

POLICY ADVICE ON REQUEST  
TO NEW YORK STATE  
DIVISION OF THE BUDGET

ALL FUNDS BUDGET REQUEST FY 2024 – 2025



**Statement of the Agency Head**



**New York State Commission on Judicial Conduct**



Robert H. Tembeckjian  
Administrator & Counsel  
Commission on Judicial Conduct  
61 Broadway, Suite 1200  
New York, New York 10006  
(646) 386-4800



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## EXECUTIVE SUMMARY OF BUDGET REQUEST

With continuing appreciation for the Governor's commitment to judicial ethics enforcement, the Commission on Judicial Conduct (CJC) requests **\$8,900,000** for Fiscal Year (FY) 2024-25.

By 2018, our staffing level had fallen by 24% to 38 FTEs. When successive Executive Budgets did not provide help, we appealed to the Legislature, which increased our appropriation by \$660,000 over three years, so we could start rebuilding our workforce.

In each of her Executive Budgets, Governor Hochul has supported CJC's requests. Our current budget of \$8,128,000 allowed us to hire three additional staff and absorb mandated increases in the costs of essential goods and services. Still, we face considerable fiscal challenges.

- There is an urgent need for more investigators and legal and administrative assistants to meet our dramatically increasing caseload. We now average over 2,200 complaints a year, 600 preliminary inquiries and investigations, and 44 public disciplines or private cautions. So far this year, we have commenced 182 full-fledged investigations, the most in over a decade. A budget of \$8.9 million would allow us to keep pace by completing our rebuilding program with an increase in our FTE's from 49 to 56.
- There are significant cost pressures we do not control, *e.g.* legislated pay increases to all employees, annual performance advances, and real estate increases. Our New York City office rent will increase by over \$11,000 *per month* in June 2024. We are adding a much-needed hearing room to our Rochester office. The cost of our software licenses (Microsoft *et al.*) will go up by at least \$70,000. We need updated IT equipment and furniture for our hearing rooms, at a cost of around \$100,000. Finally, our acquisition and implementation of a critical case management system will cost at least \$100,000 in FY 2024-25.

Unlike most State agencies, CJC does not have excess appropriations to absorb these obligatory cost increases. Without resources commensurate to our constitutional mandate, it would take us longer than it should to discipline the guilty and exonerate the wrongly accused.

The requested net increase of \$772,000 represents a mere 0.0003% of the \$229 billion State budget, CJC's \$8.9 million request is reasonable and appropriate for the lone entity empowered by the Constitution to investigate, litigate and adjudicate ethics complaints against judges.

There are approximately 3,400 judges and justices in New York State. CJC investigates ethics complaints against them, conducts evidentiary hearings and may decide to caution, admonish, censure or remove a judge for misconduct or retire a judge for disability. CJC's budget is proposed to the Legislature in the Executive Budget, then decided among the Senate, Assembly and Governor following a presentation by CJC's Administrator.

With Governor Hochul's continued commitment to vigorous judicial ethics enforcement, we respectfully submit that the Executive Budget recommend, and the Legislature approve, the Commission's request for an appropriation of \$8,900,000.

### **Appropriation Budget**

CJC requests a total of \$8.9 million in appropriations: (A) \$6.7 million in Personal Services (PS) to support 56 FTE's and cover mandated M/C salary increases and (B) \$2.2 million in Non-Personal Services (NPS).