

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED**

2260 N Street
Merced, CA 95340
Phone (209) 725-4100

January 20, 2012

Hon. Cathleen Galgiani
Member, California State Assembly
State Capitol
Sacramento, CA 95814

Re: **AB 1208 (Calderon)-OPPOSE.**

Dear Assembly Member Galgiani:

The Merced Superior Court is opposed to AB 1208 (Calderon). We urge you to vote no on this measure when it comes up on the Assembly floor. AB 1208 is an inappropriate overreaching into matters fundamental to the governance of the judicial branch. Judicial branch governance issues must be left to the judicial branch through the Judicial Council and its many advisory committees and internal governance structure to ensure that all members of the judiciary are afforded an opportunity to provide input.

Great strides have been made in the past 15 years to transform the judiciary to a single statewide branch of government that recognizes that all Californians deserve equal access to justice, regardless of their personal financial circumstances, English proficiency, or ability to retain counsel. They must have a fair and equal opportunity to receive justice in our court system, whether they file in the northernmost, southernmost, easternmost, or westernmost California county or any of the other venues across our state. This transformation, made possible by visionary legislative leaders throughout these last 15 years, brought with it uniformity in rules and processes, transparency in financial accountability, and statewide efficiencies. The transformation of the judiciary has helped the state courts with public access to justice with our self-help centers and family law facilitator programs that previously did not exist.

AB 1208 moves our progress in advancing equal justice in opposite direction. It eliminates the statutory provision that directs the Judicial Council to allocate funding to the trial courts and perform other activities that best assure the courts' ability to carry out their functions, authorize implementation of statewide policies, and promote the immediate implementation of efficiencies and cost saving measures in court operations in order to guarantee equal access to the courts. The bill threatens the uniformity and efficiencies of a

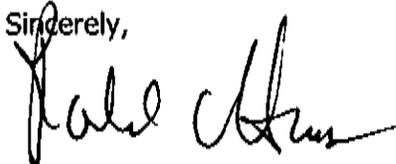
statewide system that has improved the public's access to justice. Merced Superior Court has historically been an under resourced court. AB 1208 eliminates the ability of the Judicial Council to direct increased allocations or to mitigate the impact of budget reductions to under resourced courts or courts with fiscal emergencies by specifying the amount allocated to each trial court shall be equal to the pro rata share of the adjusted base budget of the prior fiscal year. If this bill passes our court may no longer receive the necessary funds. Prior to trial court funding there was no mechanism to distribute funds to under resourced courts based on the courts workload. The resource allocation report aided the courts with equalizing resources.

AB 1208 takes decision making authority for funding key statewide technology and administrative infrastructure projects away from the Judicial Council, and instead gives veto power for statewide initiatives to as few as 2 or 3 courts. For example, even if 55 courts wanted the council to direct funds to essential technology projects, 2 or 3 courts would have the ability to veto that decision, without discussion, without the input from Judicial Council advisory groups and without any consideration of the impact on the other courts. Our court is one of fifteen courts currently on the Sustain Justice Edition case management system and this would have a tremendous impact on future developments of our system.

Chief Justice Tani Cantil-Sakauye has just completed her first year as Chief Justice of California and Chair of the Judicial Council. Already she has taken significant steps to improve transparency and accountability, to bring more courts to the table, and to begin to tackle very challenging and sensitive judicial branch governance issues, including the issues of governance that underpin AB1208. We believe the Chief Justice will continue to work hard to hear concerns from all sides, and to work together with us all to address these matters. She, and the judicial branch as a whole, deserve the opportunity to resolve these fundamental governance issues as a branch.

For all of the above reasons, we respectfully request that you vote NO on AB 1208.

Sincerely,



RONALD W. HANSEN
Assistant Presiding Judge
Superior Court of Merced County



LINDA ROMERO SOLES
Court Executive Officer
Superior Court of Merced County