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NEWS RELEASE

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FOR IMMEDIATE RELEASE

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Chief Justice Speaks on Effect of Budget Cuts

Cites Duty of Judicial Branch to Ensure Legal Rights

SACRAMENTO—Chief Justice Tani G. Cantil-Sakauye addressed the effect of recent budget cuts on the public’s access to justice before a joint hearing of the state Senate.

“We in the judicial branch accept our responsibility to help address the state’s ongoing fiscal crisis” said the chief justice.

“But we also are mindful of our duty to ensure that 38 million Californians are assured their rights under our constitution, that businesses and residents are provided lawful means to settle disputes, and that those accused of crimes are prosecuted fairly and expeditiously,” she said.

The chief justice’s remarks came just before a joint informational hearing by the Senate Judiciary Committee and the Senate Budget and Fiscal Review Committee, Subcommittee No. 5 on Corrections, Public Safety and the Judiciary as advocates of justice gathered on the steps of the State Capitol to decry the impending crisis in California’s judicial branch spurred by years of budget cuts.

“The civil justice system is the bedrock and foundation of our democratic freedoms,” agreed Senator Noreen Evans of Santa Rosa, Chair of the Senate Judiciary Committee. “It serves as a beacon for disadvantaged communities, a pillar for businesses, a shield for domestic violence survivors, and a safety net for children, veterans and seniors.”

California, the nation’s largest judicial branch, alone has seen its budget cut by 30 percent the last four years with another \$125 million slated for “trigger” cuts if new revenues or tax proposals are not realized. In the past, cuts have been offset by one-fixes including tapping local reserves, fund transfers, fee increases, service reductions and court closures. With those measures, California hoped to save \$480 million, but the resulting economic losses will include more than \$1.6 billion in lost state and local taxes due to layoffs and decreased sales, according to the American Bar Association 2011 report *Crisis in the Courts: Defining the Problem*.

“As a result of the nation’s deep recession and the decline in state revenue, California’s courts have endured years of drastic cuts,” said Senator Loni Hancock of Oakland. “Unless we reverse this trend and approve new revenue, our courts will face additional cuts, further limiting people’s access to the judicial system. The courts are our third branch of government and ultimately, where access is delayed, justice is denied.”

“The court system, the justice system protects all of us,” said David Boies, co-chairman of the American Bar Association Task Force on Preservation of the Justice System. “Without that kind of protection, you can’t have commerce. Without that protection, you’re not going to have liberty. Without that kind of protection, we’re not going to have safety,” Boies said.

Cuts that began in the 2009-2010 budget resulted in courts being closed one day per month. Subsequent cuts have resulted in 25 counties reducing court staffing and services. Because of continued cuts, some counties have had to close courtrooms entirely including San Diego Superior Court, San Joaquin Superior Court and Ventura Superior Court. Other courts have closed entire court branches, including Butte, San Joaquin, San Luis Obispo, San Diego, Sonoma and Stanislaus Counties. Self-help and family law assistance services have also been reduced or shuttered in courts throughout the state.

"Unlike a toll road where you may have an alternative, this is something we depend on as an equal co-branch of government to provide us with the constitutional protections that we think everyone deserves regardless of their ability to pay," said Theodore B. Olson, co-chairman of the American Bar Association Task Force on Preservation of the Justice System.

"Our justice system is the cornerstone of our democracy," said Jon Streecher, President of the California Bar Association. "It is a grave mistake to treat it like an executive branch agency and downsize it for expedience it in troubled economic times. The independence of the judiciary is at stake."

Senator Evans invited the public are invited to share their stories on her website on how access to justice has been affected by these budget cuts. The link to submit stories, live feed of the hearing, background papers and a chart on superior court service reductions to date by county are available [here](#).

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