

**DEPARTMENT OF STATE  
OVERVIEW**

The Department of State's broad mandate requires it to reach many individuals in the State—from the arts community, to the legal and business communities, to every voter in the State. The Direct State Services recommendations for Fiscal Year 1995 represent a basic continuation budget, requiring some economies to operate with the same appropriation as Fiscal Year 1994.

The Department of State's Fiscal Year 1995 recommendation reflects its continued commitment to the support of the arts. Grants for cultural projects are recommended at \$10.2 million. Funding has also been provided to permit the State Museum to continue to exhibit and interpret the fine arts and the decorative arts. Public and school programs have been and will continue to be an integral part of the State Museum's mission.

The New Jersey Historical Commission is responsible for the formulation and implementation of programs to advance public knowledge of the history of the State of New Jersey and the United States. In collaboration with the State Museum, the Historical Commission has presented and will continue to present cultural history exhibits which are displayed throughout the State through traveling exhibitions.

The storage and retention of the State's valuable historical documents, past and present, will continue to be services rendered by the Division of Archives and Records Management.

The processing and filing of documents pertaining to business corporations, and non-profit corporations operating in the State will continue to be provided by the Department's Division of Commercial Recording. Through its expedited services program, the division will provide information via telephone or accelerated responses. The Fiscal Year 1995 operating costs of this division will be supported, in part, from fees charged for various processing and filing services.

The Department of State's role in the effective implementation of the Voter Motor Bill has resulted in voter registration forms being made available at public and private locations ranging from public libraries and county boards of social services to drug abuse treatment centers and local unemployment offices. Such far-reaching and diverse activities are all a part of the Department of State's continuing operations for Fiscal Year 1995.

The Office of Administrative Law, which is responsible for the adjudication of administrative appeals, is in, but not part of the Department of State. The Fiscal Year 1995 budget recommendation of \$9.6 million provides funding for full-time administrative law judges to hold hearings for the purpose of rendering decisions on contested matters. The Office of Administrative Law also regulates the promulgation of rules and regulations initiated by State agencies. The Fiscal Year 1995 operating costs of the Office of Administrative Law will be offset by \$6 million from fees obtained from subscriptions to its publications, the New Jersey Administrative Code and the New Jersey Register, and from fees charged to non-State agencies for conducting hearings.

In an effort to streamline government, the Department of the Public Advocate was merged with the Department of State. This resulted in an opportunity to reduce management, including the cabinet-level position of the Public Advocate. In order to complement the State policy of service delivery to special needs groups, all protection and advocacy activities of the Office of the Public Defender will be provided through community organizations.

**SUMMARY OF APPROPRIATIONS BY PROGRAM**  
(thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	1994 Adjusted Approp.	Requested	Recom- mended	
526	—	-6	520	517	<b>Cultural and Intellectual Development Services</b>			
1,972	1	-36	1,937	1,922	482	482	482	
530	8	125	663	649	1,807	1,807	1,807	
3,028	9	83	3,120	3,088	527	527	527	
					<i>Subtotal</i>	<i>2,816</i>	<i>2,816</i>	<i>2,816</i>

# STATE

Year Ending June 30, 1993					Year Ending June 30, 1995			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	1994 Adjusted Approp.	Requested	Recom- mended	
1,593	1	226	1,820	1,782	<b>General Government Services</b>			
4,999	748	-343	5,404	5,401	Office of the Secretary of State	1,520	1,250	1,250
					Adjudication of Administrative Appeals	4,163	3,598	3,598
1,221	2	-94	1,129	1,114	Records Management	1,150	1,150	1,150
733	—	-10	723	691	Commercial Recording	669	353	353
<u>8,546</u>	<u>751</u>	<u>-221</u>	<u>9,076</u>	<u>8,988</u>	<i>Subtotal</i>	<u>7,502</u>	<u>6,351</u>	<u>6,351</u>
					<b>Protection of Citizens' Rights</b>			
1,876	—	47	1,923	1,920	Mental Health Screening Services	1,860	1,860	1,860
—	—	115	115	115	Public Interest Advocacy	—	—	—
160	—	115	275	275	Dispute Settlement	168	168	168
39,149	707	-1,014	38,842	38,577	Trial Services to Indigents and Special Programs	41,197	41,197	40,724
6,284	—	-605	5,679	5,671	Appellate Services to Indigents	5,578	5,578	5,578
1,523	—	299	1,822	1,815	Public Defender Management and Administrative Services	1,831	1,831	1,831
497	—	-26	471	380	Advocacy for the Developmentally Disabled	468	468	117
344	—	300	644	641	Management and Administrative Services—Commissioner's Office	475	475	—
<u>49,833</u>	<u>707</u>	<u>-769</u>	<u>49,771</u>	<u>49,394</u>	<i>Subtotal</i>	<u>51,577</u>	<u>51,577</u>	<u>50,278</u>
<u>61,407</u>	<u>1,467</u>	<u>-907</u>	<u>61,967</u>	<u>61,470</u>	<b>Total Appropriation</b>	<u>61,895</u>	<u>60,744</u>	<u>59,445</u>

**30. EDUCATIONAL, CULTURAL AND INTELLECTUAL DEVELOPMENT**  
**37. CULTURAL AND INTELLECTUAL DEVELOPMENT SERVICES**

**OBJECTIVES**

1. To increase public participation in the arts, develop audience education in the arts, increase total artistic resources, and increase the availability of professional training in the arts.
2. To collect fine art objects (paintings, sculptures, prints, drawings), decorative art objects (furniture, ceramics, metals, glass, etc.), ethnological and archaeological materials, scientific specimens with a New Jersey focus and specimens from other cultures and regions for comparative purposes.
3. To exhibit, through long-term and short-term installations, the arts, history and science of New Jersey and comparative areas and cultures.
4. To interpret museum collections, exhibitions and planetarium presentations through school and public programs and publications.
5. To provide community outreach services through film loan programs and circulating loan exhibits.

**PROGRAM CLASSIFICATIONS**

- 05. Support of the Arts.** The State Council on the Arts (NJS52:16A-25) has established a program of granting monies appropriated by the State and federal governments to art organizations and artists in New Jersey whose projects show professional merit and promise.

Through the services volunteered by the 17-member council appointed by the Governor and the employment of a professional arts manager to serve as Executive Director, the Council endeavors to establish new programs throughout the State to cultivate the arts in the communities by providing counseling to local artists and art organizations.

Such programs as touring exhibitions, summer festival and the artists-in-the-schools are designed to involve more

segments of society directly in the arts. Programming also includes those efforts made by the council to research and implement better ways in which to involve the public in the arts in New Jersey.

- 06. Museum Services.** Materials are collected, exhibited and interpreted (NJS18A:73-1 et seq. and NJS18A:4-26). Collections are centered in the areas of fine and decorative arts, cultural history, and science. Exhibitions are long-term (those with a permanent orientation, e.g., Planetarium, the Halls of Natural Science and Cultural History), and short-term (changing exhibits with a focus on fine and decorative arts). Through school and public programs and publications, interpretation of the museum environment is accomplished. The museum is playing an increasingly active role in carrying an awareness of its areas of interest into the New Jersey community. Currently, this program includes a film service and a traveling exhibition service. The Department provides, within the limits of funds appropriated, for a program of maintenance and support of museum services by the Newark Museum Association.

- 07. Development of Historical Resources.** The Historical Commission is responsible for the formulation and implementation of programs to advance public knowledge of the history of New Jersey and the United States. The Commission (NJS18A:73-21 et seq.) sponsors programs for the production of educational historical materials, and conducts conferences, lectures and seminars, including the New Jersey History Symposium and public activities concerned with significant historical events. It also provides financial grants-in-aid programs for research in New Jersey history, local history projects, teaching projects and the Governor Alfred E. Driscoll Fellowship. The Commission carries out programs of research in and publications on New Jersey history.

**EVALUATION DATA**

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
<b>PROGRAM DATA</b>				
<b>Support of the Arts</b>				
Grant applications received .....	1,090	1,177	1,091	1,100
Grants awarded .....	243	239	234	240
Performances .....	15,512	15,667	15,980	16,300
Attendance .....	11,426,987	12,802,108	13,000,000	13,000,000
Artists benefitting .....	112,992	97,017	100,000	100,000
<b>Museum Services</b>				
Total Attendance .....	300,007	300,191	300,000	300,000
School program attendance .....	78,688	70,766	70,000	70,000
Public planetarium attendance .....	30,930	24,162	25,000	25,000
Other public program attendance .....	28,368	32,927	33,000	33,000
<b>Exhibitions Presented</b>				
Museum .....	8	7	7	7
Traveling sites .....	14	14	14	14

# STATE

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
<b>Development of Historical Resources</b>				
Grant applications received .....	110	25	100	150
Grants awarded .....	56	4	40	40
Grants workshop attendance .....	135	—	100	150
Historical information requests .....	500	350	500	500
Public programs .....	29	20	20	17
Books sold .....	3,000	1,000	1,000	2,000
Total audience served—Nonmedia .....	25,000	15,000	15,000	20,000

## PERSONNEL DATA

### Position Data

#### Filled Positions by Funding Source

State Supported .....	72	75	67	67
Federal .....	1	—	1	1
All Other .....	—	2	4	4
Total Positions .....	73	77	72	72

#### Filled Positions by Program Class

Support of the Arts .....	15	21	21	21
Museum Services .....	44	44	41	41
Development of Historical Resources .....	14	12	10	10
Total Positions .....	73	77	72	72

Note: Actual fiscal years 1992 and 1993 and Revised fiscal year 1994 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1995 reflects the number of positions funded.

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended
526	—	-6	520	517	<b>Distribution by Program</b>			
1,972	1	-36	1,937	1,922	05	482	482	482
530	8	125	663	649	06	1,807	1,807	1,807
3,028	9	83	3,120	3,088	07	527	527	527
						2,816 <sup>(a)</sup>	2,816	2,816
					<b>Distribution by Object</b>			
					<b>Personal Services:</b>			
2,309	—	107	2,416	2,416		2,188	2,188	2,188
2,309	—	107	2,416	2,416		2,188	2,188	2,188
171	—	-26	145	137		143	143	143
219	—	-8	211	211		205	205	205
61	—	10	71	69		61	61	61
					<b>Special Purpose:</b>			
3	—	-3	—	—	05	3	3	3
204	1	—	205	199	06	150	150	150
—	—	—	—	—				
—	8	—	8	—	06	5 <sup>S</sup>	5	5
207	9	-3	213	199	07	—	—	—
61	—	3	64	56		158	158	158
						61	61	61

Year Ending June 30, 1993					Year Ending June 30, 1995			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recommended
<b>OTHER RELATED APPROPRIATIONS</b>								
9,690	18	127	9,835	9,817		10,900	10,900	10,400
1,720	—	—	1,720	1,720		1,720	1,720	1,720
—	9	—	9	—		530	730	730
14,438	36	210	14,684	14,625		15,966	16,166	15,666
<b>Federal Funds</b>								
—	116	—	1,063	844	05	1,030	1,061	1,061
—	950 <sup>R</sup>	-3	1,063	844	05	1,030	1,061	1,061
—	4 <sup>R</sup>	-1	3	3	06	—	213	213
—	1,070	-4	1,066	847		1,030	1,274	1,274
<b>All Other Funds</b>								
—	31	—	135	109	05	223	223	223
—	104 <sup>R</sup>	—	135	109	05	223	223	223
—	30	—	32	5	06	—	1	1
—	3 <sup>R</sup>	-1	32	5	06	—	1	1
—	16	—	22	4	07	8	5	5
—	5 <sup>R</sup>	1	22	4	07	8	5	5
—	189	—	189	118		231	229	229
14,438	1,295	206	15,939	15,590		17,227	17,669	17,169

Note: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Employee Benefits accounts.

#### LANGUAGE PROVISIONS

It is recommended that the unexpended balance as of June 30, 1994 in the Walter Edge Foran New Jersey Studies Institute account be appropriated for the same purpose.

It is recommended that the unexpended balance as of June 30, 1994 in the New Jersey Railroad and Transportation Museum Commission account be appropriated for the same purpose.

It is further recommended that funds derived from the sale of collections and museum materials, which have been approved by the Secretary of State, be appropriated to and used for the benefit of the State Museum.

#### 70. GOVERNMENT DIRECTION, MANAGEMENT AND CONTROL

##### 74. GENERAL GOVERNMENT SERVICES

##### 2505. OFFICE OF THE SECRETARY OF STATE

#### OBJECTIVES

1. To formulate services and regulations for the effective operation of the Department of State.
2. To provide for the effective provision of services and collection of information about the election process of the State.
3. To provide modern records administration and records management services, including microfilming and storage facilities, to State agencies.
4. To promote an interest in and an appreciation of New Jersey history, maintain its official archives and a records management service for State and local government and to provide access to these and other historical materials.
5. To provide for the recording, filing, processing and control of documents required or permitted to be filed under various statutes.
6. To provide for the effective response to public requests for information which has been filed in the Office of the Secretary of State.

## PROGRAM CLASSIFICATIONS

01. **Office of the Secretary of State.** The Office of the Secretary of State (RS52:16-1 et seq.) provides for the services required under the aforementioned statutes, such as filing of oaths, ships pilots licenses, and public disclosures. The services insure a source of information pertinent to the needs of the public at large, members of the Legislature and other government agencies. The Office is also responsible for issuing various commissions and certificates as well as preparing extradition papers, pardons and restoration of citizenship. Through its Election Division, the Office is responsible for canvassing of votes cast for Governor, candidates, plus constitutional amendments and other public questions. It is also responsible for the printing and distribution of Title 19, the State Constitution and the Official Directory.
08. **Records Management.** The Records Storage Center, whose construction was funded by the 1978 Institutional Construction Bond Issue, opened in early 1982. The building houses the records management and storage operations, the

microfilm unit and the State Library's Library for the Blind and Handicapped. The center's records activities are functions of the Bureau of Archives and History. Records management functions include preparing and maintaining record retention schedules for State and local governments, microfilming and storing State records and forms analysis. The microfilm unit is a self-sustaining operation.

09. **Commercial Recording.** The Division of Commercial Recording (NJSA52:16A-36 et seq.) provides essential services to the public and legal communities. These include filing and processing information permitted and/or required under Title 14A Corporations General; Title 15A, Associations Not for Profit, and Title 16, Corporations and Associations Not for Profit; and the issuing of regulations, in addition to a number of other similar functions. Through its Expedited Services, information is provided via telephone or accelerated responses, both of which are supported by additional charges to the consumer. The Division serves as the largest revenue producer to the State Treasury within the Department of State.

## EVALUATION DATA

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
<b>PROGRAM DATA</b>				
<b>Office of the Secretary of State</b>				
Mail Voter Registration .....	275,000	275,000	275,000	275,000
<b>Records Management</b>				
Records retention schedules approved .....	98	80	80	80
Records management consultations .....	60	72	70	70
Micrographics consultations .....	39	47	45	45
Records received .....	36,978	24,037	24,000	24,000
Records disposed .....	7,993	4,635	5,000	5,000
Documents processed .....	29,540,465	29,827,094	30,000,000	30,000,000
Records destruction requests .....	2,005	1,792	1,800	1,800
Reference requests (storage) .....	7,000	8,758	8,000	8,000
Patrons (visitors to archives) .....	5,242	5,299	5,300	5,300
Reference requests (archives mail) .....	2,067	3,481	3,500	3,500
Microforms used (archives) .....	47,632	50,027	52,000	52,000
Accessions (archives) .....	583	96	100	100
Records arranged (archives) .....	24	49	50	50
Items treated (conservation/archives) .....	2	4	3	3
<b>Commercial Recording</b>				
<b>Corporation Records</b>				
Documents processed .....	81,757	76,098	75,500	75,500
Turnaround time (days) .....	5.0	5.0	5.0	5.0
Document backlog (per day) .....	350	350	350	350
<b>Annual Reports</b>				
Documents processed .....	218,261	185,259	183,000	183,000
<b>Laws and Commissions</b>				
Notaries issued .....	26,387	27,152	26,000	26,000
Documents filed/recorded .....	35,449	34,005	32,500	32,500
<b>Trademarks and Trade Names</b>				
Documents processed .....	37,301	22,818	22,000	22,000
<b>Uniform Commercial Code</b>				
Documents processed .....	222,633	227,764	222,000	222,000
Turnaround time (days) .....	5.0	5.0	5.0	5.0
Documents backlog (per day) .....	525	525	525	525
<b>Records</b>				
Corporate folders requested .....	148,395	169,994	168,000	168,000

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
<b>PERSONNEL DATA</b>				
<b>Affirmative Action Data</b>				
Male Minority .....	23	20	20	20
Male Minority % .....	8.3	7.9	7.9	7.9
Female Minority .....	66	67	67	67
Female Minority % .....	23.8	26.2	26.5	26.5
Total Minority .....	89	89	87	87
Total Minority % .....	32.1	34.1	34.4	34.4
<b>Position Data</b>				
<b>Filled Positions by Funding Source</b>				
State Supported .....	126	112	114	114
Federal .....	1	1	1	1
All Other .....	15	16	17	17
Total Positions .....	142	129	132	132
<b>Filled Positions by Program Class</b>				
Administration .....	45	36	31	31
Records Management .....	34	34	32	32
Commercial Recording .....	63	59	69	69
Total Positions .....	142	129	132	132

Note: Actual fiscal years 1992 and 1993 and Revised fiscal year 1994 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1995 reflects the number of positions funded.

**APPROPRIATIONS DATA**  
(thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended	
<b>Distribution by Program</b>									
1,593	1	226	1,820	1,782	01	1,520	1,250	1,250	
1,221	2	-94	1,129	1,114	08	1,150	1,150	1,150	
733	—	-10	723	691	09	669	353	353	
3,547	3	122	3,672	3,587		3,339 <sup>(a)</sup>	2,753	2,753	
<b>Distribution by Object</b>									
<b>Personal Services:</b>									
2,245	—	198	2,443	2,429		2,111	1,275	1,275	
2,245	—	198	2,443	2,429		2,111	1,275	1,275	
104	—	10	114	108		86	86	86	
465	—	—	—	—		—	—	—	
5 <sup>S</sup>	—	-79	391	386		417	417	417	
57	—	-15	42	39		56	56	56	
<b>Special Purpose:</b>									
275	—	—	275	275	01	275	275	275	
4	—	—	4	4	01	4	4	4	
34	—	—	34	34	01	34	34	34	
215	1	—	216	207	01	215	215	215	
—	—	—	—	—	01	—	250	250	
100	—	—	100	100	08	100	100	100	
628	1	—	629	620		628	878	878	
43	2	8	53	5		41	41	41	

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended	
<b>OTHER RELATED APPROPRIATIONS</b>									
<b>Federal Funds</b>									
—	6 173 <sup>R</sup>	-1	178	174	Records Management	08	100	102	102
—	179	-1	178	174	<b>Total Federal Funds</b>		<b>100</b>	<b>102</b>	<b>102</b>
<b>All Other Funds</b>									
—	8 3 <sup>R</sup>	—	11	8	Office of the Secretary of State	01	—	—	—
—	257 1,673 <sup>R</sup>	1	1,931	1,657	Commercial Recording	09	2,000	2,170	2,170
—	1,941	1	1,942	1,665	<b>Total All Other Funds</b>		<b>2,000</b>	<b>2,170</b>	<b>2,170</b>
3,547	2,123	122	5,792	5,426	<b>GRAND TOTAL</b>		<b>5,439</b>	<b>5,025</b>	<b>5,025</b>

Note: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Employee Benefit accounts.

### LANGUAGE PROVISIONS

It is recommended that receipts derived from the examination of voting machines by the Secretary of State and the unexpended balance as of June 30, 1994 of those receipts, be appropriated for the costs of making such examinations.

It is further recommended that the unexpended balance as of June 30, 1994 in the Martin Luther King Jr. Commemorative Commission be appropriated for the same purpose.

It is further recommended that receipts from over-the-counter service surcharges and the unexpended balance of such charges as of June 30, 1994 be appropriated to meet the costs of the Division of Commercial Recording.

It is further recommended that the Director of the Division of Budget and Accounting be empowered to transfer or credit to the Microfilm Section from any appropriation made to any department for microfilming costs which had been appropriated or allocated to such department for its share of the costs of the Microfilm Section.

It is further recommended that receipts derived from fees charged for microfilming services provided to local governments be appropriated for the same purpose.

It is further recommended that the unexpended balance in the Secretary of State fund as of June 30, 1994 and, notwithstanding the provisions of P.L. 1987, c. 435, receipts in excess of the amount anticipated from fees be appropriated to meet the costs of information processing and the Office of the Secretary of State.

## 70. GOVERNMENT DIRECTION, MANAGEMENT AND CONTROL

### 74. GENERAL GOVERNMENT SERVICES

#### 2515. OFFICE OF ADMINISTRATIVE LAW

#### OBJECTIVES

1. To develop and apply a fair, comprehensive and uniform system of administrative practice and procedures in the Executive Branch governing the adjudication of contested matters and the promulgation of rules and regulations.

#### PROGRAM CLASSIFICATIONS

03. **Adjudication of Administrative Appeals (C52:14F-1 et seq. and C52:14B-10).** Full-time administrative law judges hold hearings and render decisions to the various agency heads for their acceptance, rejection, or modification within 45 days.

Judicial Administration creates standards and maintains filing, docketing, record keeping, and decision making

systems for more than 13,000 administrative cases; develops and administers a program for the continuing training and education of judicial personnel.

Development of Administrative Procedures (C52:14B-1 et seq.)—Regulates and assists state agencies with regard to the preparation, publication and filing of rules and regulations; publishes and establishes standards for the New Jersey Register, the New Jersey Administrative Code and the New Jersey Administrative Reports.

General and Administrative Services develops systems and administers for the areas of budgeting and accounting, purchasing, property maintenance, personnel and payroll; develops and administers data processing and word retrieval capabilities and administers a program for training and education of clerical and administrative personnel.





# STATE

Year Ending June 30, 1993					Year Ending June 30, 1995			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recommended
—	—	6	6	6				
	745							
—	5,114 <sup>R</sup>	-5,469	390	—				
—	5,859	-5,463	396	6				
—	—	9	9	7				
<b>Special Purpose:</b>								
Affirmative Action and Equal Employment Opportunity					03	6	6	6
Control-Adjudication of Administrative Appeals					03	—	—	—
<i>Total Special Purpose</i>						6	6	6
Additions, Improvements and Equipment						225	225	225
<b>LESS:</b>								
(—)	(5,111)	(—)	(5,111)	(4,721)		(6,000)	(6,000)	(6,000)

## OTHER RELATED APPROPRIATIONS

					All Other Funds				
—	5,111 <sup>R</sup>	—	5,111	4,721	Adjudication of Administrative Appeals	03	6,000	6,000	6,000
—	5,111	—	5,111	4,721	<i>Total All Other Funds</i>		6,000	6,000	6,000
4,999	5,859	-343	10,515	10,122	<b>GRAND TOTAL</b>		10,163	9,598	9,598

Note: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of salary program which includes \$4,280,000 in appropriated receipts, and has been reduced to reflect transfer of funds to the Employee Benefits accounts.

## LANGUAGE PROVISIONS

It is recommended that, notwithstanding any law to the contrary, the salary of the Director of the Office of Administrative Law shall be established by the Commissioner of Personnel in the "State Compensation Plan."

It is further recommended that receipts derived from the sale of publications by the Office of Administrative Law and the unexpended balance as of June 30, 1994 of such receipts be appropriated.

It is further recommended that in addition to the amount hereinabove, such sums as may be received or receivable from any department or non-State fund source for administrative hearing costs by the Office of Administrative Law, and the unexpended balance as of June 30, 1994 of such sums be appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

It is further recommended that the Director of the Division of Budget and Accounting be empowered to transfer or credit to the Office of Administrative Law any appropriation made to any department for administrative hearing costs which had been appropriated or allocated to such department for their share of such costs.

### 80. SPECIAL GOVERNMENT SERVICES

### 82. PROTECTION OF CITIZENS' RIGHTS

#### OBJECTIVES

1. To provide representation for the citizens of New Jersey in their dealings with departments and agencies of State government, other governmental agencies and regulated industries.
2. To provide for the realization of the constitutional guarantees of counsel in criminal cases for indigent defendants (C2A:158A-1 et seq.).

#### PROGRAM CLASSIFICATIONS

17. **Mental Health Advocacy/Screening Services.** Provides representation for indigent individuals who are involuntarily committed to mental hospitals beyond an initial 20-day

period. In addition, a class action unit litigates broad issues applicable to large segments of the mentally ill, such as the right to treatment, disposition of properties, availability of alternative placement and the statutory provisions for the placement of individuals in the confinement of a mental institution.

19. **Office of Dispute Settlement.** Provides mediation and other neutral dispute resolution services in order to resolve disputes involving important public issues such as the environment, housing and resource allocation. The office is based on the premise that alternative dispute resolution procedures such as mediation often allow for a faster, less expensive and higher quality resolution of public disputes than traditional litigation.

20. **Trial Services to Indigents and Special Programs.** Represents those indigent defendants who have been charged with indictable offenses and those indigent juveniles whose cases have been assigned to the formal calendar. The activity of the attorneys, investigative and clerical staff begins with this assignment. The court assignment is received and after indigency review, the case opened, interviews scheduled and investigation initiated. The assigned attorney prepares the case, enters into the necessary negotiations, trial and sentencing proceedings.
21. **Appellate Services to Indigents.** Provides that every adult and juvenile found guilty after trial is permitted a direct appeal from that conviction or adjudication. Most of the referrals to the Appellate section come from trial regions. In addition, direct applications are received for services at the appellate level. The Appellate section files notices of appeal within a court-mandated time period, orders transcripts and assigns an attorney who then reviews the transcript, interviews defendants, files motions and does the research necessary to identify the problems raised in the transcript. Representation is provided in both State and federal courts.
22. **Public Defender Management and Administrative Services.** Provides the centralized supervision and policy planning for the Office of the Public Defender. Budgetary policy direction is provided to allocate resources among the priorities. Administrative support is also provided in the areas of personnel, accounting, budgeting, purchasing, a central research unit and library, central motor pool control and statistical evaluation capacity for the Office of the Public Defender.
24. **Advocacy for the Developmentally Disabled.** Originally functioning within the Division of Mental Health Advocacy, this program was elevated to divisional status in 1982 (N.J.S.A.52:27E-44.1). This program was established to protect and advocate the rights of the developmentally disabled and citizens with other severe disabilities in the areas of guardianship, habilitation, medical treatment, education, employment, protection from harm, transportation and other civil rights. It provides legal services, and responds to complaints from individuals and their families as well as community groups; it also provides training for handicapped people and their families to assist them to advocate for themselves.

## EVALUATION DATA

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
<b>PROGRAM DATA</b>				
<b>Mental Health Screening Services</b>				
Regional Representation (Civil Commitment)				
Cases Added .....	17,289	15,837	15,744	15,459
Cases Closed .....	17,271	14,582	16,183	15,645
Percentage of dispositions successful .....	83.7	82.9	82.9	82.9
Dispositions per staff attorney .....	1,016	1,026	1,026	1,026
Class Action				
Cases July 1 .....	60	62	55	50
Added .....	5	3	5	5
Closed .....	3	10	10	10
Cases June 30 .....	62	55	50	45
<b>Dispute Settlement</b>				
Cases July 1 .....	195	—	—	—
Added .....	9,617	290	290	290
Closed .....	9,502	290	290	290
Cases June 30 .....	310	—	—	—
Dispositions per representative .....	1,320	97	97	97
<b>Trial Services to Indigents and Special Programs</b>				
Cases open (July 1) .....	55,907	47,651	51,376	49,901
Added .....	76,765	71,701	78,093	78,093
Closed .....	85,021	67,976	79,568	80,238
Private pool .....	5,628	3,134	9,608	10,806
Staff .....	75,651	61,674	69,432	69,432
Conflict .....	3,742	3,168	528	—
Open (June 30) .....	47,651	51,376	49,901	47,756
Closed cases per staff attorney .....	283	264	264	264
Staff attorneys .....	267	234	263	263
Backlog (months) .....	7.7	8.6	7.7	7.3
Conflict attorneys .....	37	31	—	—

# STATE

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
<b>Child abuse</b>				
Cases open (July 1) .....	5,261	5,583	5,299	5,015
Added .....	1,959	1,482	1,482	1,482
Closed .....	1,637	1,766	1,766	1,766
Open (June 30) .....	5,583	5,299	5,015	4,731
Institutional Abuse investigations (DYFS) .....	89	62	62	62
<b>Appellate Services to Indigents</b>				
Cases open (July 1) .....	1,864	2,091	1,985	1,661
Added .....	1,907	1,653	1,653	1,653
Closed .....	1,680	1,759	1,977	1,958
Private Pool .....	744	708	859	840
Staff .....	936	1,051	1,118	1,118
Open (June 30) .....	2,091	1,985	1,661	1,356
Closed cases per staff attorney .....	26.0	33.4	33.4	33.4
Staff attorneys .....	36	31	33	33
Backlog (months) .....	13.1	14.4	12.0	9.8
Excessive Sentence Program Dispositions .....	462	592	592	592
Briefs filed .....	1,037	1,037	1,255	1,236
Dismissals .....	181	130	130	130
Reversals and modifications .....	444	391	588	500
Percent appeals from adverse trial decisions .....	2.00%	1.90%	.03%	.03%
<b>Rate Counsel</b>				
Cases open (July 1) .....	2,177	2,130	297	—
Added .....	217	95	149	—
Closed .....	264	1,928	100	—
Cases open (June 30) .....	2,130	297	346	—
<b>Advocacy for the Developmentally Disabled</b>				
Cases open (July 1) .....	2,227	2,254	2,309	—(a)
Added .....	1,288	941	1,454	—(a)
Closed .....	1,261	886	936	—(a)
Cases Open (June 30) .....	2,254	2,309	2,827	—(a)
<b>PERSONNEL DATA</b>				
<b>Affirmative Action Data</b>				
Male Minority .....	99	89	88	—
Male Minority % .....	9.9	9.7	9.7	—
Female Minority .....	239	204	204	—
Female Minority % .....	23.1	22.2	22.6	—
Total Minority .....	338	293	292	—
Total Minority % .....	33.8	31.8	32.3	—
<b>Position Data</b>				
<b>Filled Positions by Funding Source</b>				
State Supported .....	890	833	845	796
Federal .....	60	58	14	—
All Other .....	53	54	51	2
Total Positions .....	1,003	945	910	798
<b>Filled Positions by Program Class</b>				
Mental Health Screening Services .....	47	43	44	38
Public Interest Advocacy .....	8	—	—	—
Office of Dispute Settlement .....	16	4	6	5
Trial Services to Indigents and Special Program .....	749	721	689	656
Appellate Services to Indigents .....	73	65	65	62

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Public Defender Administration .....	50	49	46	37
Rate Counsel .....	30	30	27	—
Advocacy for the Developmentally Disabled .....	19	22	22	—
Management and Administrative Services—Commissioner's Office .....	11	11	11	—
Total Positions .....	1,003	945	910	798

Note: (a) Program will be redirected in FY 1995. Current data unavailable.

**APPROPRIATIONS DATA**  
(thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended	
<b>Distribution by Program</b>									
1,876	—	47	1,923	1,920					
						17	1,860	1,860	1,860
		115	115	115		18	—	—	—
160	—	115	275	275		19	168	168	168
39,149	707	-1,014	38,842	38,577		20	41,197	41,197	40,724
6,284	—	-605	5,679	5,671		21	5,578	5,578	5,578
1,523	—	299	1,822	1,815		22	1,831	1,831	1,831
497	—	-26	471	380		24	468	468	117
344	—	300	644	641		99	475	475	—
49,833	707	-769	49,771	49,394			51,577 <sup>(a)</sup>	51,577	50,278
<b>Total Appropriation</b>									
<b>Distribution by Object</b>									
Personal Services:									
33,547	—	4,459	38,006	37,848			38,402	38,402	37,208
33,547	—	4,459	38,006	37,848			38,402	38,402	37,208
614	—	63	677	675			663	663	652
8,927	—	—	—	—			9,980	—	—
3,500 <sup>S</sup>	—	-2,279	10,148	9,974			1,636 <sup>S</sup>	11,616	11,580
324	—	-37	287	287			281	281	269
Maintenance and Fixed Charges									
Special Purpose:									
2,587	—	-2,587	—	—	20	— <sup>(b)</sup>	—	—	—
—	—	—	—	—	20	— <sup>(c)</sup>	—	—	—
—	415 <sup>R</sup>	-397	18	—	20	—	—	—	—
—	201 <sup>R</sup>	-177	24	—	20	—	—	—	—
—	89 <sup>R</sup>	-89	—	—	20	—	—	—	—
—	—	—	—	—	22	64	64	64	64
46	—	—	46	46	99	46	46	—	—
2,633	705	-3,250	88	46		110	110	64	64
288	2	275	565	564		505	505	505	505
<b>Total Special Purpose</b>									
<b>Additions, Improvements and Equipment</b>									

# STATE

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recommended	
<b>OTHER RELATED APPROPRIATIONS</b>									
<u>49,833</u>	<u>707</u>	<u>-769</u>	<u>49,771</u>	<u>49,394</u>	<i>Total Grants-in-Aid</i>	<u>51,577</u>	<u>51,577</u>	<u>100</u>	
					<i>Total General Fund</i>			<u>50,378</u>	
<b>Federal Funds</b>									
	8								
	445 <sup>R</sup>		453	454	Mental Health Advocacy	17	497	497	
					Dispute Settlement	19	106	42	
	1	1,482	1,483	1,482	Trial Services to Indigents and Special Programs	20	49		
	638 <sup>R</sup>	-3	635	622	Advocacy for the Developmentally Disabled	24	782	819	
	1,092	1,479	2,571	2,558	<i>Total Federal Funds</i>	1,434	1,358	1,358	
<b>All Other Funds</b>									
	50								
	150 <sup>R</sup>		200	171	Dispute Settlement	19	197	197	
	921 <sup>R</sup>	-921			Trial Services to Indigents and Special Programs	20	971		
	39	43	82	80	Public Defender Management and Administrative Services	22			
	18								
	4,847 <sup>R</sup>	-3	4,862	4,862	Rate Counsel	23	4,987	4,987	
	6,025	-881	5,144	5,113	<i>Total All Other Funds</i>		6,155	5,184	
<u>49,833</u>	<u>7,824</u>	<u>-171</u>	<u>57,486</u>	<u>57,065</u>	<b>GRAND TOTAL</b>		<u>59,166</u>	<u>58,119</u>	
								<u>51,933</u>	

- Notes: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of the salary program and has been reduced to reflect the transfer of funds to the Employee Benefits accounts.  
 (b) Appropriation of \$2,587,000 distributed to applicable operating accounts.  
 (c) Appropriation of \$2,062,000 distributed to applicable operating accounts.

## LANGUAGE PROVISIONS

It is recommended that receipts from clients and the unexpended balance as of June 30, 1994 of such receipts be appropriated.

It is further recommended that sums provided for legal and investigative services be available for payment of obligations applicable to prior fiscal years.

It is further recommended that funds appropriated to the Office of the Public Defender be available for expenses associated with the defense of pool attorneys hired by the Public Defender for the representation of indigent clients.

It is further recommended that in addition to the amount hereinabove for the operation of the Public Defender's office there are appropriated additional sums as may be required for Trial and Appellate services to indigents, the expenditure of which shall be subject to the approval of the Director of the Division of Budget and Accounting.

It is further recommended that notwithstanding any provision of section 2 of P.L. 1974, c. 33 (C. 2A:158A-5.1), or any other provision of law, or any other provision of this appropriations act, no State funds are appropriated to fund the expenses associated with the legal representation of persons before the State Parole Board or the Parole Bureau.

<u>61,407</u>	<u>1,467</u>	<u>-907</u>	<u>61,967</u>	<u>61,470</u>	<b>Total Appropriation, Department of State</b>	<u>61,895</u>	<u>60,744</u>	<u>59,445</u>
---------------	--------------	-------------	---------------	---------------	---	---------------	---------------	---------------