

SUPREME COURT OF NEW JERSEY
 M-976/996/997 September Term 2002
 42,170

RAYMOND ARTHUR ABBOTT, a minor, by his Guardian Ad Litem, FRANCES ABBOTT; ARLENE FIGUEROA, FRANCES FIGUEROA, HECTOR FIGUEROA, ORLANDO FIGUEROA and VIVIAN FIGUEROA, minors, by their Guardian Ad Litem, BLANCA FIGUEROA; MICHAEL HADLEY, a minor, by his Guardian Ad Litem, LOLA MOORE; HENRY STEVENS, JR., a minor, by his Guardian Ad Litem, HENRY STEVENS, SR.; CAROLINE JAMES and JERMAINE JAMES, minors, by their Guardian Ad Litem, MATTIE JAMES; DORIAN WAITERS and KHUDAYJA WAITERS, minors, by their Guardian Ad Litem, LYNN WAITERS; CHRISTINA KNOWLES, DANIEL KNOWLES, and GUY KNOWLES, JR., minors, by their Guardian Ad Litem, GUY KNOWLES, SR.; LIANA DIAZ, a minor, by her Guardian Ad Litem, LUCILA DIAZ; AISHA HARGROVE and ZAKIA HARGROVE, minors, by their Guardian Ad Litem, PATRICIA WATSON; and LAMAR STEPHENS and LESLIE STEPHENS, minors, by their Guardian Ad Litem, EDDIE STEPHENS,

Plaintiffs-Movants,

v.

FRED G. BURKE, Commissioner
 of Education; EDWARD G.
 HOFGESANG, NEW JERSEY

FILED

MAY 21 2003

Debra L. Johnson
 CLERK

O R D E R

DIRECTOR OF BUDGET and
ACCOUNTING; CLIFFORD A.
GOLDMAN, NEW JERSEY STATE
TREASURER; AND NEW JERSEY
STATE BOARD OF EDUCATION,

Defendants-Respondents.

The Supreme Court having ordered on April 29, 2003, that the Education Law Center and the Department of Education participate in mediation for the purpose of resolving the issues raised by the parties in their motion and cross-motion,

And the Court having been advised by the Court-appointed mediator, Judge Philip S. Carchman of the Appellate Division, that the parties have reached an agreement on the issues of an expedited budget process, including any appeals therefrom,

And the Court having been further advised by Judge Carchman that the schedule as set forth below resulted from an agreement between the parties to the mediation, as well as consultation with the Office of Administrative Law and counsel to those districts filing an appearance before the Court as amicus curiae,

And the parties having requested that the Court enter an Order, to continue until further Order of the Court, setting forth the terms of this agreement,

And good cause appearing;

It is ORDERED that:

1. The Department of Education shall issue budget decisions to Districts on or before the last business day of May;
2. The Districts shall have seven days from the date of the Department's determination or seven days from the date of the order entered by the Court, whichever is later, to file an appeal with the Office of Administrative Law;
3. The Office of Administrative Law shall determine the District Appeal within fifty days, and the initial decision shall include an itemization of the record;
4. The Commissioner of Education shall issue a final decision within twenty-five days of the Office of Administrative Law decision;
5. Any appeal from the final decision of the Commissioner shall be filed with the Appellate Division within five days of the Commissioner's decision; and
6. The Appellate Division shall expedite any appeal from the Commissioner's final decision; and it is further

ORDERED that the foregoing schedule shall remain in effect until the further Order of the Court.

WITNESS, the Honorable Deborah T. Poritz, Chief Justice at Trenton, this 20th day of May, 2003.


CLERK OF THE SUPREME COURT

CHIEF JUSTICE PORITZ and ASSOCIATE JUSTICES COLEMAN, LONG, LAVECCHIA, and ALBIN join in the Court's Order. JUSTICES VERNIERO and ZAZZALI did not participate.