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Chief Justice Urges Lawyers To Protect Impartiality of the Courts

***'Our tradition of impartial courts cannot be taken for granted,'
Top jurist declares in annual State of the Judiciary Address***

Anaheim—In his 12th annual “State of the Judiciary” Address to the State Bar of California on Saturday, Chief Justice Ronald M. George urged the state’s lawyers to help maintain an impartial and independent judicial branch of government for future generations of Californians.

“I strongly believe that an impartial judiciary – and its corollary, adherence to the rule of law – are the cornerstones of our democratic form of government,” the Chief Justice declared.

“Ironically, at a time when our national government is proposing to export those concepts to other parts of the world, here at home some trends in popular culture and political discourse have undermined the public's understanding of the role of the judicial branch in the checks and balances that govern the relationships among the three branches of government.”

According to a recent poll, two of three adult Americans cannot name the three branches of government, and one of three is incapable of identifying even a single branch, Chief Justice George noted.

“More and more reactions to court decisions are based on the bottom line of who won and who lost, with no focus on the basis for the court's decision and no mention of whether it was compelled by applicable law,” he continued.

Chief Justice George recently created the Commission for Impartial Courts in response to the pressures that costly and partisan judicial election campaigns have placed on courts in other states. The commission will study judicial selection and retention, judicial campaign conduct and

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financing, and public information and education.

“Our tradition of an impartial and independent judicial branch cannot be taken for granted by any generation,” he said. “It is incumbent upon all of us to do all we can to preserve this principle and the rule of law.”

More Judgeships for State Courts

The state’s top jurist reported that the judicial branch is “well on track” with its proposal to add 150 new judicial positions to a court system that has urgently needed more resources to cope with increases in population and caseloads.

The Governor has filled most of the 50 new judgeships created during the 2006 legislative session and another 50 judgeships were created last month in the final hours of the latest legislative session, the Chief Justice said. The branch will seek the remaining positions in 2008.

“Nowhere is the impact of having too few judgeships more apparent than in Riverside County,” the Chief Justice noted. In response to an overwhelming increase in filings and an unmet need for new judgeships, the superior court has closed its civil courts for weeks at a time on more than one occasion.

As a result, Chief Justice George this year assigned a special team of judges to help the superior court deal effectively with its increasing backlog of criminal cases. “Each of these judges has a strong background in criminal law, and they already are making a substantial dent in the workload,” he stated.

“I am also very pleased that the three branches of government, working together with various bar associations, have made great strides in improving the judicial appointment process so as to attract a more diverse pool of qualified applicants to the bench, better reflecting California’s diverse population,” Chief Justice George noted.

Dramatic Increase in Courthouse Transfers

In other positive developments, Chief Justice George reported that the transfer of state court facilities from county to state governance “increased dramatically” over the past year.

By June 30, 2007, 113 of California’s 451 court facilities had been transferred to state governance, under a state law designed to ensure that Californians have equal access to safe, secure, and adequate court facilities.

The Legislature has approved funding for 12 new courthouse construction projects at various stages, and granted a total of almost \$6 million to be used for the initial stages of the creation of a 31-courtroom facility in Long Beach, the Chief Justice said.

“The judicial branch is committed to ensuring that the facilities in which justice is dispensed are safe and secure for all those who visit or work in them,” the jurist noted.

Improving Access to Justice

Chief Justice George also reported on other activities underway in the California court system that are designed to improve public access and public confidence in the judicial branch:

The Legislature allocated \$2.5 million in funding for self-help centers located in court facilities and elsewhere in the community. These centers will offer vital assistance to self-represented litigants, particularly in family law cases.

The judicial branch will continue its efforts to establish a pilot program to provide legal representation to individuals in civil cases in which fundamental rights are at stake.

The California Supreme Court will convene a special educational session next week in Santa Rosa. For the seventh year a row, hundreds of students will see Supreme Court oral arguments at a two-day session to be televised live by California Channel.

Finally, the Chief Justice noted that the Supreme Court also recently announced plans to create a committee that will provide official ethics opinions to judges and candidates for judicial office to assist them in adhering to the California Code of Judicial Ethics.

“Although the California Judges Association for many years has provided a valuable service by offering ethics advice to judges and will continue to do, the California Supreme Court concluded that public confidence in the judicial system would be increased by having such advice rendered by an official body appointed by the Supreme Court – upon which the California Constitution imposes the responsibility for formulating judicial canons of ethics – rather than solely by a voluntary professional organization of bench officers,” Chief Justice George stated.

The complete text of the Chief Justice’s “State of the Judiciary Address” will available on the California Courts Web site at <http://www.courtinfo.ca.gov/reference/soj092907.htm> .

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