug courts on the national stage, with many states looking to us for advice on how to succeed.

Discussions of New Jersey's drug court must include a tribute to the members of the executive branch and members of the Legislature from both houses who have, over many years, provided the program with funding and with strong support for the participants. Many of you here today have attended graduation ceremonies and seen first-hand the resilience of the human spirit. As a former family drug court judge myself, I have seen how your support has allowed thousands of individuals to reclaim their lives and families.

Drug courts divert nonviolent, drug-dependant offenders from costly state prison sentences into treatment and rehabilitation. The Judiciary works with the Division of Addiction Services in the Department of Human Services to provide participants with individualized substance abuse treatment. Since the program went statewide in 2002, the drug courts have diverted 8,571 offenders, most of whom were prison-bound.

By reducing costs associated with incarceration, the drug court program resulted in a net savings of \$19 million to the state in fiscal year 2009, \$22 million in fiscal year 2010 and a projected savings of approximately \$24 million in fiscal year 2011.

The savings to our society may be even more significant than the budget savings. Reunited families, drug-free babies, employment, health insurance, drivers' licenses, child support payments, nearly \$4 million in fees and fines paid and lives broken free from the cycle of addiction and crime - these are the true benefits of bringing drug offenders back into society.

Veterans Assistance Program

In another effort to address larger social issues, the Judiciary joined with the Department of Military and Veterans Affairs and the Department of Human Services to connect veterans who become involved with the courts with existing community services. The program, modeled on a similar program in Buffalo, New York, was designed to help the men and women who have served and who may be suffering from addiction and mental health issues.

Now active in 17 counties, the program is an example of how the courts can facilitate access to services at no additional cost to the taxpayer, but with substantial value to the community. We intend to activate the program in the remaining counties during this fiscal year.

Domestic Violence

The state domestic violence statute requires all branches of government to address the issue of family violence. Another demonstration of our use of technology is the "Hospital to Court" and the "Shelter to Court Safe Assistance Project." This project allows victims of domestic violence to file for a temporary restraining order from a hospital or a shelter. Hearings are held via closed circuit video conferencing. If the judge or hearing officer grants the order, the victim receives it electronically, signs it and returns it to the court.

The project began at St. Joseph's Regional Medical Center in Paterson. Five additional sites are in testing and four more sites are being solicited to participate.

Family Issues

As I have reported in past years, we are particularly watchful of the caseload in family court, especially when economic drivers could result in increased family problems that require the courts' intervention. And again, I must note that our work in family court has been assisted by strong legislative support from both houses. From stable education for foster children, court-ordered counseling, kinship/legal guardianship and court appointed special advocates, children and families in New Jersey are well-served by your efforts on their behalf.

Children in Court

Various programs under the general umbrella of "Children in Court" are underway or in development. Training of judges and staff remains an integral part of ensuring that family cases with children are well managed and that records are made and maintained accurately. Trainings on inter-state and inter-country placement of children, child welfare mediation, permanency for children and other critical topics have been offered.

We currently are in a partnership with the Department of Children and Families and the county surrogates to develop a statewide computerized system to manage and track adoption cases.

Next, it is essential for the Judiciary to develop and maintain strong partnerships with other public agencies whose work is integral to our own. We have tried in every instance to ensure compatibility and interconnectivity between our technical innovations and the existing systems used by other government agencies, including local and state law enforcement, the Department of Children and Families and the Department of Corrections. Again the various projects are far too many to detail at this session so I would like to highlight just a few.

Judgment of Conviction System

We have created a new application to facilitate the sharing of information among our courts and with the Department of Corrections. The centralized, web-based Judgment of Conviction (JOC) system was rolled out statewide in June 2010. More than 50,000 electronic forms will be produced each year by using the JOC system. The advantages of the JOC system allow technology to perform some of the work of the criminal division staff, critical during the reduction of resources of the past few years.

In addition, JOC automatically pulls information from all relevant court data bases, including municipal, family court and criminal court systems, to provide a complete picture of a criminal case. JOC forms are available electronically statewide and in a pilot program are available to Department of Corrections' staff.

e-Ticketing and NJMCDirect

The Judiciary, working in cooperation with the attorney general's office and the New Jersey State Police, has developed an electronic ticket system that allows officers to create, validate and print parking and motor vehicle violations. The web-based system eliminates the need to hand-write tickets or file tickets with the municipal court. All relevant data bases are connected to and populated by the e-ticket information, including the courts' automated traffic system and through that system, the Motor Vehicle Commission data base, the state police data base and the courts' own NJMCDirect website. E-Ticketing adds efficiency and cost-savings to both law enforcement and the municipal courts.

Our NJMCDirect online ticket payment system provides an unparalleled level of convenience and service to New Jersey drivers by allowing them to pay traffic and parking tickets online with a credit card. In the past 12 months alone, drivers who received tickets in New Jersey used NJMCDirect on the Web to resolve 1.6 million tickets in payments that totaled almost \$120 million dollars. New applications of the program are under development and we hope to have announcements in the next year.

NJKids/child support

We have worked closely with the Department of Children and Families to implement NJKids, the new statewide child support computer system. Our child support caseload is fully implemented into NJKids, a web-based system that replaced the old mainframe system. In fiscal year 2010, we collected nearly \$1.3 billion for families, a 4.9 percent increase over last year. Almost 320,000 cases are in the New Jersey child support system.

JDAI

We continue our successful Juvenile Detention Alternatives Initiative partnership in 14 counties with the Juvenile Justice Commission and the Annie E. Casey Foundation. The program reduces the number of youngsters in detention and reduces their length of stay.

Of particular note is the reduction of the number of youth of color in the population of detention centers. However, youth of color remain a disproportional percentage of the total number of youth detained. This remains a challenge for the program and we are continually exploring efforts to address this issue.

The Judiciary continues to examine its activities in light of our core responsibilities to ensure that we are doing everything we can to fulfill our constitutional responsibilities to the citizens of this state. We seek continuous improvement in all areas of court operations not only because it our responsibility, but because we take pride in doing what we do well. And so we worry about things like backlog, like finding small adjustments that can make a big difference to those who seek protection, freedom, and justice in our courts.

I would like to give you just a few examples of how the commitment, creativity and critical thinking of our workforce have allowed us to continue to meet the needs of New Jersey's citizens. Judges and staff have enhanced court operations through the use of technology, improved case management systems, implemented new services at little or no cost to taxpayers and expanded proven initiatives into statewide programs. We have been able to turn ideas about better service into realities of court practices.

BACKLOG

When we look at our ability to meet our core functions, one measure we use is backlog. By adopting self-imposed time goals for resolving different types of cases, the Judiciary can assess how well it is responding to the needs of the public. Cases that remain open beyond the expected time goal are considered to be in backlog. Judges and court staff strive to reduce the number of backlogged cases as part of their overall effort to ensure timely delivery of justice in every case. Last year, we reduced the number of cases in backlog by 1 percent overall. Of special note, the number of criminal cases in backlog was reduced from 7,252 on June 30, 2009 to 6,289 on June 30, 2010, a 13 percent decline.

The special civil courts received 609,648 filings in court year 2010, a 1 percent increase from court year 2009. In spite of the increase in filings, the backlog of special civil cases declined by 31 percent during court year 2010. This dramatic reduction can be attributed to the Judiciary's electronic filing and imaging system, JEFIS. Today, 95 percent of the special civil caseload is filed and managed electronically and cases move more quickly and efficiently.

Backlog dropped significantly in several family division cases types. The backlog of non-dissolution cases, involving mostly child support and custody matters, was reduced by 64 percent, with 97 percent of all non-dissolution matters considered current. The courts achieved a 52 percent reduction in backlogged domestic violence cases, and 97 percent of all domestic violence cases are considered current. The backlog of juvenile delinquency cases is down by 35 percent, with 95 percent of those cases considered

current. The backlog of divorce cases is down by 10 percent and 94 percent of those cases are current.

We will continue to monitor our caseload, including our backlog, as we seek to maximize our efficiency with the resources available to us. I have no doubt that, thanks to the dedication and commitment of our Judiciary workforce, we will continue to maintain our high quality service to a public that deserves nothing less.

In summary, the Judiciary recognizes its obligation to share in the sacrifices required by all of government as a result of the economic recession. We are a smaller and leaner organization than several years ago. The downsizing of our operation has presented many challenges and opportunities. The Judiciary has been able to respond to these challenges because of the extraordinary leadership, creativity and industry of the judges and staff in our court system. By any measure we are fortunate to have outstanding personnel who are dedicated to providing a high quality system of justice. We have engaged in continuous efforts to identify improvements and efficiencies to our system. Through a wide variety of programs and tools we seek not only to decide cases in a thoughtful, impartial and expeditious manner but also to promote society's commitment to justice for all people. Whether it is through therapeutic courts such as drug courts or initiatives such as specialized mental health case loads or advancements in technology such as JEFIS-Foreclosure, we seek to adhere to our core mission and continue to meet the needs of the citizens of this state. We have continued to partner with other areas of government, and in these partnerships we address some of the larger society issues confronting our communities. The New Jersey Judiciary is proud of its efforts in resolving disputes of its citizens, protecting rights and liberties, providing greater access and information on our system, and ensuring equal justice for all. We are committed to improving and becoming more efficient even in the face of the state's difficulties in the past several years.

Thank you. I am prepared to answer any questions that you may have.